LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

February 26, 2008

I. Public Comment – Issues on Agenda

II. Requested Rezonings / Docket Approval – None

III. Approval of Summary-Yes, February 19, 2008, pp.4-8

IV. Budget Amendments – None

V. New Business, pp.10-21

VI. Continuing Business / Presentations

   A. Corridors Committee

   B. Planning Committee, pp.22-24

   C. American Red Cross Month Proclamation

   D. Management Partners Audit Report –Jerry Newfarmer & Julia Novak

VII. Council Report

VIII. Mayor's Report – None

IX. Public Comment – Issues Not on Agenda

ADMINISTRATIVE SYNOPSIS

New Business Items

A. Authorization to Submit Application to the Kentucky Office of Homeland Security from the Homeland Security Grant Program for the Department of Public Safety, Division of Fire and Emergency Services. (114-08) (P. King/Bennett)

This request will authorize the submission of an application for federal funds of $23,893 to the Kentucky Office of Homeland Security from the Homeland Security Grant Program on behalf of the Division of Fire and Emergency Services. This funding will support an upgrade to the Mobile Command Post Interoperable Communications System for the purchase of a Rajant InstaMESH Breadcrumb deployable 2.4GHZ Wi-Fi wireless system. This equipment will bring this mobile command post to the same communications standards operated by the Kentucky Office of Emergency Management, the City of Louisville, and the Center for Rural Development. No matching funds are required.**p.10**

B. Authorization of an Amendment to Agreement with Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc. for Use of HOME Investment Partnerships Program Funds. (115-08) (P. King/Koch)

This request will authorize an amendment to agreement with the Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc. to extend the performance period from June 30, 2008 to June 30, 2009 for use of HOME Investment Partnerships Program funds for the operation of a Tenant Based Rental Assistance Program for persons of very low-income. The extension will allow time to complete project activities. There are no other changes to the agreement. No additional funds are required.**p.11**

C. Authorization to Amend Resolution No. 39-2008 Regarding Contract with Zambelli Fireworks Manufacturing, Inc. (116-09) (Askew)

This request will authorize an amendment to Resolution No. 39-2008 to correct the annual payment amount from $350,000 to $35,000 with Zambelli Fireworks Manufacturing, Inc. There are no other changes associated with this amendment.**p.12**

D. <u>Authorization of a Professional Services Agreement with EHI Consultants Regarding the Lexington East End Neighborhood Small Area Plan. (117-08) (C. King/D. Kelly)</u>
This request will authorize a Professional Services Agreement with EHI Consultants for the development of a Comprehensive Plan for the Lexington East End Neighborhood at an amount not to exceed $100,000. This plan will develop a "small area plan" in close cooperation with area residents. This project will be funded from funds appropriated by Council for the East End Area. The Department of Public Works and Development, Division of Planning will be the approval agency for all work, and will review and approve all invoices for payment. Funds are budgeted.**pp.13-14**

E. <u>Authorization of Change Order No. 1 to Contract with Bluegrass Contracting Corporation Regarding the Meadow/Northland/Arlington Public Improvements Design Phase 2C – Final. (119-08) (P. King/D. Kelly)</u>
This request will authorize Change Order No. 1 to decrease the contract amount by $36,038.83 with Bluegrass Contracting Corporation for the Meadow/Northland/Arlington Public Improvements Design Phase 2C project. The adjustment is a decrease of $27,049.33 in Community Development Block Gant funds and a decrease of $8,989.50 in Sanitary Sewer funds. This change will adjust the bid quantities to the final installed quantities. New contract total is $1,016,493.69. **pp.15-17**

F. <u>Authorization of Change Order No. 2 to Contract with CDP Engineers, Inc. Regarding the South Elkhorn Pump Station and Force Main Improvement Project. (121-08) (Martin/Taylor)</u>
This request will authorize Change Order No. 2 to increase the design services contract by $33,500 with CDP Engineers, Inc. regarding the South Elkhorn Pump Station and Force Main Improvement Project. Delays in project funding have allowed field changes that have impacted the force main alignment and resulted in expiration previously granted encroachment and construction permits. The original contact amount was $340,000. Amount of the previous change order was $114,000. New contract amount is $487,500. This is a 43% increase to the original contract. Funds are budgeted.**pp.18-19**

