

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, May 7, 2024

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**Lexington-Fayette Urban County Council
Schedule of Meetings
May 6 – 13, 2024**

Monday, May 6

CAO, Housing Advocacy & Community Development Budget Link.....1:00 p.m.
Government Center, Council Caucus Room, 2nd Fl.

Tuesday, May 7

General Government & Planning Committee.....1:00 p.m.
Government Center, Council Chamber, 2nd Fl.

Council Work Session.....3:00 p.m.
Government Center, Council Chamber, 2nd Fl.

Wednesday, May 8

CAO, Housing Advocacy & Community Development Budget Link.....9:00 a.m.
Government Center, Council Caucus Room, 2nd Fl.

Lexington Tree Board.....10:30 a.m.
Government Center, Council Conference Room, 5th Fl.

Homelessness Prevention & Intervention Board.....1:30 p.m.
Phoenix Building, Conference Room, 3rd Fl.

Thursday, May 9

Public Safety & Social Services Budget Link.....9:00 a.m.
Government Center, Council Caucus Room, 2nd Fl.

Waste Digester Task Force.....3:00 p.m.
Government Center, Council Caucus Room, 2nd Fl.

Council Meeting (including Public Hearing on Mayor's Proposed Budget).....6:00 p.m.
Government Center, Council Chamber, 2nd Fl.

Friday, May 10

No Meetings

Monday, May 13

No Meetings

**Lexington-Fayette Urban County Council
Work Session Agenda
May 7, 2024**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval- Yes**
- III. Approval of Summary- Yes**
 - a** Table of Motions: Council Work Session, April 30, 2024, pp. 1 - 2
- IV. Budget Amendments- Yes, pp. 3 - 6**
- V. Budget Adjustments - For Information Only- Yes, pp. 7 - 11**
- VI. New Business- Yes, pp. 12 - 55**
- VII. Continuing Business/ Presentations- Yes**
 - a** Summary: General Government and Planning Committee, April 16, 2024, pp. 56 - 69
 - b** Presentation: Building Safety Month, p. n/a
 - c** Presentation: SPOKE Award, p. n/a
- VIII. Council Reports**
- IX. Mayor's Report- Yes**
- X. Mayor's Report - Price Contract Bid Recommendations- Yes, p. 70**
- XI. Public Comment - Issues Not on Agenda**
- XII. Adjournment**

Administrative Synopsis - New Business Items

- a** **0246-24** Authorization to execute Facility Usage agreements between LFUCG and the YMCA of Central Kentucky, Lexington Youth Soccer Association (LYSA) and Fayette United Soccer Association (FUSA). The term of the agreement shall be for one year commencing on the date of execution. After the initial term, the agreement shall renew automatically for two (2) successive one (1) year periods, unless the agreement is terminated. (L0246-24) (Conrad/Ford), pp. 12 - 13
- b** **0426-24** Authorization to execute a Purchase of Service Agreement with Special Electronic, Inc. for the delivery of Intermediate and Advanced Electronic IED Disablement Training and related equipment for the Lexington Police Department and other Kentucky Public Safety Bomb Squads. Cost not to exceed \$89,200.00. Funds are budgeted. (L0426-24) (Weathers/Armstrong), p. 14
- c** **0453-24** Authorization to execute an Accreditation Agreement with the Council on Accreditation (COA), a service of Social Current, for reaccreditation of the Department of Social Services at a cost of \$22,066. Funds are budgeted. (L0453-24) (Allen-Bryant), p. 15
- d** **0455-24** Authorization to execute a Sanitary Sewer Service Site Specific Agreement between the Lexington-Fayette Urban Country Government (LFUCG), CF Apartments, LLC (Creekland Apartments) and Jessamine-South Elkhorn Water District (JSEWD) to provide sanitary sewer conveyance and treatment capacity for properties identified in the agreement. No budgetary impact. (L0455-24) (Martin/Albright), pp. 16 - 18
- e** **0469-24** Authorization to issue payment of \$4,000 to the Kentucky State Treasurer as a civil penalty for multiple plant effluent discharge violations that occurred at West Hickman Wastewater Treatment Plant (WWTP) between May 2021 and October 2023; Case No. DOW-23-3-0214. Funds are budgeted. (L0469-24) (Martin/Albright), pp. 19 - 20
- f** **0471-24** Authorization to award the Pebble Creek Bank Stabilization Project contract to DelMae, LLC in the amount of \$83,300. The Pebble Creek Stabilization Project along the North Bank of the section of Wilson Downing Tributary behind the properties of 612, 616, and 628 Pebble Creek Drive has approximately 250 linear feet of stream bank that is eroding from recent utility work in the area. This project will restore the bank to conditions prior to construction. Funds are budgeted. (L0471-24) (Martin/Albright), p. 21

- g** **0474-24** Authorization to execute a 5-year Lease Agreement with VertiQ Software, LLC, for a hosted software solution utilized by the Coroner's Office for records and data management. The cost for the first year is estimated at \$13,781 and funds are included in the FY 2025 Mayor's Proposed Budget. The cost will not exceed \$19,845 annually. (L0474-24) (Stewart/Rogers), pp. 22 - 23
- h** **0476-24** Authorization to accept a Memorandum of Agreement (MOA) with the KY Crisis Intervention Team - Crisis Solution, LLC designated by the Cabinet for Health and Family Services (CHFS), Department of Behavioral Health, Developmental and Intellectual Disabilities (DBHDID) for use of Kentucky Law Enforcement Curriculum, and any agreed upon training materials, practical exercises and intellectual property associated with the curriculum. No budgetary impact. (L0476-24) (Weathers/Armstrong), p. 24
- i** **0477-24** Authorization to execute necessary documents to purchase (cost not to exceed \$5,964.42) a maintenance agreement with Unified Technologies, Inc. for the purpose of supporting voice communications systems located at Black and Williams Neighborhood Center and Lexington Senior Center, and to execute any future Statements of Work related to the procurement of these services for various departments and divisions of the urban county government, as determined to be necessary, cost-effective and feasible by the Chief Information Officer and the Division of Procurement, all subject to the appropriation of sufficient funds. The term of the agreement is September 1, 2024, through June 30, 2025. Funds are included in the FY 2025 Mayor's Proposed Budget. (L0477-24) (Stewart/Rogers), pp. 25 - 26
- j** **0478-24** Authorization to execute necessary documents to purchase (cost not to exceed \$444,763.59) a software as a service maintenance agreement with Accela Government Software, Inc. for the purpose of supporting permitting, licensing, and code enforcement software utilized by Urban County Government employees, and residents of Fayette County, for a term of July 1, 2024, through June 30, 2025. Funds are included in the FY 2025 Mayor's Proposed Budget. (L0478-24) (Stewart/Rogers), pp. 27 - 28
- k** **0479-24** Authorization to accept a Memorandum of Understanding (MOU) with the Federal Bureau of Investigation - Transnational Organized Crime Western Hemisphere Task Force to delineate the responsibilities of the Transnational Organized Crime Western Hemisphere Task Force (WTOC-TF) personnel; formalize relationships between participating agencies for policy guidance, planning, training, public and media relations; and maximize inter-agency cooperation. No budgetary impact. (L0479-24) (Weathers/Armstrong), p. 29

I	0480-24	Authorization to execute a Memorandum of Agreement with Kentucky Community & Technical College System (KCTCS) for leased space at Bluegrass Community & Technical College's Newtown Campus for the Police Training Academy. The agreement is for a term of 3 years, through June 30, 2027, with a cost of \$131,597 for the first year. Funds are included in the FY 2025 Mayor's Proposed Budget. (L0480-24) (Baradaran/Ford), pp. 30 - 31
m	0481-24	Authorization to apply for and accept award if offered from the Kentucky Justice and Public Safety Cabinet in the amount of \$40,000 for the continuation of the Street Sales Drug Enforcement Project for FY 2025. A match of \$13,334 is included in the FY 2025 Mayor's Proposed Budget, for total project cost of \$53,334. (L0481-24) (Weathers/Armstrong), p. 32
n	0482-24	Authorization to accept an award of federal funds in the amount of \$1,506,791 from the U.S. Department of Housing and Urban Development for the renewal of Housing Opportunities for Persons with AIDS grant for an additional three (3) years and to execute an Agreement with AVOL Kentucky, Inc., in the amount of \$1,461,588. Budget amendment in process. (L0482-24) (Reynolds/Lanter), pp. 33 - 34
o	0483-24	Authorization to accept an award of federal funding from the Federal Emergency Management Agency (FEMA) in the amount of \$777,089.27 from the Commonwealth of Kentucky, Department of Military Affairs, Division of Emergency Management to reimburse Lexington-Fayette Urban County Government for expenses incurred from the March 2023 Wind Storm. Match funds of \$116,116.79 have been deducted from the total reimbursement. (L0483-24) (Larkin/Armstrong), p. 35
p	0484-24	Authorization to execute an agreement and to accept an award from the Kentucky Transportation Cabinet in the amount of \$600,000 for the installation of conduit and fiber optic cabling along Man O' War Boulevard from Fort Harrods Drive to Versailles Road and along Versailles Road from Old Clubhouse Lane to New Circle Road. Match of \$150,000 is required and is budgeted, for a total project cost of \$750,000. (L0484-24) (Neal/Albright), p. 36
q	0485-24	Authorization to accept a Memorandum of Understanding with the National Insurance Crime Bureau for access and use of ISO ClaimSearch for investigating or prosecuting crime, including but not limited to insurance-related crime and fraud, and investigating and prosecuting individuals relevant to homeland security activity. No budgetary impact. (L0485-24) (Weathers/Armstrong), p. 37

r **0486-24** Authorization to execute Change Order No. 10 (Final) with ATS Construction to reconcile quantities installed on Phase 6 of the Town Branch Trail (-\$699,377.79) and on Turn Lanes at Manchester and Forbes Projects (-\$24,410.18) for closeout, for a total decrease of \$723,787.97, bringing the total contract amount to \$5,420,636.83. This change order is being submitted concurrently to KYTC. The approval of Change Order No. 10 by LFUCG is contingent on approval by KYTC. (L0486-24) (Burton/Albright), pp. 38 - 55

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
April 30, 2024**

Mayor Gorton called the meeting to order at 3:00 p.m. Vice Mayor Wu, Council Members J. Brown, Ellinger II, Fogle, Lynch, LeGris, Monarrez, Gray, Worley, F. Brown, Baxter, Sevigny, Reynolds, and Plomin were present. Council Member Sheehan was absent.

Motion by Wu to add a presentation for International Firefighters Day to the April 30, 2024 Work Session agenda, to be made at the beginning of the meeting. Seconded by Reynolds. Motion passed without dissent.

- I. Public Comment – Issues on Agenda
- II. Requested Rezonings/Docket Approval
- III. Approval of Summary

Motion by Ellinger II to approve the April 23, 2024 Work Session Summary. Seconded by Fogle. Motion passed without dissent.

- IV. Budget Amendments
- V. Budget Adjustments – For Information Only
- VI. New Business

Motion by Baxter to approve New Business. Seconded by LeGris. LeGris recused on item m. Motion passed without dissent.

- VII. Continuing Business/Presentations

Motion by Gray to approve Neighborhood Development Funds, as amended. Seconded by Reynolds. Monarrez and Fogle recused. Motion passed without dissent.

Motion by Ellinger II to amend the NDF amount granted to the Downtown Lexington Partnership, increasing his allocation by \$100, making the total \$5000. Seconded by Reynolds. Motion passed without dissent.

Motion by Wu to approve Council Capital Projects. Seconded by Ellinger II. Motion passed without dissent.

Motion by J. Brown to place on the docket for the May 9, 2024 Council Meeting a resolution approving the proposed FY2025 budget of the Lexington & Fayette County Parking Authority, pursuant to KRS 67A.921. Seconded by Ellinger II. Motion passed without dissent.

