



**TO: LINDA GORTON, MAYOR
URBAN COUNTY COUNCIL**

**FROM: THERESA REYNOLDS, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS**

DATE: NOVEMBER 3, 2025

**SUBJECT: Authorization to execute Change Order No. 5, Final with ATS Construction for
the Clays Mill Road Section 1 Project**

Request: Council authorization to execute Change Order No. 5, final with L-M Asphalt Partners, Ltd. dba ATS Construction by \$1,085,012.44 for the Clays Mill Road Section 1 project, increasing the contract price from \$12,056,925.97 to \$13,141,938.41. Approval is contingent upon pending approval of this change order by the Kentucky Transportation Cabinet.

Purpose of Request: On December 3, 2019 (Resolution No. 679-2019), Council authorized the execution of Supplemental No. 4 with the Kentucky Transportation Cabinet for acceptance of additional federal funds in the amount of \$13,200,000 for the construction phase of Section 1 on Clays Mill Road. On October 8, 2020 (Resolution 444-2020), Council approved to accept the bid of L-M Asphalt Partners Ltd. dba ATS Construction in the amount of \$10,683,653.39 for construction of Clays Mill Road Section 1. On February 9, 2022, Change Order No. 1 was executed increasing the contract price by 2.05% to \$10,903,149.59. On November 15, 2022, Change Order No. 2 was executed increasing the contract price by 4.79% to \$11,415,070.06. On July 13, 2023, Change Order No. 3 was executed increasing the contract price by 6.01% to \$12,056,925.97. Change Order No. 4 was executed to extend the contract by an additional 30 days to complete the work.

The LFUCG Division of Engineering needs this action to address various site conditions requiring field changes to the project, to address delay claims resulting from unforeseen site conditions causing construction delays, and to adjust final quantities in advance of project close-out, as detailed in the supporting documents attached to Change Order No. 5.

What is the cost in this budget year and future budget years? \$1,085,012.44 is the cost in FY2026. No future costs are anticipated.

Are the funds budgeted? Yes, 3160-303202-3251-91715 CLY_ML_RD_2015 CONST 2015

File Number: 1056-25

Director/Commissioner: Burton/Albright