G. <u>Authorization of Change Order No. 1 to Contract with HDR / Quest Engineers, Inc. Regarding the Star Shoot Parkway Extension Project. (122-08) (Rayan/D. Kelly)</u>
This request will authorize Change Order No. 1 to increase contract for the review of the shop drawings for the bridge by $1,125 with HDR / Quest Engineers, Inc. regarding the Star Shoot Parkway Extension Project. The original contract amount was $106,500. New contract amount is $107,625. Funds are budgeted.**pp.20-21**

URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

& TABLE OF MOTIONS

February 19, 2008

Mayor Newberry chaired the meeting, calling it to order at 3:10 pm. All Council Members were present except CMs DeCamp and Stevens.

I. Public Comment – Issues on Agenda-None

II. Requested Rezonings / Docket Approval-Yes

A motion by CM James to place on the docket for 2/21/08 without a hearing an ordinance changing the zone from a Wholesale & Warehouse Business (B-4) zone to a Planned Neighborhood Residential (R-3) zone doe 0.05 net (0.06 gross) acre of property located at 223 and 229 Miller Street, seconded by CM Ellinger, passed without dissent.

A motion by CM James place on the docket for 2/21/08 without a hearing an ordinance changing the zone from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone for approximately 3.14 net (approximately 3.41 gross) acres of property located at 898 Georgetown Street and a portion of 798 Georgetown Street, seconded by CM Ellinger, passed without dissent.

A motion by CM Blevins to place on the docket for the Thursday, February 21, 2008 Council Meeting, a resolution authorizing the Mayor, on behalf of the Urban County Government, to submit an application in the amount of $80,764,000.00 to the Kentucky Infrastructure Authority (KIA) for low interest loans at a rate of 1% or 3% to facilitate nine (9) sanitary sewer projects/upgrades. The loan rates offered by Kentucky Infrastructure Authority are significantly lower than the rates LFUCG would receive through our bonding process, seconded by CM Beard, passed without dissent.

A motion by CM Gorton to place on the docket for the Thursday, Feb. 21, 2008 Council Meeting a resolution opposing House Bill 447, pertaining to the prohibition of local governments requiring that affordable housing be provided as part of residential developments, seconded by CM Myers, passed without dissent.

A motion by CM Myers to place on the docket for the February 21, 2008 meeting a resolution supporting legislation to permanently exempt military pay from the

Kentucky income tax, seconded by CM McChord, passed with one recusal: CM Gorton.

A motion by CM Gorton to approve the amended docket, seconded by CM Lane, passed without dissent.

III. Approval of Summary – Yes

A motion by CM James to approve the summary of 2/12/08, seconded by CM Myers, passed without dissent.

CM James asked that a correction of name in the Inter-Governmental Committee summary, from Ana Wehle to Anna Hartje, be done for the presentation made at the Inter-Governmental Committee meeting on 2/12/08.

IV. Budget Amendments-Yes

A motion by CM Gorton to approve the budget amendments, seconded by CM Myers, passed without dissent.

V. New Business

A. Authorization of Change Order No. 2 to Contract with HDR Quest Engineers, Inc. (f/k/a Quest Engineers, Inc.) for the Todds Road / Liberty Road Phase I Widening Project. (098-08) (King/D. Kelly)

B. Authorization for an Engagement of Services with Kinzelman Kline Gossman to Perform a Non-Residential Infill and Redevelopment Study for LFUCG. (008-08) (C. King/D. Kelly)

C. Authorization to Submit Applications to the Kentucky Transportation Cabinet (KYTC) for the Brighton Rail Trail Bridge, Share the Road Campaign, Tates Creek Road Sidewalk and Transit Improvements, and the Pope Villa Restoration Project – FY2009. (104-08) (King/D. Kelly)

D. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of General Services, Division of Building Maintenance and Construction. (071-08) (Allen/Cole)

E. Authorization of Change Order No. 1 to Contract with Sensabaugh Design and Construction, LLC for the North Base Steel Stairway Project at North Base. (099-08) (Hancock/Cole)