- VIII. Council Reports

IX. Mayor's Report

X. Mayor's Report – Price Contract Bid Recommendations

XI. Public Comment – Issues Not on Agenda

Motion by Wu to enter closed session, pursuant to KRS 61.810(1)(b), for the purpose of discussing the possible acquisition of real property. Seconded by Gray. Motion passed without dissent.

Motion by Sevigny to return from closed session. Seconded by Gray. Motion passed without dissent.

Motion by Wu to place on the docket for the May 9, 2024 Council Meeting, a resolution pursuant to KRS 65.028(10), rejecting all proposals submitted in response to Request for Proposal 48-2023, Downtown City Hall Development, and cancelling all remaining activity related to the RFP. Seconded by Fogle. Motion passed without dissent.

XII. Adjournment

Motion by Ellinger II to adjourn. Seconded by Sevigny. Motion passed without dissent.

BUDGET AMENDMENT REQUEST LIST

JOURNAL	147482-83	DIVISION	Office Of The Mayor	Fund Name	General Fund	
				Fund Impact		3,199.00
						3,199.00CR
						.00

To provide funds for operating by recognizing a refund.

JOURNAL	147487	DIVISION	Environmental Services	Fund Name	General Fund	
				Fund Impact		110,225.00
						110,225.00CR
						.00

To provide funds for the North Broadway Median Greening Project by reducing funds in professional services and repairs and maintenance, all within Corridors.

JOURNAL	147504	DIVISION	Finance	Fund Name	General Fund	
				Fund Impact		514,935.00
						514,935.00CR
						.00

To provide funds for Enhanced 911 overtime expenses by reallocating personnel contingency funds and transferring funds to the Enhanced 911 Fund.

JOURNAL	147677	DIVISION	Facilities and Fleet Management	Fund Name	General Fund	
				Fund Impact		25,551.63
						25,551.63CR
						.00

To provide funds in Overtime for weekend labor costs associated with environmental remediation at Police Headquarters and electric panel replacements at Black and Williams.

JOURNAL	147681	DIVISION	Budgeting	Fund Name	General Fund	
				Fund Impact		460.03
						460.03CR
						.00

To provide funds to cover overtime expenses by reallocating funds from conferences and training account.

JOURNAL	147699-00	DIVISION	Fire and Emergency Services	Fund Name	General Fund	
				Fund Impact		7,954.78
						7,954.78CR
						.00

To provide funds for hazardous materials professional services by recognizing funds for spill clean reimbursements.

JOURNAL	147702-03	DIVISION	Fire and Emergency Services	Fund Name	General Fund	
				Fund Impact		8,845.86
						8,845.86CR
						.00

To provide funds for accreditation professional services and required training by recognizing additional miscellaneous revenues for reimbursements.

JOURNAL	147709-10	DIVISION	Parks and Recreation	Fund Name	General Fund	
				Fund Impact		6,193.52
						6,193.52CR
						.00

To provide funds for various golf course operating accounts by recognizing rebate payments.

JOURNAL	147711-12	DIVISION	Parks and Recreation	Fund Name	General Fund	
				Fund Impact		4,355.24
						4,355.24CR
						.00

To provide funds for Parks Maintenance Repairs and Maintenance account by recognizing scrap metal payments and over-payment refunds.

JOURNAL	147715	DIVISION	General Services/ Parks and Recreation	Fund Name	General Fund	
				Fund Impact		21,740.00
						21,740.00CR
						.00

To provide funds for part-time salaries and professional services in Parks art programs by decreasing funds for General Services professional services and Parks Special Events part-time salaries.

JOURNAL	147718-19	DIVISION	Traffic Engineering	Fund Name	General Fund	
				Fund Impact		291.60
						291.60CR
						.00

To provide funds for operating supplies and expenses by recognizing revenue received from recycling deposits.

JOURNAL	147725	DIVISION	Parks and Recreation	Fund Name	General Fund	
				Fund Impact		10,000.00
						10,000.00CR
						.00

To provide funds for special event electrical equipment in adherence with the National Electric Code 2017 by reallocating funds for Parks Maintenance part-time staffing accounts.

JOURNAL	147480-81	DIVISION	Office Of The Mayor	Fund Name	Donation Fund	
				Fund Impact		10,000.00
						10,000.00CR
						.00

To provide funds for One Lexington scholarship account by recognizing a donation.

JOURNAL	147704-05	DIVISION	Parks and Recreation	Fund Name	Donation Fund	
				Fund Impact		6,281.97
						6,281.97CR
						.00

To provide funds for Special Events and Yappy Hours for Professional Services and Operating account by recognizing sponsorship payments.

JOURNAL	147706	DIVISION	Parks and Recreation	Fund Name	Donation Fund
				Fund Impact	12,000.00
					12,000.00CR
					.00

To move funds from Bluegrass 10K part-time staffing accounts to Operating and Professional Services accounts to reflect budgetary needs for operating the race.

JOURNAL	147707-08	DIVISION	Parks and Recreation	Fund Name	Donation Fund
				Fund Impact	12,500.00
					12,500.00CR
					.00

To provide funds for Golf Operating account by recognizing contributions from tournament sponsorships.

JOURNAL	147662-63	DIVISION	Finance	Fund Name	2024 Bond Projects
				Fund Impact	38,190,160.90
					38,190,160.90CR
					.00

To adjust revenue budget for FY 2024 bond proceeds to accurately reflect bond issuance and provide budget for Percent for the Arts.

JOURNAL	147713-14	DIVISION	Grants and Special Programs	Fund Name	US Dept of HUD
				Fund Impact	1,506,791.00
					1,506,791.00CR
					.00

To establish a grant for Housing Opportunities for Persons with AIDS - FY 2024.

JOURNAL	147720-21	DIVISION	Grants and Special Programs	Fund Name	US Dept of Justice
				Fund Impact	99,063.00
					99,063.00CR
					.00

To establish grant budget for Project Safe Neighborhood FY 2022 for computer equipment and database software.

JOURNAL	147722-23	DIVISION	Grants and Special Programs	Fund Name	US Dept of Justice
				Fund Impact	95,160.00
					95,160.00CR
					.00

To establish grant budget for Project Safe Neighborhood #2 FY 2022 for network connectivity.

JOURNAL	147690-91	DIVISION	Grants and Special Programs	Fund Name	US Dept of Transportation
				Fund Impact	750,000.00
					750,000.00CR
					.00

To establish grant budget for Fiber Optic FY 2024 grant.

JOURNAL	147567	DIVISION	Grants and Special Programs	Fund Name	US Dept of Homeland Sec
				Fund Impact	244,535.22
					244,535.22
					.00

To establish a grant budget for Eastern KY Flood Reimbursement.

JOURNAL	147555	DIVISION	Water Quality	Fund Name	Sanitary Sewer Fund
				Fund Impact	40,000.00
					40,000.00CR
					.00

To provide additional funds in Operating Capital account for Hartland 1 Valve Replacements by decreasing funds in Repairs and Maintenance.

JOURNAL	147556	DIVISION	Water Quality	Fund Name	Sanitary Sewer Fund
				Fund Impact	250,000.00
					250,000.00CR
					.00

To provide funds to cover the cost of chemicals and supplies at West Hickman Waste Water Treatment Plant for the remainder of the fiscal year by reducing funds in Remodeling.

JOURNAL	147505-06	DIVISION	Enhanced 911	Fund Name	Enhanced 911 Fund
				Fund Impact	405,629.00
					405,629.00CR
					.00

To provide funds for Enhanced 911 overtime expenses by recognizing a transfer from the General Fund.

BUDGET AMENDMENT REQUEST SUMMARY

1101	General Services District Fund	.00
1103	Donation Fund	.00
2614	2024 Bond Projects	.00
3120	US Department of Housing & Urban Development	.00
3140	US Department of Justice	.00
3160	US Department of Transportation	.00
3200	US Department of Homeland Security	.00
4002	Sanitary Sewer Revenue and Operating Fund	.00
4204	Enhanced 911 Fund	.00

FOR INFORMATION ONLY

BUDGET ADJUSTMENT LIST
APPROVED APRIL 15 THROUGH APRIL 26, 2024

JOURNAL	147366	DIVISION	Code Enforcement	Fund Name Fund Impact	General Fund 5,000.00 5,000.00CR .00
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To provide funds for operating supplies by reducing funds in professional services (demolitions).

JOURNAL	147369	DIVISION	Various	Fund Name Fund Impact	General Fund 2,402,150.00 2,402,150.00CR .00
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To reallocate budget from Contingency to divisions where expenses occurred in General Fund for lump and sick payouts that occurred in February and March, 2024.

JOURNAL	147381	DIVISION	Engineering	Fund Name Fund Impact	General Fund 11,546.21 11,546.21CR .00
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To provide funds for MT Tabor grant match by reducing funds for professional services.

JOURNAL	147429	DIVISION	Fire and Emergency Services	Fund Name Fund Impact	General Fund 30,796.00 30,796.00CR .00
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To reallocate funds from clothing/equipment to tuition reimbursement to pay a portion of the spring 2024 tuition costs for fire recruits.

JOURNAL	147479	DIVISION	Office Of The Mayor	Fund Name Fund Impact	General Fund 9,850.00 9,850.00CR .00
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To provide funds for gun violence assistance by reducing funds from professional services and operating supplies, all within One Lexington.

JOURNAL	147484	DIVISION	Office Of The Mayor	Fund Name Fund Impact	General Fund 1,606.28 1,606.28CR .00
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To provide funds for dues by reducing funds for legal services.

FOR INFORMATION ONLY

JOURNAL	147485	DIVISION	Facilities and Fleet Management	Fund Name Fund Impact	General Fund 14,998.42 14,998.42CR .00
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To provide funds for warehouse shelving, heavy duty hydraulic floor jacks, and extension of warehouse garage doors by decreasing funds for software maintenance and conferences/training.

JOURNAL	147499	DIVISION	Finance	Fund Name Fund Impact	General Fund 717,805.00 717,805.00CR .00
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To correct errors in lump and sick budget adjustments due to budget adjustment timing in General Fund.

JOURNAL	147503	DIVISION	Public Safety Administration	Fund Name Fund Impact	General Fund 10,000.00 10,000.00CR .00
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To provide funds for Repairs and Maintenance by reducing funds for Professional Services- Security.

JOURNAL	147533	DIVISION	Planning	Fund Name Fund Impact	General Fund 15,000.00 15,000.00CR .00
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To correct section number for grant match related to Virginia Avenue/Red Mile/Forbes Trail Connectivity Safety Study - FY 2023.

JOURNAL	147554	DIVISION	Council Office	Fund Name Fund Impact	General Fund 1,241.00 1,241.00CR .00
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To reallocate funds in the 12th District Council Office to provide for end of year spending.

JOURNAL	147376	DIVISION	Computer Services	Fund Name Fund Impact	Urban Fund 1,400.00 1,400.00CR .00
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To reallocate funds within the Department of Information Technology to cover shortages in the landline phone account in the Urban Fund.

JOURNAL	147558	DIVISION	Facilities and Fleet Management	Fund Name Fund Impact	Urban Fund 15,000.00 15,000.00CR .00
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To provide funds for tile removal and new flooring at Waste Management Headquarters.

FOR INFORMATION ONLY

JOURNAL	147375	DIVISION	Computer Services	Fund Name	Sanitary Sewer Fund
				Fund Impact	1,000.00
					1,000.00CR
					.00

To reallocate funds within the Department of Information Technology to cover shortages in the landline phone account for the Sanitary Sewer Fund.

JOURNAL	147478	DIVISION	Water Quality	Fund Name	Sanitary Sewer Fund
				Fund Impact	120,000.00
					120,000.00CR
					.00

To reallocate funds from vehicle fuel to vehicle repairs to cover the cost of repairs through the end of fiscal year

JOURNAL	147498	DIVISION	Water Quality	Fund Name	Sanitary Sewer Fund
				Fund Impact	1,304.53
					1,304.53CR
					.00

To provide funds for small equipment to cover the purchase of reciprocating saw kits by decreasing funds in operating supplies for Pump Station Maintenance.

