

MAYOR LINDA GORTON



**LEXINGTON**

CHARLES H. MARTIN, P.E.  
DIRECTOR  
WATER QUALITY

To: Urban County Council  
Abigail Allan, Council Clerk

From: Jody Scrivner  
Administrative Specialist Principal for Remedial Measures Program

Date: June 30, 2022

Re: Change Order 2 – Adjusting Change Order for Upper Cane Run WWS- RMP

This memorandum is to notify the Urban County Council of Change Order (2) for the Upper Cane Run WWS Remedial Measures Project. Per CAO policy 15R, Tier (1) allows the Remedial Measures Program Manager to approve change orders of less than 5% of the cumulative contract award. The result of the attached Change Order No. (2) is to extend construction for 109 calendar days (new completion date: July 21, 2022)

Should you have any questions, please contact me at 425-2449.

cc: Robert Peterson, P.E., Construction Manager  
Charles Martin, P.E., Director of Water Quality  
Nancy Albright, Commission of Environmental Quality  
Todd Slatin, Director of Purchasing  
Stacey Maynard, Council Administrator  
File



**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER**

DATE:	June 30, 2022
Contract Modification:	2
CONTRACT #:	243-2020

PROJECT: Upper Cane Run WWS

TO: Judy Construction  
P.O. Box 1457  
Cynthiana, KY 41031

Original Contract Amount		\$6,551,000.00
Cumulative Amount of Previous Contract Modifications		\$87,140.31
Percent Change of Previous Contract Modifications		1%
Existing Contract Amount		\$6,638,140.31
Net (increase/decrease) in Contract Amount - (From following pages)		\$0.00
Percent Change of This Contract Modification		0.00%
Original Contract Amount		\$6,551,000.00
Cumulative Amount of all Contract Modifications		\$87,140.31
Percent Change of all Contract Modifications		1.33%
New Contract Amount Including this Change Order		\$6,638,140.31
Recommended by <u>[Signature]</u>	(Proj. Engr.)	Date <u>14-JUL-22</u>
Accepted by <u>[Signature]</u>	(Contractor)	Date <u>7/5/2022</u>
Accepted by <u>[Signature]</u>	(RMP Manager)	Date <u>7/15/2022</u>
Approved by _____	(Director)	Date _____
Approved by _____	(Commissioner)	Date _____
Approved by _____	(Mayor or CAO)	Date _____

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**

**CONTRACT MODIFICATION**

DATE:	June 30, 2022
Contract Mod #:	2
CONTRACT #:	243-2020

Project: Upper Cane Run WWS

TO: Judy Construction

You are hereby requested to comply with the following changes from the contract plans and specifications;

Item No.	ADD / DEL	Description of changes	Units	Quantity	Unit Price	Decrease in contract price	Increase in contract price
1	ADD	109 Calendar Days to the Construction Schedule			\$	-	\$
2		(Contract Extended to July 21, 2022)			\$	-	\$
3		See Attached letter.			\$	-	\$
4					\$	-	\$
5					\$	-	\$
6					\$	-	\$
7					\$	-	\$
8					\$	-	\$
9					\$	-	\$
10					\$	-	\$
11					\$	-	\$
12					\$	-	\$
13					\$	-	\$
14					\$	-	\$
15					\$	-	\$
Total decrease						\$	-
Total increase						\$	-
Net (Increase) in contract price						\$	-

**JUSTIFICATION FOR CHANGE**

PROJECT: Upper Cane Run WWS

CONTRACT NO. 243-2020

CHANGE ORDER: 2

1. Necessity for change: Contract time extension due to supply chain interruption and weather days.
2. Is proposed change an alternate bid? \_\_\_ Yes  X  No
3. Will proposed change alter the physical size of the project? \_\_\_ Yes  X  No  
If "Yes", explain.
4. Effect of this change on other prime contractors: N/A
5. Has consent of surety been obtained? \_\_\_ Yes  X  Not Necessary
6. Will this change affect expiration or extent of insurance coverage? \_\_\_ Yes  X  No  
If "Yes", will the policies be extended? \_\_\_ Yes \_\_\_ No
7. Effect on operation and maintenance costs: Extended construction 109 calendar days (new completion date: July 21, 2022).
- 8.

\_\_\_\_\_  
Mayor\_\_\_\_\_  
Date



P.O. BOX 457 CYNTHIANA, KENTUCKY 41031  
Telephone (859) 234-6900 Fax (859) 234-3480  
www.judyconstructionco.com

June 28, 2022

GRW  
801 Corporate Drive  
Lexington, KY 40503  
Attn: John Martin

Ref: Upper Cane Run Wet Weather Storage Time Extension

Dear Mr. Martin,

This letter is to request a time extension due to material delays throughout this project. We have experienced delays with ductile iron pipe, PVC pipe, manhole pipe connectors, hatches, valve operators, and electrical equipment including the automatic transfer switch. The transfer switch was originally scheduled to ship November 15, 2021, it finally arrived onsite Thursday, May 12, 2022. The transfer switch supplier, Russelectric, indicated material shortages, specifically a breaker required to test and ship the transfer switch contributed to the delay. I've attached to this letter additional information from Russelectric and other suppliers further explaining the delays.