F. Authorization of Change Order No. 1 to Contract with BCD, Inc. for the Gainesway Community Building Project. (110-08) (Hancock/Cole)

G. Authorization to Accept a Donation of a Canine Stab / Level II Bullet Resistant Dog Vest from Critter Sitters of Lexington, Inc., For the Love of Dogs Bakery, Dogtown LLC, and What's the Scoop, LLC on Behalf of the Department of Public Safety, Division of Police. (100-08) (Bastin/Bennett)

H. Authorization of an Agreement with the University of Kentucky (UK) Albert B. Chandler Medical Center for use of Emergency Room as Clinical Practice Area for Sexual Assault Treatment Program – FY2008. (101-08) (King/ Bennett)

I. Authorization to Accept Award from the Kentucky Office of Homeland Security for Continuation of the Metropolitan Medical Response System (MMRS) – FY2008. (103-08) (King/Bennett)

J. Authorization to Submit Grant Application to the Environmental Protection Agency (EPA) under the Community Action for a Renewed Environment (CARE) Program on Behalf of the Department of Environmental Quality. (102-08) (King/Taylor)

K. Authorization of Change Order No. 1 to Contract with The Walker Company on Behalf of the Department of Environmental Quality Regarding the Haley Pike landfill Closure Phase III. (109-08) (McFadden/Taylor)

L. Authorization to Amend Resolution No. 110-2007 Regarding a Deed of Permanent Sanitary Sewer and Temporary Construction Easements at 1980 Edgeworth Drive for the North Elkhorn Force Main Project. (111-08) (Martin/Taylor)

M. Authorization to Amend Ordinance No. 267-2007 to Correct Clerical Errors in Numbering. (105-08) (Askew)

N. Authorization of a Contract with EyeMed Vision Care (Combined Insurance Company of America) for LFUCG Active Employees for Calendar Year 2007. (084-08) (Allen/Koch)

O. Authorization of a Contract with EyeMed Vision Care (Combined Insurance Company of America) for LFUCG Active Employees for Calendar Year 2008. (085-08) (Allen/Koch)

P. Authorization of an Independent Contractor Agreement with I/O Solutions, Inc. for Testing Applicants Applying for Promotion to Community Corrections Officers. (086-08) (Allen/Koch)

Q. Authorization of a Purchase and Security Agreement with Stanard & Associates, Inc. for the National Police Officer Selection Test (POST) for Police Recruit Applicants. (087-08) (Allen/Koch)

R. Authorization of a RemitPlus Software License Agreement with AudioTel Corporation (AudioTel) on Behalf of the Department of Finance and Administration, Division of Revenue. (106-08) (O'Mara/Koch)

S. Authorization of a Merchant Services Agreement with American Express on Behalf of the Department of Finance and Administration, Division of Revenue. (107-08) (O'Mara/Koch)

T. Authorization to Amend Sections 21-5 of the Code of Ordinances within the Department of General Services, Division of Parks and Recreation. (113-08) (Allen/Cole)

A motion by CM Blevins to approve new business items A-T, seconded by CM Meyers, passed without dissent.

VI. Continuing Business / Presentations

A. Intergovernmental Committee Update

This update was given by newly voted Chair CM James. There was one motion brought forward.

A motion by CM James to approve the election of the new chair for the Inter-Governmental Committee, seconded by CM Myer, passed without dissent.

B. EPA Report-Jack Bender, Attorney at Greenbaum, Doll, & MacDonald PLLC

This report was postponed to a later date.

C. The Impact of Higher Education on the Lexington Economy-Brad Cowgill

This presentation was postponed to a later date.

D. Sanitary Sewers

This presentation was done by Comm. Taylor and questions and answers were done by Comm. Taylor and Charlie Martin.

Several CMs requested to speak during this time. Mayor Newberry concluded the presentation by stating that he was extremely pleased with Comm. Taylor and Dir. Martin; Comm. Kelly did an enormous amount of work; and Comm. Askew and Jack Bender did outstanding jobs, as well.