JOURNAL	147374	DIVISION	Computer Services	Fund Name	Water Quality Mgmt Fund
				Fund Impact	600.00
					600.00CR
					.00

To reallocate funds within the Department of Information Technology to cover shortages in the landline phone account in the Water Quality Fund.

JOURNAL	147477	DIVISION	Environmental Services	Fund Name	Water Quality Mgmt Fund
				Fund Impact	8,000.00
					8,000.00CR
					.00

To provide funds for professional services by reducing funds for operating supplies and expense, all in Environmental Education and Outreach.

JOURNAL	147500	DIVISION	Finance	Fund Name	Water Quality Mgmt Fund
				Fund Impact	2,564.00
					2,564.00CR
					.00

To correct errors in lump and sick budget adjustments due to budget adjustment timing in Water Quality Management Fund

FOR INFORMATION ONLY

JOURNAL	147557	DIVISION	Environmental Services	Fund Name	Water Quality Mgmt Fund
				Fund Impact	10,000.00
					10,000.00CR
					.00

To provide funds for professional services by decreasing funds for repairs and maintenance, all in Water Quality Natural Resource Protection.

JOURNAL	147501	DIVISION	Finance	Fund Name	Enhanced 911 Fund
				Fund Impact	6,348.00
					6,348.00CR
					.00

To correct errors in lump and sick budget adjustments due to budget adjustment timing in Enhanced 911 Fund

JOURNAL	147315	DIVISION	Grants and Special Programs	Fund Name	US Dept of Interior
				Fund Impact	965.22
					965.22CR
					.00

To move funds from Equipment to Equipment Under \$5,000 and Repairs and Maintenance on Land and Water Conservation Fund award for Raven Run Nature Sanctuary.

JOURNAL	147351	DIVISION	Grants and Special Programs	Fund Name	US Dept of Transportation
				Fund Impact	290.04
					290.04CR
					.00

To provide funds for operating expenses on Motor Carrier Safety Assistance Program (MCSAP) FY 2022.

JOURNAL	147065	DIVISION	Grants and Special Programs	Fund Name	US Dept of Homeland Sec
				Fund Impact	106,731.98
					106,731.98CR
					.00

To reallocate funds for Emergency Management FY 2024 grant to match current needs.

JOURNAL	147350	DIVISION	Grants and Special Programs	Fund Name	US Dept of Homeland Sec
				Fund Impact	5,068.00
					5,068.00CR
					.00

To reallocate funds on State Homeland Security Grant Program - Police Hazardous Devices Unit Equipment - FY 2024 to match current vehicle and equipment costs.

JOURNAL	147320-21	DIVISION	Grants and Special Programs	Fund Name	US Election Assistance
				Fund Impact	675,675.00
					675,675.00CR
					.00

To correct fund number for grant received from Department of Local Government for election equipment by decreasing funds in the U.S. Election Assistance Commission Fund.

FOR INFORMATION ONLY

JOURNAL	147348	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Treasury 52,587.45 52,587.45CR .00
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To reallocate funds from American Rescue Plan Act (ARPA) State and Local recovery funds from completed Parks Projects for Lansdowne, Marlboro, Raven Run and Trailwood and providing funds for Wildwood.

JOURNAL	147349	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants - Other 164.19 164.19CR .00
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To move funds to match expenses on Trust for Public Land award for Parks and Recreation.

JOURNAL	147322-23	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants - State 675,675.00 675,675.00CR .00
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To correct fund number for grant received from Department of Local Government for election equipment by establishing budget in Grants-State Fund.

BUDGET ADJUSTMENT SUMMARY

1101	General Services District Fund	.00
1115	Full Urban Services District Fund	.00
4002	Sanitary Sewer Revenue and Operating Fund	.00
4051	Water Quality Management Fund	.00
4204	Enhanced 911 Fund	.00
3130	US Department of Interior	.00
3160	US Department of Transportation	.00
3200	US Department of Homeland Security	.00
3220	US Election Assistance	.00
3230	US Department of Treasury	.00
3300	Grants - Other	.00
3400	Grants - State	.00



MEMORANDUM

TO: Linda Gorton, Mayor
Sally Hamilton, CAO
Urban County Council Members

FROM: 
Monica Conrad, Director
Parks and Recreation

RE: Facility Usage Agreements – LYSA, YMCA and FUSA

DATE: April 30, 2023

Request:

Request Council Authorization for the Mayor to execute Facility Usage agreements between LFUCG and the YMCA of Central Kentucky, Lexington Youth Soccer Association (LYSA) and Fayette United Soccer Association (FUSA). The term of the agreement shall be for one year commencing on the date of execution. After the initial term, the agreement shall renew automatically for two (2) successive one (1) year periods, unless the agreement is terminated.

Purpose:

Various youth leagues provide youth sports for the community by utilizing LFUCG park facilities. Leagues maintain programs, competitive fields and a field for public use.

Parks and Recreation collects a per player fee for each athlete to maintain facilities.

Budgetary Implication:

Franchisees cover day to day maintenance and operation costs, including basic repairs, mowing, painting, signage and personnel.

LFUCG covers utilities and all repair costs associated with structural, roofing, electric, HVAC and plumbing.

Are the funds budgeted? N/A



The funds are budgeted or a budget amendment is in process: N/A

Account number: N/A

File Number: 0246-24

Director/Commissioner: Monica Conrad/Chris Ford



MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

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

DATE: April 15, 2024

**SUBJECT: Authorization to Execute Purchase of Service Agreement with Special
Electronics, Inc. for RFP #15-2024 for the Lexington Division of Police**

Request: Council authorization to execute Purchase of Service Agreement with Special Electronic, Inc. in the amount of \$89,200.00 for the delivery of Intermediate and Advanced Electronic IED Disablement Training and related equipment for the Lexington Police Department and other Kentucky Public Safety Bomb Squads. Cost not to exceed \$89,200.00.

Purpose of Request: The Division of Police has been awarded a grant from Kentucky Office of Homeland Security for training for the functional capability of State and Local Bomb Technicians responding to IED incidents by enhancing knowledge of electronically initiated devices and detonator diagnostics per current FBI operational guidelines. RFP #15-2024 bid request for IED Disablement Training Special Electronics, Inc. Special Electronics, Inc. was chosen as the only vendor to provide Intermediate and Advanced Electronic IED Disablement Training and related equipment for the Lexington Police Department and other Kentucky Public Safety Bomb Squads.

What is the cost in this budget year and future budget years? \$89,200.00 is cost in FY2024. No future cost anticipated.

Are the funds budgeted? Yes, \$81,000 from 3200-505505-5547-71299 STHO_BOMB2_2024 FED_GRANT and \$8,200.00 from 3200-505505-5547-75801-STHO_BOMB2_2024.

File Number: 0426-24

Director/Commissioner: Weathers/Armstrong



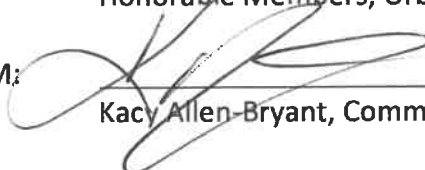
MAYOR LINDA GORTON



LEXINGTON

KACY ALLEN-BRYANT
COMMISSIONER
SOCIAL SERVICES

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: 
Kacy Allen-Bryant, Commissioner of Social Services

DATE: April 25, 2024

SUBJECT: Department of Social Services Accreditation Agreement with the Council on Accreditation,
a service of Social Current

Request:

Request approval for the Mayor to execute an Accreditation Agreement with the Council on Accreditation (COA), a service of Social Current, for reaccreditation of the Department of Social Services.

Why are you requesting?

Reaccreditation through COA is required every four years, and the Department of Social Services has been accredited continuously since the early 1980s. This affiliation ensures that the Department implements best practices, may provide an advantage in applying for grant funding, and allows the Department to benchmark itself with other innovative human services programs across the country.

What is the cost in this budget year and future budget years?

COA reaccreditation fees are \$22,066 in FY 2024.
Reaccreditation site visit costs are projected to be \$14,000 in FY 2025.

Are the funds budgeted?

Yes, in account 1101-606101-6001-71299.
Additional funding associated with reaccreditation is requested in the FY 2025 Budget.

File Number: 0453-24

Director/Commissioner: Theresa Maynard / Kacy Allen-Bryant



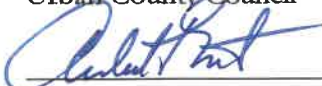
MAYOR LINDA GORTON



LEXINGTON

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

TO: Mayor Linda Gorton
Urban County Council

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

DATE: April 18, 2024

SUBJECT: Site Specific Agreement:
CF Apartments, LLC (Creekland Apartments)

Request

The purpose of this memorandum is to request a resolution authorizing a sanitary sewer service Site Specific Agreement between the Lexington-Fayette Urban County Government (LFUCG), CF Apartments, LLC (Creekland Apartments) and Jessamine-South Elkhorn Water District (JSEWD).

Capacity for JSEWD

33,376 gallons per day (gpd) for CF Apartments, LLC (Creekland Apartments)
70% of the 2 million gpd capacity has been used or reserved.

Purpose of Request

The agreement is for LFUCG to provide sanitary sewer conveyance and treatment capacity for properties identified in the Site-Specific Agreement in accordance with the Master Agreement between LFUCG and JSEWD (Resolution 690-2002).

Project Cost in FY24 and in Future Budget Years

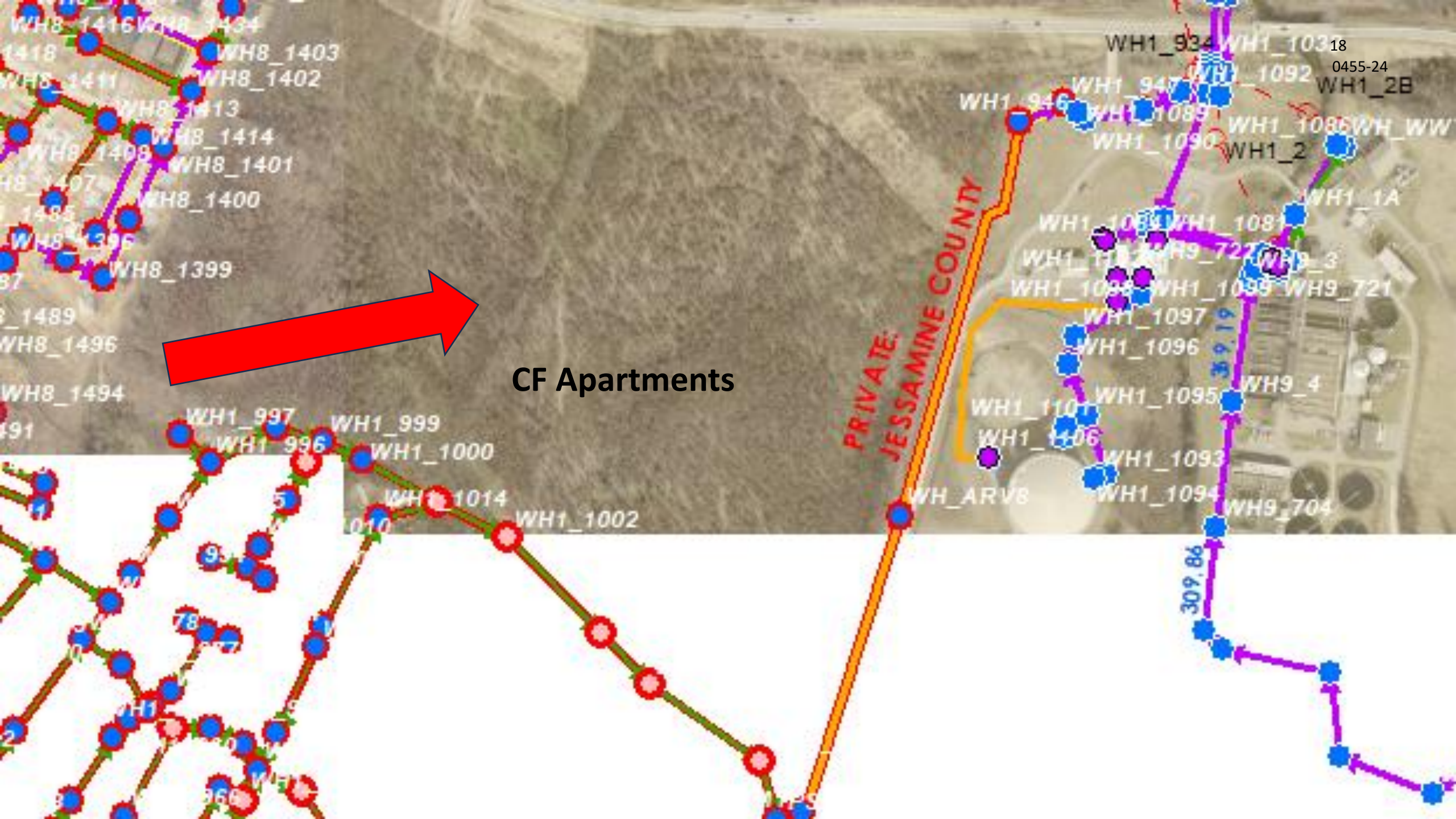
Execution of the terms and conditions of the Site-Specific Agreement will be at no cost to LFUCG.