The transfer switch is required to complete the electrical connections and to be able to power the facility. Without the transfer switch there was no way for us to continue the critical portion of the project. So much work is required to checkout, startup, and test equipment once power is available. Startups began as soon as possible in May, once the electrical connections were complete. The final startup of the gas detection system is currently scheduled for Thursday, June 30, 2022. At the very least we need two months from the date the ATS was delivered to meet substantial completion. There's also the gap between our current substantial completion date and the ATS delivery. Plus, we still need time to complete the Building Permit, Final Inspection.

Change Order #1 revised the substantial completion date to April 3, 2022. We also have a total of 19 weather days approved for January 2022 through May 2022 (June is pending). Adding the 19 days results in a current substantial completion date of April 22, 2022. Due to the material delays noted above, we're requesting 90 days added to the Contract. The revised substantial completion date would be Thursday, July 21, 2022. Please let us know if this is acceptable.



*Celebrating 40 Years of Business*



Please feel free to contact me if you have any questions regarding this request.

Sincerely,



John F. Whalen II

cc: Ben Williams  
Steve Judy

March 11, 2022

Cummins  
Attn: Blake Sarmiento

Re: Order Delay: Upper Cane Run; s/o #41157 (#3008891310)

Dear Blake,

Let me start by saying that we do not exist without you, the customer. We value your business even though our lack of clear communication has not been representative of that value.

We are making product-focused and process changes that should make the status of your orders more transparent moving forward.

These are truly unusual times which have resulted in an inability to supply you with your order in a timely manner. These are not excuses, but hopefully an explanation of how we got here. As demand for our products continue to grow, so do our demands on our personnel and our suppliers. We find ourselves competing for additional human resources as well as competing for supply of our most critical parts.

In an effort to address the human resource issues, we are leaning on our Siemens colleagues to support in key Operational areas like Materials, Engineering, etc. as we attempt to fill open positions to compensate for the learning curve involved in adding new personnel. Ten key individuals have been assigned to the Ruselectric business segment to focus on these areas.

We are finding that our suppliers are dealing with the same issues as we are. Just one supplier can stop an entire shipment from progressing. These delays in supply have caused stopping and starting of orders for the last several months resulting in a past due wave of orders in front of us, as well as committed orders we are unable to fulfill as originally targeted. The hesitancy in communication is rooted in not wanting to promise again something that we are not yet certain of. Our approach going forward is to be as transparent as possible with where your order is in the process and an honest condition of what our current performance (shipping dates compared to our scheduled date) is in days behind schedule.

Above is our situation in general, but what is happening to your order specifically is what you are interested in: We have it scheduled for 3/15/2022. We are currently running about 7-14 days beyond our newly scheduled dates. We know this is not the information that you wanted to hear, but this is our current condition. We have experienced serious raw material issues (copper and steel) which affected all orders (including your order) as well as several on-going component supplier issues which we have similar difficulties getting dates from, to pass along to you.

Please reach out to us if more information is needed or updates for this order are required.

Sincerely,

Vanessa Pigatin  
Head of Order Management

# Bulletin

from



an AmesburyTruth company

TO: All BILCO Representatives  
FROM: Peter Vandersloot  
DATE: 7/7/2021  
SUBJECT: BILCO Bulletin – J-AL & JD-AL Lead Times

Dear Valued Representatives,

We have been notified by our extrusion vendor that they have to further extend their lead times on a number of parts they supply BILCO with. This will continue a supply gap in two extrusions used for the construction of our J-AL and JD-AL frames. As a result, BILCO must follow-suit and extend our lead times for the following product lines effective today:

J-AL and JD-AL standard and stock products	Extend lead time from 4 to 8 weeks.
J-AL and JD-AL easy specials	Extend lead time from 4 to 8 weeks.
J-AL and JD-AL specials	Request a lead time.
TER, TRD, FR and FR-LC Standards	Extend lead time from 2 to 5 weeks.
TER, TRD, FR and FR-LC Specials	Request a lead time.

Just as an example and prior to this announcement, a lead time for a J-AL standard was originally extended to 4 weeks instead of the traditional standard lead time. That lead time will now be 8 weeks.

We are reviewing all the orders currently in production to determine if any order will be affected by this supply gap and will let you know if we need to reschedule any order. For any questions, please contact your **Inside Sales Representative**

Sincerely,

Peter Vandersloot

Sales Manager – Architectural Products

[peter.vandersloot@bilco.com](mailto:peter.vandersloot@bilco.com)

Direct Line: (203) 672-8688



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New Haven, CT, U.S.A. 06513



**Flow Control Division**

*Limitorque*



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October 22, 2021

Re: Flowserve Limitorque SO 187009

Ron Loscheider  
Dezurik

Ron

This letter is in response to your request for information on Limitorque Sales Order 187009. To date everything on this order has shipped with the exception of line item 5, which is for a quantity of 2 WG-03 gearboxes.