VII. Council Report

CM Gorton-Commented that the promotion ceremony for the Police Dept. was wonderful

CM James-Announced Dunbar Center's Black History Month celebration at 7 pm on 2/22; passed around cards for state-wide tree seminar; talked about book signing on Isaac Murphy at Carnegie Center on tonight at 5:30 pm.

CM McChord-Announced the Stonewall Association meeting on 3/4 at 7 pm at Stonewall Elementary; Congrats to Dunbar's Jon Baugh, Henry Clay's Matt Zarf and Lafayette's Matt Green on state wrestling titles and coach Andy Critchfield of Henry Clay and coach Chris McCoy of Lafayette.

CM Stinnett-Announced that on 2/20 Mayor's Night Out at Spencerian College on Winchester Rd; also that day at 4 pm Chase Leadership Academy in Council Chambers; stated that LFUCG's new benefit structure is not on Humana's website.

CM Blues-Announced neighborhood meetings: on 2/21 Speigle Hill at 7pm; on 2/25 at 7 pm Radcliffe Marlboro and Oakwood.

CM Beard-A motion by CM Beard to approve the NDF list for 2/19/08, seconded by CM Myers passed without dissent.

VIII. Mayor's Report-Yes

A motion by CM Lane to approve the Mayor's Report dated 2/12/08, seconded by CM Gorton, passed without dissent.

IX. Public Comment-Issues not on the agenda-None

A motion by CM Stinnett to adjourn, seconded by CM McChord, passed without dissent.

Work Session was adjourned at 5:00 pm.

Budget Information For New Business Items
February 26, 2008 Work Session

Item	Number	Amount	Fund	Name / Description
A	114-08	23,893		Federal Grant Funds Requested
B	115-08	NA		
C	116-08	NA		
D	117-08	100,000	1101	General Services District Fund
E	119-08	27,049.33 8,989.50	3120 4002	US Department of Housing and Urban Development Sanitary Sewer Revenue and Operating Fund
F	121-08	33,500	4003	Sanitary Sewer Construction Fund
G	122-08	1,125	1136	

114-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Community Development

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: FEBRUARY 14, 2008

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO THE KENTUCKY OFFICE OF HOMELAND SECURITY REQUESTING FEDERAL FUNDS FROM THE HOMELAND SECURITY GRANT PROGRAM

The Division of Fire and Emergency Services has prepared a grant application for submission to the Kentucky Office of Homeland Security requesting federal funds in the amount of $23,893 to support an upgrade to the Mobile Command Post Interoperable Communications System. No matching funds are required.

If approved, funds will be used to purchase a Rajant InstaMESH Breadcrumb deployable 2.4GHZ Wi-Fi wireless system for installation into the Division of Fire and Emergency Services' Mobile Command Post. Acquiring this equipment will bring this command post up to the communication standards already in place within Mobile Command Posts operated by the Kentucky Office of Emergency Management, the City of Louisville, and the Center for Rural Development.

Council authorization to submit application is hereby requested.

Paula King
Director

Xc: Tim Bennett, Commissioner of Public Safety

115 -08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Community Development

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: FEBRUARY 13, 2008

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AMENDMENT TO AGREEMENT WITH COMMUNITY ACTION COUNCIL FOR USE OF HOME INVESTMENT PARTNERSHIPS FUNDS FOR SUPPORT OF TENANT BASED RENTAL ASSISTANCE PROJECT

On April 10, 2006 (Ordinance # 104-2005), Council approved execution of an agreement with Community Action Council providing an allocation of $110,000 in Home Investment Partnerships Program funds, in accordance with the 2005 Consolidated Plan, for operation of a Tenant Based Rental Assistance Program for persons of very low-income. The agreement provided for project completion by June 30, 2008. Community Action Council has requested additional time to complete the project activities.

The amendment to agreement provides for a twelve-month extension to the performance period for project completion, through June 30, 2009. No additional funds are needed.

Council authorization to execute the amendment to agreement is hereby requested.