Are Funds Budgeted

NA







MAYOR LINDA GORTON



LEXINGTON

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

TO: Mayor Linda Gorton
Urban County Council

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

DATE: April 24, 2024

SUBJECT: Civil Penalty Assessment - \$4,000
Case No. DOW-23-3-0214
Five (5) Discharge Limit Exceedances: 2021 - 2023

Request

Authorizing and directing the mayor to authorize payment of \$4,000 to the Kentucky State Treasurer as a civil penalty for multiple plant effluent discharge violations that occurred at West Hickman Wastewater Treatment Plant (WWTP) between May 2021 and October 2023.

Purpose of Request

The Kentucky Energy and Environment Cabinet (EEC) issued an April 24, 2024, Demand for Civil Penalty letter. The purposed of the letter is to document:

- That prior Notice of Violations (NOVs) for discharge limit violations have occurred at West Hickman,
- EEC's satisfaction that LFUCG has addressed those violations in a manner intended to prevent future violations, and
- Establish the civil penalty amount provided by Kentucky Revised Statues (KRS).

What is the cost in this budget year and future budget years?

The cost for FY24 is \$4,000.



Are the funds budgeted?

Funds are available in 4002-303401-3401-78321

Director/Commissioner: Martin/Albright



MAYOR LINDA GORTON



LEXINGTON

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

TO: Mayor Linda Gorton
Urban County Council

FROM: 
Gregory S. Lubeck, P.E., Deputy Director
Division of Water Quality

DATE: April 16, 2024

SUBJECT: Pebble Creek Bank Stabilization Project

Request

This request is a recommendation from the Division of Water Quality to award of the Pebble Creek Bank Stabilization Project contract to DelMae, LLC in the amount of \$83,300.00.

Purpose of Request

The Pebble Creek Bank Stabilization project was advertised on two occasions:

First Advertisement

Bid Number 61-2023 – Bid Opening – July 7th, 2023

- *EC Matthews* - \$223,025.00
- *NAC Heavy Highway Inc.* - \$252,160.00

Both bids exceeded the project budget and were rejected.

Second Advertisement

Bid Number 129-2023 – Bid Opening – December 19th, 2023 – No bids were received.



MAYOR LINDA GORTON



LEXINGTON

LIZ RODGERS

CHIEF INFORMATION OFFICER

TO: Mayor Linda Gorton,
Honorable Members, Urban County Council

FROM: Paul Stewart, Director of Computer Services

DATE: April 25th, 2024

SUBJECT: VertiQ Hosted Software Agreement

Request:

Requesting Council approve the Mayor, on behalf of the Lexington-Fayette Urban County Government, to authorize the execution of a 5-year Lease Agreement with VertiQ Software, LLC, for a hosted software solution utilized by the Coroner's Office for records and data management. The cost will not exceed \$19,845 annually.

Purpose:

Executing a standard hosted software agreement provides the necessary licensing and support for the Urban County Government to continue utilizing the VertiQ product, and provides a timely and effective records and data management method for Coroner's Office staff. The initial term of the agreement is one (1) year, with renewal due annually. Either party may terminate the agreement effective upon the expiration of the then current term, by notifying the other party in writing at least thirty (30) days prior to the expiration of the term. Upon termination, LFUCG's right to the services shall cease, but the vendor will make available a file of LFUCG owned data within ten days.

Budgetary Implication:

Cost for FY25 is projected to be \$13,781

Cost for FY26 is projected to be \$19,845

Cost for FY27 is projected to be \$19,845

Cost for FY28 is projected to be \$19,845

Cost for FY29 is projected to be \$19,845



Are the funds budgeted? Yes
1101-202505-0001-71307

File Number: 0474-24

Director/Commissioner: Stewart/Rodgers





Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Linda Gorton
Mayor

Kenneth Armstrong
Commissioner

TO: Mayor Linda Gorton
Urban County Council

Lawrence B. Weathers

FROM: Chief Lawrence B. Weathers
Lexington Police Department

CC: Commissioner Kenneth Armstrong
Department of Public Safety

DATE: April 25, 2024

SUBJECT: Memorandum of Agreement – KY Crisis Intervention Training

Request

Authorization to accept the attached Memorandum of Agreement (MOA) with the KY Crisis Intervention Team – Crisis Solution, LLC Designated by the Cabinet for Health and Family Services (CHFS), Department of Behavioral Health, Developmental and Intellectual Disabilities (DBHDID).

Why are you requesting?

The purpose of this MOA will specifically describe the allowance of use of Kentucky Law Enforcement Curriculum, and any agreed upon associated training materials, practical exercises and any associated intellectual property associated with curriculum. The Lexington Police Department will use curriculum and materials to provide instruction to sworn law enforcement personnel within the agency. The attached agreement requires the Mayor's signature. Upon approval and signing, please return an original agreement to the Chief's Office.

What is the cost in this budget year and future budget years? N/A

Are the funds budgeted? N/A

File Number: 0476-24

Director/Commissioner: Lawrence B. Weathers, Chief
Lexington Police Department

LBW/rmh

MAYOR LINDA GORTON



LEXINGTON

LIZ RODGERS

CHIEF INFORMATION OFFICER

TO: Mayor Linda Gorton,
Honorable Members, Urban County Council

FROM: Paul Stewart, Director of Computer Services

DATE: April 25, 2024

SUBJECT: Mitel Maintenance Agreement, Black and Williams Neighborhood Center and Lexington Senior Center

Request:

Requesting Council approve the Mayor, on behalf of the Lexington-Fayette Urban County Government, to authorize the execution of the necessary documents for the Lexington-Fayette Urban County Government to purchase (cost not to exceed \$5,964.42) a maintenance agreement with Unified Technologies, Inc. for the purpose of supporting voice communications systems located at Black and Williams Neighborhood Center and Lexington Senior Center. Further requesting the Council authorize the Chief Information Officer to execute any future Statements of Work related to the procurement of these services for various departments and divisions of the urban county government, as determined to be necessary, cost effective and feasible by the Chief Information Officer and the Division of Procurement, all subject to the appropriation of sufficient funds. This agreement includes a statement of work related to ensuring manufacturer warranties are honored, and an all-inclusive 24x7x365 technical support program for on site staff is provided. The agreement referenced is attached, and would be effective starting 9/1/24, and ends 6/30/25.

Purpose:

Urban County Government employees assigned at, and Lexington residents utilizing facilities at Black and Williams Neighborhood Center and Lexington Senior Center have a need for effective and reliable voice communications systems. These two locations have not yet had the LFUCG enterprise Avaya phone system installed, and depend on a 3rd party solution to deliver those services. Executing a standard maintenance agreement absolves Computer Services Staff from having to spend time and effort supporting the systems, and provides a timely and effective method for on-site staff to have issues resolved as well as providing training, documentation, carrier services, emergency outage response, changes to existing system configuration, and a dedicated account manager.



Budgetary Implication:

Cost for FY25 is projected to be \$5,964.42

Are the funds budgeted? Yes

\$5,069.76 from 1101-202505-0001-76102

\$417.51 from 1115-202505-0001-76102

\$298.22 from 4002-202505-0001-76102

\$178.93 from 4051-202505-0001-76102

File Number: 0477-24

Director/Commissioner: Stewart/Rodgers



MAYOR LINDA GORTON



LEXINGTON

LIZ RODGERS

CHIEF INFORMATION OFFICER

TO: Mayor Linda Gorton,
Honorable Members, Urban County Council

FROM: Paul Stewart, Director of Computer Services

DATE: April 25, 2024

SUBJECT: Accela Software Maintenance Agreement

Request:

Requesting Council approve the Mayor, on behalf of the Lexington-Fayette Urban County Government, to authorize the execution of the necessary documents for the Lexington-Fayette Urban County Government to purchase (cost not to exceed \$444,763.59) a software as a service maintenance agreement with Accela Government Software, Inc. for the purpose of supporting permitting, licensing, and code enforcement software utilized by Urban County Government employees, and residents of Fayette County. The agreement includes an outline of public access, asset management, land management, GIS maintenance, and managed services licensing. The agreement referenced is attached, and would be effective starting 7/1/24, and ends 6/30/25.

Purpose:

Urban County Government employees assigned at Water Quality utilize an on-premises instance of Accela to meet requirements of the EPA consent decree, and the system used to track all operations of that division. Planning, Building Inspection, Engineering, and Waste Management utilize a hosted instance of the product to process permits, inspections, and applications for building permits or other services provided by those divisions. Accela hosted also has a public facing portal that allows residents to directly track the status of their requests and make payments for permits and fees. Executing a standard software maintenance agreement provides the necessary licensing and support for the Urban County Government to continue utilizing the product, and provides a timely and effective method for support staff to have issues resolved in a timely manner.

Budgetary Implication:

Cost for FY25 is projected to be \$444,763.59



Are the funds budgeted? Yes

\$134,828.22: 1101-202505-0001-72205

\$69,763.03: 1101-202505-0001-71307

\$43,965.72: 1115-202505-0001-72205

\$22,748.81: 1115-202505-0001-71307

\$67,414.11: 4002-202505-0001-72205

\$34,881.51: 4002-202505-0001-71307

\$46,896.78: 4201-202505-0001-72205

\$24,265.41: 4201-202505-0001-71307

File Number: 0478-24

Director/Commissioner: Stewart/Rodgers





Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Linda Gorton
Mayor

Kenneth Armstrong
Commissioner

TO: Mayor Linda Gorton
Urban County Council

Lawrence B. Weathers

FROM: Chief Lawrence B. Weathers
Lexington Police Department

CC: Commissioner Kenneth Armstrong
Department of Public Safety

DATE: April 26, 2024

SUBJECT: Memorandum of Understanding – Federal Bureau of Investigation – Transnational
Organized Crime Western Hemisphere Task Force

Request

Authorization to accept the Memorandum of Understanding (MOU) with the Federal Bureau of Investigation – Transnational Organized Crime Western Hemisphere Task Force.

Why are you requesting?

The purpose of this MOU is to delineate the responsibilities of the Transnational Organized Crime Western Hemisphere Task Force (WTOC-TF) personnel; formalize relationships between participating agencies for policy guidance, planning, training, public and media relations; and maximize inter-agency cooperation. The mission of the WTOC-TF is to identify and target for prosecution criminal enterprise groups responsible for drug trafficking, money laundering, robbery, crimes of violence such as murder and aggravated assault, and financial crimes such as fraud that further facilitate these violations.

The attached agreement requires Mayor Gorton's signature. Upon acquiring Mayor's signature, please forward a signed copy to the Chief's Office.