Per notification from our supply chain the gears were held up in port at our vendor, and in turn are being delayed to us. The gears are scheduled to arrive in Lynchburg in mid-November, we have asked for confirmation and have yet to receive that.

Once the gears are in our factory we expect to be able to ship with just a few days.

Matt Bowers  
Sales Engineer  
816-585-3394  
mbowers@flowserve.com



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August 27, 2021

Ferguson Waterworks  
1209 Industry Rd  
Lexington, KY 40505  
Attn: Daniel Stamps

RE: Judy Construction - Upper Cane Run

Daniel,

This letter is meant to address questions regarding the state of the PVC resin and PVC pipe industry, the rationale for re-pricing pipe, and the elimination of certain types of pipe from our product offering, specifically ASTM D2241 IPS.

The industry is experiencing an upheaval that has been driven by the following issues; February's Winter Storm Uri which devastated the Petro-chemical industry located in the Gulf Coast of the US, the latest rain event dumping 6+'' on the gulf coast, truck and driver shortages, and micro ingredient scarcity.

The storms caused extensive damage to our primary raw material suppliers (PVC Resin), forcing 3 of the 4 PVC resin producers to declare Force Majeure, all have recently rescinded their declarations. However, a major backlog of unfulfilled resin orders remains. Two of those 3 suppliers provide 100% of our resin. The remaining supplier is not taking any new customers. These Force Majeure declarations have resulted in a reduction of our contracted supply of PVC Resin. While we have been given notice that the suppliers intend to restore our full contract amount, we have not been given any indication of when that will occur. This reduction in available raw materials has forced National Pipe to reduce our production a commensurate amount. To further complicate our industry's situation, the price of PVC resin has skyrocketed in the past 12 months, increasing the price of PVC pipe by over 100%. We have attempted to keep up with these increases by raising our prices for new orders as well as existing orders that cannot be shipped within the quoted terms. Our current stance is fair. Our lead times have stretched to the longest in industry history, far surpassing 2005 during the aftermath of Hurricane Katrina.

In addition to the PVC Resin issues, several micro ingredients necessary to produce pipe have become scarce and direct replacements are not available. While the overall volume per pound of these "micros" are small they are necessary to process the resin into pipe. Our team has worked tirelessly to find, trial, and test these replacements. Many of these replacements are coming in at a much higher pricing per pound and the processing window is much different than our "normal" compound therefore reducing our production rates. Yet, our backlog of orders has risen to record levels and necessitated the elimination of certain sizes and configurations. This allows us to focus on the most common sizes which make up nearly our entire backlog. Our intent in taking these is to remain a viable supplier beyond this situation.

Finally, there were unfortunate circumstances beyond our control that prevented us from being able to produce Judy's 24" pipe in July as intended. Our plan is to get back to 24" products in late September, which will give us the opportunity to run that pipe. We understand you are in dire need of this material, and we will try our best to get it to you as quickly as we can.

We appreciate your understanding during these difficult times.

Regards,



Matt G Siegel  
Vice President  
National Pipe & Plastics



## C&B PIPING, INC.

P.O. Box 942  
Leeds, AL 35094  
(205) 699-0455  
[www.cbiping.com](http://www.cbiping.com)



5/12/21

All C&B Piping customers:

As many of you know, the pandemic has created numerous supply chain issues that have affected the replenishment of product entering the United States. Currently the market is experiencing increases in raw material cost, global shipping container shortages, and the reversal by the Chinese government of refunds to manufacturers on exports. India and Asia are seeing a reemergence of Covid-19 which is creating additional manufacturing constraints on ductile iron products. Due to these unforeseen issues all manufacturers have adjusted pricing on fittings 23% effective June 1, 2021. Some fittings and wedge restraint manufactures have also declared Force Majeure under any existing contracts.

The most severe impact is material availability. Common A & B items such as MJ/FLG bends, tees, and reducers have been completely depleted from inventory. This is also true of mechanical joint bell restraints. Current lead times on these items are being quoted at 18-24 weeks from the manufacturer and these lead times are not firm and reliable due to unknown impacts in the supply chain and spike in demand.

This letter is being written to alert you of the current situation. We urge you to purchase all products in advance by 26-30 weeks at this time. Material currently in stock must be taken on site and backordered materials will ship when available and could be as far out as 30 weeks at this time. The lead times will continue to change over the next few months.

This situation is not just limited to imported products as demand in the industry is increasing and some demand will shift to USA products to fill the gaps. Lead times for domestically made items continue to increase as well.

These issues causing the shortages are out of our control. We understand the challenges this creates and are committed to working hard as ever to service you the C&B way.