Paula King, Director

Xc: Kyna Koch, Commissioner, Department of Finance and Administration

HORSE CAPITAL OF THE WORLD

200 East Main Street 6th Fl Lexington, KY 40507 (859)258-3070 (859)258-3081 fax www.lfucg.com

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116-08

Mayor Jim Newberry
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Department of Law

TO: Jim Newberry, Mayor
Councilmembers

FROM: Department of Law

DATE: February 14, 2008

RE: Amendment to Resolution No. 39-2008

The action requested is to amend Resolution No. 39-2008 in order to correct a typographical error. The Amendment to Resolution No. 39-2008 will correct the annual amount payable in 2008 and 2009 to Zambelli Fireworks Manufacturing, Inc. for the Fourth of July Fireworks from $350,000.00 to $35,000.00.

Tracy W. Jones

Tracy W. Jones
Corporate Counsel

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P. O. Box 34028 Lexington, KY 40588-4028 (859) 258-3500 Fax: (859)258-3538 www.lfucg.com

117-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Planning

MEMORANDUM

TO: Joe Kelly, Special Assistant to the Mayor _______ Approved

FROM: Christopher D. King, Director
Division of Planning

APPROVED AND FORWARDED:
Don Kelly, Commissioner
Department of Public Works and Development

DATE: January 2, 2007

RE: Recommendation for Engagement of Services

The Division of Planning requests that you approve our forwarding to Council a request for a resolution authorizing the engagement of the firm of EHI, Inc. to consult with the LFUCG for the preparation of a small area plan for the East End neighborhood. The work would be as described in the attached RFP, and at billing fees described in EHI's response, in an amount not to exceed ~~$120,000.~~ $100,000. CDK

Two firms responded to the RFP, and in accordance with CAO Policy #1, a selection committee was convened to evaluate the requests and interview the responders. The Selection Committee included Candace Wafford, Division of Purchasing; Joan Whitman and Lyle Aten, Planning Commission; Harold Tate, Lexington DDA; Paula King, Division of Community Development; Bettie Kerr, Division of Historic Preservation; Anthony Wright, Mayor's Office of Economic Development; Andrea James, Councilmember; and Chris King, Jim Duncan, Rachel Phillips and Della Horton of the Division of Planning. The Committee was unanimous in its opinion that EHI's proposal clearly was superior in terms of the review criteria established in the RFP.

I do wish to comment on one matter relating to this recommendation. It came to the Division of Planning's attention during this process that Mr. Edward Holmes, President of EHI, owns property within the study area. Mr. Holmes is also currently a member of the Planning Commission. These facts raised concerns over possible real or perceived conflicts with the LFUCG's ethics ordinances. After extensive discussion and review with the Department of Law, it was determined that no violation exists as long as certain disclosures and understandings are documented. As a result, I contacted Mr. Holmes, who has provided a letter (attached) which should alleviate concerns regarding this potential issue.

117-08

The funds for this project are funds that were previously earmarked by Council for the East End Area. The Division of Planning will be the approval agency for all work and the recipient of all invoices. The Division of Planning will review and approve all invoices prior to forwarding for payment.

After you have approved this request, please contact us and we will prepare the necessary bluesheet to forward this matter to Council at the next available opportunity. If you have any questions, please do not hesitate to contact me.

Attachments

C: Candace Wafford, Division of Purchasing

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119-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Community Development

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: FEBRUARY 19, 2008

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE CHANGE ORDER NO. 1 WITH BLUEGRASS CONTRACTING, INC. FOR A DECREASE OF $36,038.83 FOR MEADOWS/NORTHLAND/ARLINGTON PUBLIC IMPROVEMENTS DESIGN PHASE 2C

The Division of Engineering has recommended the execution of a change order to decrease the contract by $36,038.83 with Bluegrass Contracting, Inc. for the Meadows/Northland/Arlington Public Improvements Project, Phase 2C. The adjustment is a decrease of $27,049.33 in Community Development Block Grant funds and a decrease of $8,989.50 in Sanitary Sewer funds. The new contract total is $1,016,493.69.

The change order will adjust the bid quantities to the final installed quantities. The Division of Community Development concurs with the Division of Engineering's request.

The change order will adjust the following accounts:

FUND	DEPT ID	SECTION	ACCOUNT	PROJECT	BUD REF	ACTIVITY
3120	303202	3211	91713	CDBG	2006	C03
4002	303202	3223	92811			

Council authorization to execute the change order is requested.