What is the cost in this budget year and future budget years? N/A

Are the funds budgeted? N/A

File Number: 0479-24

Director/Commissioner: Lawrence B. Weathers, Chief
Lexington Police Department

LBW/rmh

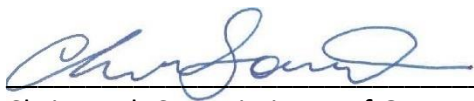
MAYOR LINDA GORTON



LEXINGTON

CHRIS FORD
COMMISSIONER
GENERAL SERVICES

TO: Mayor Linda Gorton
Honorable Members, Urban County Council

FROM: 
Chris Ford, Commissioner of General Services

DATE: April 29, 2024

SUBJECT: Memorandum of Agreement for Leased Space
Police Training Academy at BCTC Newtown Campus

Request:

Request Council authorization for the Mayor to execute a Memorandum of Agreement with Kentucky Community & Technical College System (KCTCS) for leased space at Bluegrass Community & Technical College's Newtown Campus for the Police Training Academy. The agreement is for a term of 3 years, through June 30, 2027.

Purpose:

This agreement provides the Division of Police with approximately 20,700 square feet of leased space at the BCTC Newtown Campus' Megowan Building for operation of the Lexington Police Training Academy. LFUCG originally entered into the Memorandum of Agreement with KCTCS in February 2013. An addendum to the original lease agreement (granting a one-year extension) is set to expire June 30, 2024.

Budgetary Implication:

The annual expenditure for lease payment in Year 1 of the agreement is \$131,597. In Year 2, the annual lease payment is \$145,696. In Year 3, the annual lease payment is \$164,496.

Are the funds budgeted?

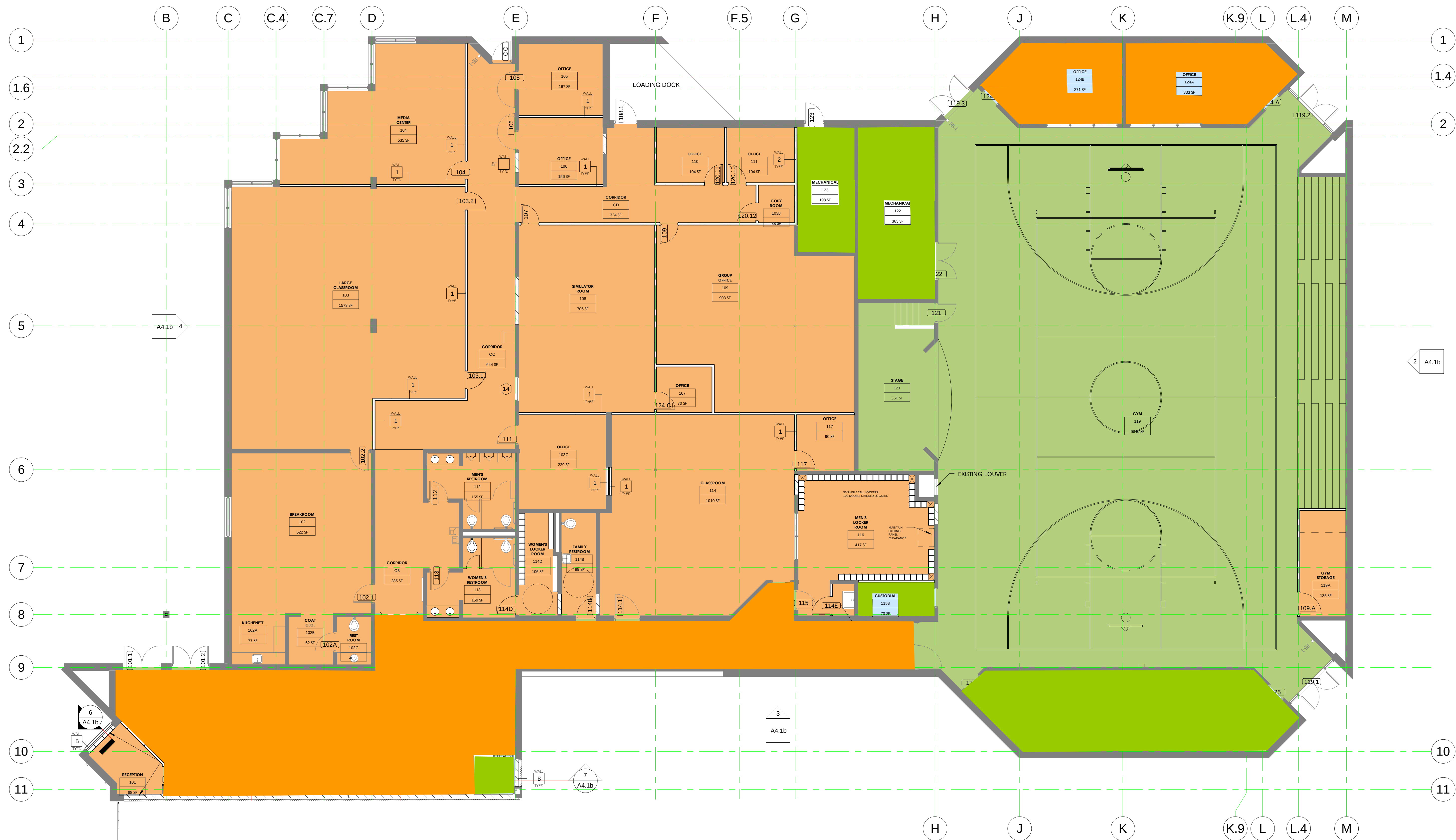
Yes, at 1101-505507-5571-71302.

File Number: 0480-24

Director/Commissioner: Jamshid Baradaran / Chris Ford



Attachment A, March 2021



PRESENTATION FIRST FLOOR BLDG 69
1/8" = 1'-0"

NOT
USED

DEPARTMENT LEGEND

- 0 sf BCTC COLLEGE
- 13,098 sf POLICE TRAINING ACADEMY
- 7,602 sf SHARED SPACE

BID PACKAGE #6A: BUILDINGS 15, 59 & 69 RENOVATIONS

PHASE 'B' SUBMITTAL

CLASSROOM/STUDENT SERVICES BUILDING NEWTOWN PIKE CAMPUS BLUEGRASS COMMUNITY & TECHNICAL COLLEGE KENTUCKY COMMUNITY & TECHNICAL COLLEGE SYSTEM LEXINGTON, KY (LEXINGTON COMM. COLLEGE - CLASSROOM BLDG. - ORIGINAL AUTHORIZED NAME)	
AS BUILT DATE	FLOOR PLAN MEGOWAN
DRAWN BY PBF/SRJ CHECKED BY RB	COMMONWEALTH OF KENTUCKY BRANDES AND ADMINISTRATION CABINET DEPARTMENT OF FACILITIES AND SERVICES SUPPORT DIVISION OF ENGINEERING AND CONTRACT ADMINISTRATION TRANSPORTATION
A & E FILE NO. RTA 0931 DATE AUGUST 15, 2012	NOT USED
AGENCY AUTHORIZED AGENT	APPROVED FOR PROGRAM CONCEPT ONLY
DIVISION OF ENGINEERING	APPROVED FOR PROGRAM CONCEPT ONLY

MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

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

DATE: April 23, 2024

**SUBJECT: Kentucky Justice and Public Safety Cabinet for Street Sales Drug
Enforcement Project at the Division of Police**

Request: Authorization to apply for and accept award if offered from the Kentucky Justice and Public Safety Cabinet in the amount of \$40,000 for the continuation of the Street Sales Drug Enforcement Project for FY 2025. A match of \$13,334 has been budgeted, for total project cost of \$53,334.

Purpose of Request: The Division of Police request to submit a grant application to the Kentucky Justice and Public Safety Cabinet requesting federal funding for continuation of the Street Sales Drug Enforcement project and accept an award if offered. A match of \$13,334 has been budgeted for program operation, for a total project cost of \$53,334. The source of these federal funds is the Edward Byrne Memorial Justice Assistance Grant Program in the U.S. Department of Justice.

What is the cost in this budget year and future budget years? Cost in FY25 is \$53,334. Federal funds of \$40,000 and local match funds of \$13,334 requested. Future funding is dependent upon availability of grant funding.

Are the funds budgeted? FY 2025 budget amendment will be forthcoming for ST_SALES_2025.

File Number: 0481-24

Director/Commissioner: Weathers/Armstrong



MAYOR LINDA GORTON

Theresa Reynolds
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

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

DATE: April 29, 2024

SUBJECT: HOPWA AWARD

Request: Council authorization to accept an award of federal funds in the amount of \$1,506,791 from the U.S. Department of Housing and Urban Development for the continuation of Housing Opportunities for Persons with AIDS grant and to execute an Agreement with AVOL Kentucky, Inc., in the amount of \$1,461,588.

Purpose of Request: The Lexington-Fayette Urban County Government first received federal funds in the amount of \$1 million from the U.S. Department of Housing and Urban Development in 1994 under the Housing Opportunities for Persons with AIDS (HOPWA) program for the development of housing facilities for persons with AIDS. AVOL Kentucky, Inc., serves as the sponsoring organization for this project. The following project continuations have been received:

Program	Year	Amount
HUD's Special Projects of National Significance	1998	\$1,144,000
Renewal	2001	\$1,362,860
Renewal	2005	\$1,426,690
Renewal	2008	\$1,430,000
Renewal	2011	\$1,430,000
Renewal	2014	\$1,437,920
Renewal	2017	\$1,430,000
Renewal	2020	\$1,441,081

The U.S. Department of Housing and Urban Development has now approved federal funds in the amount of \$1,506,791 for continuation of this project for an additional three years. The AVOL Kentucky Housing Program provides permanent supportive housing and transitional housing services for persons living with HIV/AIDS at the Solomon House. Solomon House is a community residence which provides permanent supportive housing for individuals living with HIV/AIDS who are in the advanced stages of their illness and require personal care, supervision and supportive services. AVOL also uses funds to operate a tenant-based rental assistance program.

The approved project includes leveraged funds in the amount of \$97,849 from community partners, Bluegrass Care Clinic and AVOL Kentucky, Inc. A subrecipient agreement in the amount of \$1,461,588 will be entered into with AVOL Kentucky, Inc.



What is the cost in this budget year and future budget years? \$1,506,791

Are the funds budgeted? BA is in process

File Number: 0482-24

Director/Commissioner: Reynolds/Lanter





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

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

DATE: April 29, 2024

SUBJECT: Accept Award from FEMA DR4702 for the March 2023 Wind Storm

Request: Council authorization to accept an award of federal funding from the Federal Emergency Management Agency (FEMA) in the amount of \$777,089.27 from the Commonwealth of Kentucky, Department of Military Affairs, Division of Emergency Management to reimburse Lexington-Fayette Urban County Government for expenses incurred from the March 2023 Wind Storm. Local Match funds of \$116,116.79 have been deducted from the total reimbursement.

Purpose of Request: Lexington-Fayette Urban County Government submitted an application for reimbursement from the Federal Emergency Management Agency (FEMA) for expenses from damages incurred from the March 2023 Wind Storm. FEMA in conjunction with Kentucky Emergency Management has awarded the Lexington-Fayette Urban County Government an award of \$777,089.27. It is anticipated that additional Federal and State funds will be awarded as a part of the contract.

What is the cost in this budget year and future budget years? Federal award amount (75%) is \$669,904.55. State agency award amount (12%) is \$107,184.72. Local Match amount (13%) is \$116,116.79. Local Match is required and has been deducted from the reimbursement.

Are the funds budgeted? Budget amendment is forthcoming.

File Number: 0483-24

Director/Commissioner: Larkin/Armstrong

MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

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

DATE: April 29, 2024

SUBJECT: Fiber Optic Cable Installation Program Grant for Fiscal Year 2024

Request: Authorization to execute an agreement and to accept an award from the Kentucky Transportation Cabinet in the amount of \$600,000 for installation of conduit and fiber optic cabling along Man O' War Boulevard from Fort Harrods Drive to Versailles Road and along Versailles Road from Old Clubhouse Lane to New Circle Road. Local Match of \$150,000 is required and is budgeted, for total project cost of \$750,000.

Purpose of Request: On September 22, 2022 (Resolution 558-2022) Council approved submission of an application to the Kentucky Transportation Cabinet requesting funds from Congestion Mitigation and Air Quality Program (CMAQ) for fiber optic funding. The Kentucky Transportation Cabinet has offered a CMAQ award in the amount of \$600,000. Grant funds will be used for installation of conduit and fiber optic cabling along Man O' War Boulevard from Fort Harrods Drive to Versailles Road and along Versailles Road from Old Clubhouse Lane to New Circle Road a total of 4.75 miles. A total of five (5) signalized intersections and one (1) additional access point will be connected once conduit and fiber optic cabling are installed. Project budget is \$750,000 -- \$600,000 Federal Funds with \$150,000 local match.

What is the cost in this budget year and future budget years? \$600,000 has been awarded for FY2024. Federal funds of \$600,000 and local match funds of \$150,000 for total project cost of \$750,000. Future funding is dependent upon availability of grant funding.

Are the funds budgeted? Budget amendment is in process.

File Number: 0484-24

Director/Commissioner: Neal/Albright





Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Linda Gorton
Mayor

Kenneth Armstrong
Commissioner

TO: Mayor Linda Gorton
Urban County Council

Lawrence B. Weathers

FROM: Chief Lawrence B. Weathers
Lexington Police Department

CC: Commissioner Kenneth Armstrong
Department of Public Safety

DATE: April 29, 2024

SUBJECT: Memorandum of Understanding – National Insurance Crime Bureau -
Law Enforcement ISO ClaimSearch Access

Request

Authorization to accept the Memorandum of Understanding (MOU) with the National Insurance Crime Bureau - Law Enforcement ISO ClaimSearch Access.

Why are you requesting?

The purpose of this MOU is to allow the Lexington Police Department access and use of the ISO ClaimSearch Access for investigating or prosecuting crime, including but not limited to insurance related crime and fraud, and investigating and prosecuting individuals relevant to homeland security activity.

The attached agreement requires Mayor Gorton's signature. Upon acquiring Mayor's signature, please return to the Chief's Office to acquire additional signature.

What is the cost in this budget year and future budget years? N/A

Are the funds budgeted? N/A

File Number: 0485-24

Director/Commissioner: Lawrence B. Weathers, Chief
Lexington Police Department

LBW/rmh

MAYOR LINDA GORTON



LEXINGTON

THERESA REYNOLDS
DIRECTOR
GRANTS & SPECIAL PROGRAMS

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

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

DATE: APRIL 29, 2024

**SUBJECT: Authorization to execute Change Order No. 10 (Final) with ATS Construction for
the Town Branch Trail Phase 6 and Turn Lanes at Manchester and Forbes**

Request: Authorization to execute Change Order No. 10 (Final) with ATS Construction to reconcile quantities installed on Phase 6 of the Town Branch Trail and on Turn Lanes at Manchester and Forbes Projects for closeout. This Contract Change Order is for -\$699,377.79 (Town Branch Trail Phase 6) and -\$24,410.18 (Turn Lanes at Manchester and Forbes for a total change order of -\$723,787.97 and will decrease the total contract amount to \$5,420,636.83. This change order is being submitted concurrently to KYTC. The approval of Change Order No. 10 by LFUCG is contingent on approval by KYTC. Note: These are two physically adjacent projects that were awarded under one construction contract.

Purpose of the Request: On February 6, 2020 (Ordinance 045-2020), Council approved awarding L-M Asphalt Partners Ltd. d/b/a ATS Construction the contract for construction of the Town Branch Trail Phase 6. On July 6, 2021 (Resolution 365-2021), Council approved Change Order No. 1 to increase contract \$54,311.29 to increase the size of the trailhead parking lot. On October 14, 2021 (Resolution 570-2021), Council approved Change Order No. 2 to increase the contract in the amount of \$239,388.75 for safety improvements along the property line with RJ Corman Railroad from Forbes Road to Thompson Road. On April 28, 2022 (Resolution 199-2022), Council approved Change Order No. 3 to increase the contract by \$290,318.01 for remediation of an underground storage tank, fencing, bollards and trail amenities. On July 7, 2022 (Resolution 400-2022), Council approved Change Order No. 4 to increase the contract to \$4,633,109.27 for additional parking along the trail at 1265 Manchester Street. On September 22, 2022 (Resolution 527-2022), Council approved Change Order No. 5 for improvements at 1345 & 1305 Old Frankfort Pike required by the right-of-way agreement. On November 17, 2022, (Resolution 636-2022), Council approved Change Order No. 6 to increase the contract by \$111,417.50. On June 29, 2023 (Resolution 363-2023), Council approved Change Order No. 7 to increase the contract amount by \$238,600. On October 12, 2023 (Resolution 524-2023), Council approved Change Order No. 8 to increase the contract by \$468,463.62. On December 7, 2023 (Resolution 676-2023), Council approved Change Order No. 9 to increase the contract price by \$451,896.42.



The LFUCG Division of Engineering needs this change order to reconcile quantities and closeout the projects. This contract change orders are being submitted concurrently to KYTC. The approval of Contract Change Order No. 10 by LFUCG is contingent on approval by KYTC.

What is the cost in this budget year and future budget years?

The cost for this FY is: -\$699,377.79 (TBT 6) and -\$24,410.18 (Turn Lanes), for a total of -\$723,787.97.
The cost for future FY is: N/A

Are the funds budgeted? Yes, 3160-303202-3225-90313 TOWN_TGER_2017 CONST and 3160-303202-3222-91715 FORBES_2017

File Number: 0486-24

Director/Commissioner: Burton/Albright



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER		Date:	April 19, 2024	
		Project:	Town Branch Trail 6 / Manchester & Forbes Turn Lanes	
		Location:	Manchester St.	
To (Contractor): L-M Asphalt Partners (dba ATS Construction) 3009 Atkinson Ave. Lexington KY 40509		Contract No.	003-2020	
		Original Contract Amt.	\$3,854,486.96	
		Cumulative Amount of Previous Change Orders	\$2,289,937.83	
		Percent Change - Previous Change Orders		59.41%
		Total Contract Amount Prior to this Change Order	\$6,144,424.79	
		Change Order No.	10 (Final)	
You are hereby requested to comply with the following changes from the contract plans and specification;				
Current Change Order				
Item No.	Description of changes-quantities, unit prices, change in completion date, etc.	Decrease in contract price	Increase in contract price	
	See Attached Sheet			
	Total decrease	\$1,097,973.99		
	Total increase		\$374,186.02	
	Net Amount of this Change Order	-\$723,787.97		
	New Contract Amount Including this Change Order	\$5,420,636.83		
	Percent Change - This Change Order			-18.78%
	Percent Change - All Change Orders			40.63%
The time provided for the completion in the contract and all provisions of the contract will apply hereto.				
Recommended by <u>[Signature]</u> MAF (Proj. Engr.)		Date	4/23/24	
Accepted by <u>[Signature]</u> PRESIDENT		(Contractor) Date	4/22/24	
Approved by <u>[Signature]</u>		(Director) Date	4/23/24	
Approved by <u>[Signature]</u>		(Commissioner) Date	4/23/24	
Approved by _____		(Mayor or CAO) Date	_____	

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CHANGE ORDER					DATE:	April 19, 2024	
					Change Order #:	10 (Final)	
					CONTRACT #:	003-2020	
Project:			Town Branch Trail 6				
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	DEL	DGA BASE	TON	5224.51	\$23.50	\$ 122,775.99	\$ -
1A	ADD	DGA BASE (DISCOUNT FOR VULCAN DONATION)	TON	280.49	-\$11.00	\$ -	\$ (3,085.39)
2	DEL	CRUSHED AGGREGATE SIZE NO 2	TON	602.46	\$30.00	\$ 18,073.80	\$ -
3	DEL	LEVELING & WEDGING PG76-22	TON	66.00	\$115.00	\$ 7,590.00	\$ -
4	DEL	CL3 ASPH BASE 1.00D PG64-22	TON	2211.48	\$94.00	\$ 207,879.12	\$ -
5	DEL	CL3 ASPH BASE 1.00D PG76-22	TON	277.00	\$100.00	\$ 27,700.00	\$ -
6	ADD	CL2 ASPH BASE 0.75D PG64-22	TON	180.37	\$96.00	\$ -	\$ 17,315.52
7	DEL	CL2 ASPH SURF 0.38D PG64-22	TON	0.50	\$99.00	\$ 49.50	\$ -
8	DEL	ASPHALT MATERIAL FOR TACK	TON	8.16	\$0.01	\$ 0.08	\$ -
9	DEL	CL3 ASPH SURF 0.38B PG76-22	TON	152.00	\$120.00	\$ 18,240.00	\$ -
10	ADD	CL3 ASPH SURF 0.38B PG64-22	TON	89.77	\$110.00	\$ -	\$ 9,874.70
11	DEL	CEM CONC ENT PAVEMENT-8 IN	SQYD	19.71	\$85.00	\$ 1,675.35	\$ -
12	DEL	STANDARD CURB AND GUTTER	LF	72.00	\$30.00	\$ 2,160.00	\$ -
13	ADD	STANDARD HEADER CURB	LF	76.00	\$40.00	\$ -	\$ 3,040.00
14	DEL	STANDARD BARRIER MEDIAN TYPE 1	SQYD	9.00	\$125.00	\$ 1,125.00	\$ -
15	ADD	STANDARD BARRIER MEDIAN TYPE 2	SQYD	8.64	\$125.00	\$ -	\$ 1,080.00
16	DEL	DELINEATOR FOR GUARDRAIL MONO DIRECTIONAL WH	EACH	3.00	\$20.00	\$ 60.00	\$ -
17	DEL	ROADWAY EXCAVATION	CUYD	826.00	\$30.56	\$ 25,242.56	\$ -
19	DEL	REMOVE FENCE	LF	1350.00	\$4.50	\$ 6,075.00	\$ -
21	DEL	FENCE-8 FT CHAIN LINK	LF	580.00	\$85.00	\$ 49,300.00	\$ -
23	ADD	GUARDRAIL-STEEL W BEAM-S FACE	LF	15.75	\$60.00	\$ -	\$ 945.00
24	ADD	GUARDRAIL-STEEL W BEAM-S FACE A	LF	0.50	\$75.00	\$ -	\$ 37.50
27	DEL	REMOVE GUARDRAIL	LF	25.00	\$5.00	\$ 125.00	\$ -
30	ADD	CHANNEL LINING CLASS II	TON	323.69	\$38.50	\$ -	\$ 12,462.07
32	ADD	CONCRETE-CLASS B	CUYD	19.00	\$1,600.15	\$ -	\$ 30,402.85
33	DEL	TEMPORARY SIGNS	SQFT	682.00	\$15.00	\$ 10,230.00	\$ -
34	DEL	FABRIC-GEOTEXTILE TYPE I	SQYD	211.00	\$1.83	\$ 386.13	\$ -
35	DEL	FABRIC-GEOTEXTILE TYPE IV	SQYD	2688.00	\$1.64	\$ 4,408.32	\$ -
36	DEL	FABRIC GEOTEXTILE TY IV FOR PIPE	SQYD	412.70	\$1.90	\$ 784.13	\$ -
40	DEL	ASPHALT PAVE MILLING & TEXTURING	TON	598.64	\$24.00	\$ 14,367.36	\$ -
41	DEL	EDGE LINE RUMBLE STRIPS	LF	294.00	\$18.00	\$ 5,292.00	\$ -
42	DEL	SIDEWALK-4 1/2 INCH CONCRETE	SQYD	55.11	\$59.75	\$ 3,292.82	\$ -
44	ADD	INITIAL FERTILIZER	TON	0.01	\$950.00	\$ -	\$ 9.50
45	DEL	MAINTENANCE FERTILIZER	TON	0.50	\$950.00	\$ 475.00	\$ -
46	DEL	SEEDING AND PROTECTION	SQYD	285.00	\$0.85	\$ 242.25	\$ -
47	DEL	AGRICULTURAL LIMESTONE	TON	9.81	\$150.00	\$ 1,471.50	\$ -
48	DEL	TOPSOIL FURNISHED AND PLACED	CUYD	495.00	\$24.99	\$ 12,370.05	\$ -
59	ADD	MONOLITHIC CURB AND 8 FT WALK 4.5 IN	LF	45.00	\$83.00	\$ -	\$ 3,735.00
60	DEL	MONOLITHIC CURB AND 8 FT WALK 8 IN	LF	6.40	\$98.00	\$ 627.20	\$ -