Paula King, Director

Cc: Division of Engineering
Don Kelly, Commissioner of the Department of Public Works

119-08

MEMORANDUM

To: Paula King
Community Development

From: Samuel R. Williams, P.E., P.L.S.
Municipal Engineer Senior

Date: February 7, 2008

RE: Change Order Number 1, Contract 877
Meadows – Northland – Arlington, Phase 2 C

Change Order Number 1 – Final with Bluegrass Contracting Corporation is a change to Contract Number 877, Purchase Order LF00019314. This change order decreases the Contract as shown:

CDBG Funds - (credit $27,049.33):

1. Decrease/ delete Unit Priced items 6, 8, 10, 11, 14, 15, 17, 18, 19, 20, 22 & 26 (credit $131,229.35),
2. Increase/ add the amount of Unit Priced items 3, 4, 5, 7, 37 & 39 (add $95,190.52),

Sanitary Sewer Funds – (credit $8,989.50):

1. Decrease/ delete Unit Priced items 29, 30, 31 & 32 (credit $10,159.50),
2. Increase/ add Unit priced item 38 (add $1,170.00),

This Change Order decreases the total Contract by $36,038.83. The Division of Engineering recommends approval.

Recommended by:

Samuel R. Williams, P.E., P.L.S.
Municipal Engineer Senior

Reviewed by:

2/8/08
Robert A. Bayert, P.E., P.L.S.
Engineering Section Manager

Approved by:

Marwan A. Rayan, P.E.
Urban County Engineer

Approved by:

Don C. Kelly, P.E., Commissioner
Department of Public Works

08.P363.411.G.ENGDATA.877COOneFinal

CONTRACT HISTORY FORM

119-08

Contractor: Bluegrass Contracting Corporation

Project Name: Meadows-Northland-Arlington Phase 2C

Contract Number and Date: #877 – June 8, 2006

Responsible LFUCG Division: Engineering

CHANGE ORDER DETAILS

A. Original Contract Amount: $ 1,052,532.52

Next Lowest Bid Amount: $ 1,399,356.00

B. Amount of Selected Alternate or Phase: $ 1,052,532.52

C. Cumulative Amount of All Previous Alternates or Phases: $ -0-

D. Amended Contract Amount: $ 1,052,532.52

E. Cumulative Amount of All Previous Change Orders: $ -0- 0.00 % *(Line E / Line D)*

F. Amount of This Change Order: $ (36,038.83) (3.42) % *(Line F / Line D)*

G. Total Contract Amount: $ 1,016,493.69

SIGNATURE LINES

Project Manager: [signature] Date: FEB 7, 2008

Reviewed by: [signature] Date: 2/08/08

Division Director: [signature] Date: 2/8/08

121-08

Mayor Jim Newberry

Division of Water and Air Quality

TO: Mayor Jim Newberry
Urban County Council

FROM: Charles H. Martin, P.E., Director
Division of Water and Air Quality

DATE: February 19, 2008

SUBJECT: Change Order #2 to the Engineering Contract with CDP Engineers, Inc. for Design Services Associated with the South Elkhorn Pump Station and Force Main Improvement Project

The Division of Water and Air Quality requests approval of Change Order #2 with CDP Engineers, Inc. to increase the design services contract for the South Elkhorn Pump Station and Force Main Improvement Project. The change order is necessary because delays in project funding have allowed field changes to occur that negatively impact the force main alignment. Funding delays have also allowed previously granted encroachment and construction permits to expire. The original contract with CDP Engineers was $340,000. Change Order # 1, in the amount of $114,000, was approved in 2006. The currently requested change order, for $33,500 would increase the overall contract amount to $487,500, which is a 43% percent increase to the original contact amount.

Review of original Request for Proposal bid tabulation summary indicates a wide variety of design costs and design scenarios. Two (2) of the seven engineering firms offering proposals suggested design scenarios similar to that recommended with the Change Order #1 request. The average design cost of those two proposals was $454,200.

Funds for Change Order # 2 are budgeted in 4003-303408-3465-71200.

The Chair of the Sanitary Sewer Oversight Committee (SSOC) recommended that this be blue sheeted for Council rather than waiting for February 26, 2008, SSOC meeting.

Cc: Councilmember Don Blevins, Chair of the Sanitary Sewer Oversight Committee
Rick Day, Division of Water and Air Quality Construction Manager

121-08

CONTRACT HISTORY FORM

Contractor: CDP Engineers

Project Name: South Elkhorn PS/FM

Contract Number and Date: #5343 - 2004

Responsible LFUCG Division: Water and Air Quality

CHANGE ORDER DETAILS

Summary of Previous Change Orders To Date		Dollar Amount	Percent Change to Original Contract
A.	Original Contract Amount:	$ 340,000.00	
B.	Cumulative Amount of Previous Change Orders:	$ 114,000.00	34% % (Line B / Line A)
C.	Total Contract Amount Prior to this Change Order:	$ 454,000.00	
	Current Change Order		
D.	Amount of This Change Order:	$ 33,500.00	10% % (Line D / Line A)
E.	New Contract Amount Including this Change Order:	$ 487,500.00	143% % (Line E / Line A

SIGNATURE LINES

Project Manager: [signature] Date: 2.19.08

Reviewed by: Date:

Division Director: [signature] Date: 2-19-08

122-08

Mayor Jim Newberry

LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT

Division of Engineering

MEMORANDUM

TO: Jim Newberry, Mayor
Urban County Council

FROM: Marwan A. Rayan, P.E.
Urban County Engineer

DATE: February 14, 2008

RE: Star Shoot Parkway Extension Project
Change Order 1

We are requesting that the Lexington-Fayette Urban County Council authorize the Mayor to sign Change Order No. 1 to the contract with HDR/Quest Engineers, Inc. for the subject project.

We have requested that the Consultant review the shop drawings for the bridge. This review was not covered in the original scope of services.

The cost for this change is $1,125.00.

MAR: KL: MLD

Attachments:

C: Don C. Kelly, P.E. w/o
Robert A. Bayert, P.E. w/o
Keith Lovan, P.E. w/o
File

08.P472.411.memo 10 king

CONTRACT HISTORY FORM

122-08

Contractor: **HDR/Quest Engineers, Inc.**

Project Name: Star Shoot Parkway Extension Project

Contract Number and Date: 5798 December 7, 2006

Responsible LFUCG Division: Engineering

Resolution No. 734-2006

CHANGE ORDER DETAILS

A.	**Original Contract Amount:**	$ 106,500	
	Next Lowest Bid Amount: $N/A (qualification based selection)		
B.	**Amount of Selected Alternate or Phase:**	$ N/A	
C.	**Cumulative Amount of All Previous Alternates or Phases:**	$ 0	
D.	**Amended Contract Amount:**	$ 106,500	
E.	**Cumulative Amount of All Previous Change Orders:**	$ 0	0 % *(Line E / Line D)*
F.	**Amount of This Change Order:**	$ 1,125	1 % *(Line F / Line D)*
G.	**Total Contract Amount:**	$ 107,625	

SIGNATURE LINES

Project Manager: Keith Lovan **Date:** 2/11/08

Reviewed by: Robert A Bayert **Date:** 2/14/08

Division Director: [signature] **Date:** 2/15/08

URBAN COUNTY COUNCIL

PLANNING COMMITTEE SUMMARY

FEBRUARY 19, 2008

CM Gorton chaired the meeting, calling it to order at 1:00 pm. All committee members were present except Dr. Stevens.

I. Loudon Ave Phase I Update

Bob Bayert, Division of Engineering, stated Loudon Ave project is under construction. He stated they are working on the storm sewer portion and have completed from Idlewild to Oakhill. He stated they are working on sanitary sewers as well.

CM James stated the contractor on this phase has given themselves some pretty strict timelines.

2. Constructed Wetlands

CM Gorton gave council members a copy of an article that was in the January 2008 American City and County magazine about rainmakers. She stated it is about communities that have solved water problems in many ways and one being constructed wetlands.