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CHANGE ORDER					DATE:	April 19, 2024	
					Change Order #:	10 (Final)	
					CONTRACT #:	003-2020	
Project:			Town Branch Trail 6				
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
62	ADD	DETECTABLE WARNINGS	SQFT	17.00	\$15.84	\$ -	\$ 269.28
63	DEL	LFUCG CURB AND GUTTER TYPE 1	LF	13.00	\$24.50	\$ 318.50	\$ -
65	ADD	FLEXIBLE DELINEATOR POSTS	EACH	80.00	\$50.00	\$ -	\$ 4,000.00
67	DEL	FENCE 6 FT CHAIN LINK	EACH	154.00	\$75.00	\$ 11,550.00	\$ -
69	ADD	FENCE GUARDRAIL HEIGHT EXTENSION	LF	2.00	\$165.00	\$ -	\$ 330.00
70	DEL	CURB CUT	EACH	3.00	\$116.38	\$ 349.14	\$ -
71	DEL	RELOCATE EXISTING BUSINESS SIGN ASSEMBLY	EACH	1.00	\$3,500.00	\$ 3,500.00	\$ -
202	DEL	FENCE GATE - RR SAFETY	EACH	1.00	\$7,000.00	\$ 7,000.00	\$ -
305	ADD	4 PLANK WOOD FENCE	LF	72.00	\$57.75	\$ -	\$ 4,158.00
73	DEL	STORM SEWER PIPE-12 IN	LF	37.00	\$251.14	\$ 9,292.18	\$ -
74	ADD	STORM SEWER PIPE-15 IN	LF	5.30	\$72.48	\$ -	\$ 384.14
75	ADD	STORM SEWER PIPE-18 IN	LF	179.00	\$85.04	\$ -	\$ 15,222.16
76	DEL	STORM SEWER PIPE-24 IN	LF	83.90	\$117.36	\$ 9,846.50	\$ -
77	DEL	STORM SEWER PIPE-30 IN	LF	1.00	\$156.79	\$ 156.79	\$ -
78	ADD	PERFORATED PIPE EDGE DRAIN-4 IN	LF	211.00	\$25.00	\$ -	\$ 5,275.00
82	ADD	REMOVE PIPE	LF	167.50	\$22.49	\$ -	\$ 3,767.08
83	DEL	SLOPED BOX INLET-OUTLET TYPE 2	EACH	1.00	\$4,272.00	\$ 4,272.00	\$ -
89	DEL	DROP BOX INLET TYPE 14	EACH	1.00	\$3,562.00	\$ 3,562.00	\$ -
91	ADD	ADJUST INLET	EACH	1.00	\$2,388.00	\$ -	\$ 2,388.00
92	DEL	CORED HOLE DRAINAGE BOX CON-4 IN	EACH	9.00	\$300.00	\$ 2,700.00	\$ -
93	DEL	VIDEO INSPECTION	LF	4.00	\$5.00	\$ 20.00	\$ -
95	DEL	CORED HOLE DRAINAGE BOX CONNECTOR	EACH	4.00	\$500.00	\$ 2,000.00	\$ -
96	ADD	MODIFIED STRUCTURE TYPE 1	EACH	1.00	\$5,983.00	\$ -	\$ 5,983.00
97	DEL	LFUCG MANHOLE TYPE A	EACH	1.00	\$25,751.00	\$ 25,751.00	\$ -
98	DEL	LFUCG CURB BOX INLET TYPE D	EACH	1.00	\$5,712.00	\$ 5,712.00	\$ -
102	DEL	CYCLOPEAN STONE RIP RAP	TON	10.79	\$50.00	\$ 539.50	\$ -
103	ADD	CONCRETE-CLASS A	CUYD	5.00	\$1,250.00	\$ -	\$ 6,250.00
105	ADD	SBM ALUM SHEET SIGNS .080 IN	SQFT	34.88	\$41.00	\$ -	\$ 1,430.08
106	DEL	STEEL POST TYPE 1	LF	13.00	\$50.00	\$ 650.00	\$ -
107	DEL	CLASS A CONCRETE FOR SIGNS	CUYD	1.00	\$900.00	\$ 900.00	\$ -
108	DEL	PAVE STRIPING-PERM PAINT-4 IN	LF	2893.00	\$0.40	\$ 1,157.20	\$ -
109	ADD	PAVE STRIPING-THERMO-4 IN W	LF	5367.00	\$1.00	\$ -	\$ 5,367.00
110	ADD	PAVE STRIPING-THERMO-4 IN Y	LF	3086.00	\$1.00	\$ -	\$ 3,086.00
111	DEL	PAVE STRIPING-TEMP REM TAPE-W	LF	6000.00	\$3.00	\$ 18,000.00	\$ -
112	DEL	PAVE STRIPING-TEMP REM TAPE-Y	LF	6000.00	\$3.00	\$ 18,000.00	\$ -
113	ADD	PAVE MARKING-THERMO R 6 FT	EACH	2.00	\$125.00	\$ -	\$ 250.00
114	ADD	PAVE MARKING-R/R XBUCKS 16 IN	LF	40.00	\$9.00	\$ -	\$ 360.00
115	ADD	PAVE MARKING-THERMO X-WALK-12 IN	LF	523.00	\$6.00	\$ -	\$ 3,138.00
116	DEL	PAVE MARKING-THERMO STOP BAR-12IN	LF	13.80	\$6.00	\$ 82.80	\$ -

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CHANGE ORDER					DATE:	April 19, 2024	
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Project:			Town Branch Trail 6				
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
117	DEL	PAVE MARKING-THERMO STOP BAR-24IN	LF	51.00	\$10.00	\$ 510.00	\$ -
118	ADD	PAVE MARKING-THERMO CROSS-HATCH	SQFT	342.00	\$6.00	\$ -	\$ 2,052.00
119	DEL	PAVE MARKING-THERMO CURV ARROW	EACH	1.00	\$90.00	\$ 90.00	\$ -
120	DEL	PAVE MARKING-THERMO COMB ARROW	EACH	1.00	\$105.00	\$ 105.00	\$ -
121	ADD	BARCODE SIGN INVENTORY	EACH	10.00	\$30.00	\$ -	\$ 300.00
122	ADD	PAVE MARKING TEMP PAINT 24 IN	LF	24.00	\$1.00	\$ -	\$ 24.00
124	DEL	PAVE MARKING THERMO GREEN BIKE LANE	SQFT	115.00	\$10.00	\$ 1,150.00	\$ -
126	DEL	REMOVE AND RELOCATE SIGN ASSEMBLY	EACH	4.00	\$2,000.00	\$ 8,000.00	\$ -
127	DEL	REMOVE SIGN ASSEMBLY	EACH	8.00	\$900.00	\$ 7,200.00	\$ -
128	DEL	INTERPRETIVE SIGN	EACH	10.00	\$4,000.00	\$ 40,000.00	\$ -
306	DEL	LIGHTING ASSEMBLY	EACH	6.00	\$9,039.77	\$ 54,238.62	\$ -
131	DEL	CABLE-NO. 14/5C	LF	215.00	\$0.48	\$ 103.20	\$ -
138	DEL	TRAFFIC SIGNAL POLE BASE	CUYD	8.00	\$159.46	\$ 1,275.68	\$ -
140	DEL	SIGNAL CONTROLLER-TY 2070	EACH	1.00	\$4,968.50	\$ 4,968.50	\$ -
149	ADD	PERENNIAL	EACH	1777.00	\$28.00	\$ -	\$ 49,756.00
152	ADD	SHADE TREE	EACH	2.00	\$1,400.00	\$ -	\$ 2,800.00
601	DEL	PLANTER BOXES	EACH	30.00	\$487.19	\$ 14,615.70	\$ -
602	DEL	PLANTER BOX PLACEMENT AND GRADING	EACH	0.60	\$11,000.00	\$ 6,600.00	\$ -
603	DEL	PLANTER BOX FLOWERS	EACH	480.00	\$29.93	\$ 14,366.40	\$ -
401	DEL	DGA BASE	TN	11.49	\$35.00	\$ 402.15	\$ -
402	DEL	CRUSHED AGG. NO. 2	TN	44.28	\$40.00	\$ 1,771.20	\$ -
403	ADD	CL2 ASPH BASE 1.00D PG 64-22	TN	25.43	\$160.00	\$ -	\$ 4,068.80
404	ADD	CL2 ASPH SURF 0.38D PG 64-22	TN	15.22	\$185.00	\$ -	\$ 2,815.70
405	ADD	STORM SEWER PIPE 15 IN.	LF	2.00	\$85.00	\$ -	\$ 170.00
406	ADD	PERFORATED PIPE EDGE DRAIN	LF	7.00	\$35.00	\$ -	\$ 245.00
408	ADD	CEM. CONCRETE ENT. PAVEMENT	SY	32.00	\$125.00	\$ -	\$ 4,000.00
409	ADD	ROADWAY EXCAVATION	CY	2.92	\$50.00	\$ -	\$ 146.00
410	DEL	SIDEWALK 4.5 IN.	SY	31.00	\$75.00	\$ 2,325.00	\$ -
411	ADD	SEEDING AND PROTECTION	SY	251.00	\$1.50	\$ -	\$ 376.50
412	DEL	TOPSOIL FURNISHED AND PLACED	CY	76.00	\$40.00	\$ 3,040.00	\$ -
413	DEL	SBM ALUM SHEET SIGN 0.080 IN.	SF	2.00	\$175.00	\$ 350.00	\$ -
414	DEL	STEEL POST TYPE 1	LF	20.00	\$75.00	\$ 1,500.00	\$ -
415	DEL	PAVE STRIPING PERM. PAINT 4 IN.	LF	22.00	\$1.25	\$ 27.50	\$ -
416	DEL	DETECTABLE WARNINGS	SF	2.00	\$30.00	\$ 60.00	\$ -
417	ADD	LFUCG CURB & GUTTER TYPE 1	LF	7.00	\$35.00	\$ -	\$ 245.00
421	DEL	MODIFY CURB	LF	44.00	\$25.00	\$ 1,100.00	\$ -
422	DEL	ASPHALT SLOPE WEDGE	TB	14.00	\$500.00	\$ 7,000.00	\$ -
501	DEL	DGA BASE	TN	116.50	\$23.50	\$ 2,737.75	\$ -
502	ADD	CRUSHED AGGREGATE SIZE NO 2	TN	35.90	\$30.00	\$ -	\$ 1,077.00