Vice Mayor Gray stated council was fascinated with the proposal the Shore's presented to council about six weeks ago. He stated it is worthwhile for council to recognize how this relates to the six foundational pillars the council adopted a little over a year ago. He stated the number one pillar was environmental sustainability. He stated the timing of this is appropriate since the article in today's Herald Leader regarding Popular Science ranking Lexington as the 25th Most Greenest City in the Country.

Dr. Dick Shore gave a Powerpoint presentation regarding constructed wetlands.

Vice Mayor Gray asked Dr. Shore if he has had any conversations with anyone at LFUCG regarding wetlands.

Dr. Shore stated yes he has talked with David Gabbard. He stated David Gabbard gave him the concept study that he prepared in 1999. He stated he has talked with others as well. Dr. Shore stated there are 19 constructed wetlands in Kentucky now and 28 in Florida. He stated this is not new technology.

CM Beard stated he still wonders if this is the solution to the water supply problem. He stated he can understand from environmental view where it would help.

Dr. Shore stated the major job a filtration plant does is take out suspended solids. He stated water in Kentucky River has a lot of suspended solids and a constructed wetland would not have the suspended solids in it. It would run through the filters faster and would have the affect of increasing the throughput even if there wasn't an expansion of the facilities.

CM Beard asked how we would pay for this.

Dr. Shore stated he thinks because we are talking about waste water treatment either through a \$35M phosphate removal plant or a \$50M or \$60M pipe and constructed wetland that it would make since to have waste water fees identified to amortize a bond. He stated if this was the case we would be looking at a revenue bond. Once the revenue bond is in place and the facility is operational then we can shut down the phosphate removal plant on Hickman which gives LFUCG \$2.5M and we have avoided \$2.5M at Town Branch. He stated with that \$5M LFUCG may service the bond and lower the rates back down.

CM Beard stated he doesn't know if we could service the bond with money we don't spend. He stated we should be doing some of this anyway for the environmental reason and leave the question of pipe lines out of it. He stated he is not opposed of doing a study.

CM Gorton stated this does have potential for future discussion and possible implementation.

David Gabbard, Division of Water and Air Quality, explained what he was looking at when he did the 1999 concept plan. He stated in 1999 there were numerous grants available for something that could be so innovating. He stated this is community health. He also stated if we looked at working with Winchester which is facing the same thing and look at a regional solution then it may open up a possibility of even more grants. He stated if a feasibility study was done all these elements could be brought to the table.

CM Gorton asked how much a feasibility study would cost.

Mr. Gabbard stated he doesn't know. He stated a request to Mr. Buckles in Phoenix may give us an estimate on what something like this would cost.

CM McChord stated take the water supply element out of it and take this as something we incorporate into our city and this is where we need to be. He stated we hear there is money out there but LFUCG is not set up to handle that. He stated we have one grant writer. He stated administration needs to look internally that we don't have the ability to handle this. He stated when we do get grants then we sit on them for long periods of time. He asked about the Homeland Security Grant that Dr. Shore mentioned during his presentation.

Dr. Shore stated Public Health Security and Bioterrorism Preparedness and Response Act of 2002 provided $89M to the US EPA for the improvement of the security of the nations' water supplies by reducing water system vulnerability to terrorist attacks and to enhance water infrastructures security. He stated he recognizes this is out of date but there may very well be additional funding that has followed.

CM McChord stated there is $89M for the states so that is $1.5M for each state. He stated when you call Homeland Security in Frankfort their chief areas of spending the monies they control is in the areas of communication devices for first responders. He stated he would be curious to see if the money is still there and how we would write the grant to get the money.

Mr. Gabbard stated from the source water protection angle we could go for the grant.

CM McChord stated we need to recognize as a government that we have some things that are broke.

A motion by CM Crosbie for Mr. Buckles to tell the committee how much a feasibility study would cost by the next meeting, seconded by CM Beard, passed without dissent.

CM Beard asked if they should form link like committees within the Planning Committee to go see some of the constructed wetlands.

CM Gorton stated it is a good idea and once they have an idea as to what the feasibility study will cost then they can look into the suggestion.

3. Items Referred to Committee

No motions came out of this issue.

Planning Committee meeting adjourned at 2:02PM