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CHANGE ORDER					DATE:	April 19, 2024	
					Change Order #:	10 (Final)	
					CONTRACT #:	003-2020	
Project:			Town Branch Trail 6				
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
503	DEL	CL3 ASPH BASE 1.00D PG64-22	TN	116.50	\$94.00	\$ 10,951.00	\$ -
504	ADD	CL2 ASPH SURF 0.38D PG64-22	TN	47.00	\$99.00	\$ -	\$ 4,653.00
505	DEL	ROADWAY ECCAVATION	CY	250.00	\$30.56	\$ 7,640.00	\$ -
506	ADD	CHANNEL LINING CLASS II	TN	7.00	\$38.50	\$ -	\$ 269.50
508	ADD	FABRIC-GEOTEXTILE TYPE IV	SY	249.00	\$1.64	\$ -	\$ 408.36
701	DEL	SAWCUT	LF	850.00	\$5.00	\$ 4,250.00	\$ -
703	DEL	STANDARD HEADER CURB	LF	500.00	\$32.00	\$ 16,000.00	\$ -
708	DEL	PAVE STRIPING- THERMO- 4 IN W	LF	945.00	\$1.00	\$ 945.00	\$ -
1	DEL	DGA BASE	TON	165.00	\$28.00	\$ 4,620.00	\$ -
6	ADD	CL2 ASPH BASE 0.75D PG64-22	TON	0.40	\$750.00	\$ -	\$ 300.00
7	ADD	CL2 ASPH SURF 0.38D PG64-22	TON	0.30	\$750.00	\$ -	\$ 225.00
11	ADD	CEM CONC ENT PAVEMENT-8 IN	SQYD	4.00	\$90.95	\$ -	\$ 363.80
42	DEL	SIDEWALK 4.5 IN	SQYD	63.50	\$70.00	\$ 4,445.00	\$ -
62	DEL	DETECTABLE WARNINGS	SQFT	5.00	\$41.07	\$ 205.35	\$ -
105	DEL	SBM ALUM SHEET SIGNS .080 IN	SQFT	1.50	\$41.00	\$ 61.50	\$ -
106	DEL	STEEL POST TYPE 1	LF	10.00	\$50.00	\$ 500.00	\$ -
107	DEL	CLASS A CONCRETE FOR SIGNS	CUYD	0.25	\$900.00	\$ 225.00	\$ -
801	ADD	REMOVE PAVEMENT	SQYD	108.00	\$36.91	\$ -	\$ 3,986.28
802	DEL	SOD	SQYD	779.00	\$15.00	\$ 11,685.00	\$ -
803	ADD	INTEGRAL CURB AND SIDEWALK 4.5 IN	SQYD	2.30	\$90.00	\$ -	\$ 207.00
804	DEL	SIDEWALK 8 IN	SQYD	31.00	\$185.50	\$ 5,750.50	\$ -
816	DEL	TREES	EACH	2.00	\$1,540.00	\$ 3,080.00	\$ -
817	ADD	CUSTOM NATIVE SEED MIX	SQFT	2580.00	\$0.54	\$ -	\$ 1,393.20
818	ADD	CONCRETE PADS-4.5 IN (ITEM NO. 02)	SQFT	13.00	\$10.21	\$ -	\$ 132.73
824	ADD	PRECAST VEHICLE STOP (ITEM NO. 14)	EACH	2.00	\$200.00	\$ -	\$ 400.00
42	DEL	SIDEWALK 4.5 IN	SQYD	12.36	\$70.00	\$ 865.20	\$ -
902	DEL	PAVE STRIPING-THERMO-4 IN Y	LF	4.50	\$1.05	\$ 4.73	\$ -
903	DEL	PAVE MARKING-THERMO STOP BAR-12IN	LF	8.50	\$6.30	\$ 53.55	\$ -
906	DEL	PAVE MARKING-GREEN-BIKE LANE (THERMO)	SQ FT	90.00	\$8.67	\$ 780.30	\$ -
907	DEL	METHYLMETHACRYLATE (MMA)	SQFT	475.00	\$8.67	\$ 4,118.25	\$ -
913	DEL	TOPSOIL	CYD	41.00	\$80.00	\$ 3,280.00	\$ -
914	DEL	CUSTOM NATIVE SEED MIX	SQYD	400.00	\$1.52	\$ 608.00	\$ -
915	ADD	CUSTOM NATIVE SEED MIX (OPEN AREA)	SQFT	2580.00	\$0.96	\$ -	\$ 2,476.80
155	ADD	FUEL ADJUSTMENT	DOLL	2102.31	\$1.00	\$ -	\$ 2,102.31
156	DEL	ASPHALT ADJUSTMENT	DOLL	863.41	\$1.00	\$ 863.41	\$ -
Sub-total decrease						\$ 921,846.26	
Sub-total increase							\$ 222,468.47
Net (increase) in contract price							\$ (699,377.79)

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT					DATE:	April 19, 2024		
CHANGE ORDER					Change Order #:	10 (Final)		
					CONTRACT #:	003-2020		
Project:			Manchester & Forbes Turn Lanes					
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	
158	DEL	DGA BASE	TON	730.42	\$23.50	\$ 17,164.87	\$ -	
159	DEL	CRUSHED AGGREGATE SIZE NO 2	TON	1145.81	\$32.30	\$ 37,009.66	\$ -	
160	DEL	LEVELING & WEDGING PG76-22	TON	112.00	\$115.00	\$ 12,880.00	\$ -	
161	ADD	CL3 ASPH BASE 1.00D PG64-22	TON	962.77	\$94.00	\$ -	\$ 90,500.38	
162	DEL	CL3 ASPH BASE 1.00D PG76-22	TON	219.86	\$100.00	\$ 21,986.00	\$ -	
163	DEL	ASPHALT MATERIAL FOR TACK	TON	2.44	\$0.01	\$ 0.02	\$ -	
164	ADD	CL3 ASPH SURF 0.38B PG76-22	TON	265.19	\$120.00	\$ -	\$ 31,822.80	
165	DEL	CL3 ASPH SURF 0.38B PG64-22	TON	6.00	\$110.00	\$ 660.00	\$ -	
166	DEL	JPC PAVEMENT-11 IN	SQYD	477.00	\$93.90	\$ 44,790.30	\$ -	
167	ADD	CEM CONC ENT PAVEMENT-8 IN	SQYD	1.20	\$93.06	\$ -	\$ 111.67	
168	DEL	STANDARD CURB AND GUTTER	LF	62.25	\$23.25	\$ 1,447.30	\$ -	
169	DEL	BARRIER CURB AND GUTTER	LF	50.00	\$51.70	\$ 2,585.00	\$ -	
170	DEL	STANDARD INTERGAL CURB	LF	173.00	\$38.31	\$ 6,627.63	\$ -	
171	DEL	ROADWAY EXCAVATION	CUYD	534.00	\$38.18	\$ 20,388.12	\$ -	
172	DEL	REMOVE FENCE	LF	77.00	\$5.50	\$ 423.50	\$ -	
173	ADD	FABRIC-GEOTEXTILE TYPE IV	SQYD	8307.70	\$1.46	\$ -	\$ 12,129.24	
174	DEL	ASPHALT PAVE MILLING & TEXTURING	TON	47.93	\$24.00	\$ 1,150.32	\$ -	
175	DEL	INITIAL FERTILIZER	TON	0.06	\$950.00	\$ 57.00	\$ -	
176	DEL	MAINTENANCE FERTILIZER	TON	0.04	\$950.00	\$ 38.00	\$ -	
177	DEL	SEEDING AND PROTECTION	SQYD	1113.00	\$1.00	\$ 1,113.00	\$ -	
178	DEL	AGRICULTURAL LIMESTONE	TON	0.69	\$180.00	\$ 124.20	\$ -	
179	ADD	TOPSOIL FURNISHED AND PLACED	CUYD	14.00	\$41.64	\$ -	\$ 582.96	
180	ADD	EROSION CONTROL BLANKET	SQYD	1813.00	\$8.50	\$ -	\$ 15,410.50	
181	DEL	SBM ALUM SHEET SIGNS .080 IN	SQFT	2.00	\$116.00	\$ 232.00	\$ -	
182	DEL	STEEL POST TYPE 1	LF	22.00	\$60.00	\$ 1,320.00	\$ -	
183	DEL	PAVE STRIPING-PERM PAINT-4 IN	LF	5697.00	\$0.40	\$ 2,278.80	\$ -	
184	ADD	PAVE MARKING-THERMO STOP BAR-24IN	LF	50.00	\$10.00	\$ -	\$ 500.00	
185	DEL	PAVE MARKING-THERMO CROSS-HATCH	SQFT	277.00	\$6.00	\$ 1,662.00	\$ -	
186	ADD	PAVE MARKING-THERMO CURV ARROW	EACH	5.00	\$90.00	\$ -	\$ 450.00	
187	ADD	PAVE MARKING-THERMO COMB ARROW	EACH	2.00	\$105.00	\$ -	\$ 210.00	
188	DEL	PAVE MARK TY 1 TAPE STOP BAR-24 IN	LF	22.00	\$20.00	\$ 440.00	\$ -	
189	DEL	PAVE MARK TY 1 TAPE-COMBO ARROW	EACH	2.00	\$525.00	\$ 1,050.00	\$ -	
190	DEL	PAVE MARK TY 1 TAPE-CURV ARROW	EACH	2.00	\$350.00	\$ 700.00	\$ -	
Sub-total decrease						\$ 176,127.73		
Sub-total increase							\$ 151,717.55	
Net (increase) in contract price							\$ (24,410.18)	

Date: 19-Apr-24		
JUSTIFICATION FOR CHANGE	PROJECT:	Town Branch Trail 6 / Manchester & Forbes Turn Lanes
	CONTRACT NO.	003-2020
	CHANGE ORDER:	10 (Final)
1. Necessity for change: This change order will rectify project quantities actually installed for project closeout. 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: N/A 8. Effect on contract completion date: No extension, this change order is being created to reconcile contract quantities/cosst and to close out the project. Mayor Date		

CONTRACT HISTORY FORM

Project Name: Town Branch Trail Phase 6 / Manchester & Forbes Turn Lanes

Contractor: L-M Asphalt Partners (dba ATS Construction)

Contract Number and Date: 003-2020 2/6/2020

Responsible LFUCG Division: Engineering

CONTRACT AND CHANGE ORDER DETAILS

A. Original Contract Amount:	\$	<u>3,854,486.96</u>	
Next Lowest Bid Amount:			
<u>\$4,396,138.40</u>			
B. Amount of Selected Alternate or Phase:	\$	<u></u>	
C. Cumulative Amount of All Previous Alternates or Phases:	\$	<u></u>	
D. Amended Contract Amount:	\$	<u>3,854,486.96</u>	
E. Cumulative Amount of All Previous Change Orders:	\$	<u>2,289,937.83</u>	<u>59.4%</u>
			(Line E / Line D)
F. Amount of This Change Order:	\$	<u>-723,787.97</u>	<u>-18.8%</u>
			(Line F / Line D)
G. Total Contract Amount:	\$	<u>5,420,636.83</u>	

SIGNATURES

Project Manager:	<u></u>	Date: <u>4/23/24</u>
Reviewed by:	<u></u>	Date: <u>4/23/24</u>
Division Director:	<u></u>	Date: <u>4/23/24</u>

KENTUCKY TRANSPORTATION CABINET
Local Public Agency (Department of Highways Funding)
CHANGE ORDER

lpa-DOH-chgord
Mod 07/2/10

Page 1

Contract ID

Change Order No

Contractor

Contractor

Address

#10 (final)
L-M Asphalt Partners (dba ATS Construction)

3009 Atkinson Ave. Lexington Ky 40509

Project Sponsor

County

Project Number

Project Name

LFUCG

Fayette

TGR 3003 (341)

Town Branch Trail Phase 6

Proposed Changes in Connection with Contract Items:

Item No.	Bid Item #	Description	Quantity	Unit	Unit Price	Amount
		See Additional Pages				
<i>Total for this Page</i>						
<i>Total for Continuation Page(s)</i>						-699,377.79
<i>Total Contract Items</i>						-699,377.79

Proposed Items of Supplemental Agreement:

Ref. No.	Bid Item #	Description	Quantity	Unit	Unit Price	Amount
<i>Total for this Page</i>						
<i>Total for Continuation Page(s)</i>						
<i>Total Supplemental Agreement</i>						
<i>Total Decrease Amount</i>						(\$ -699,377.79)

Time Extension/Explanation:

No time extension required.

Reasons for Proposed Changes:

The LFUCG Division of Engineering is requesting this action to reconcile project quantities to actual quantities installed in order to close out the project.

If approved by Transportation Cabinet, the undersigned contractor agrees to do the work outlined herein and to accept as payment in full the basis of payment as set forth herein.

Requested Brian R. Billings 4.24.24
Owner DATE

Requested [Signature] 4/23/24
Project Engineer DATE

Recommended _____
Chief District Engineer DATE

Recommended _____
Deputy State Highway Engineer DATE

Approved Brian R. Billings 4.24.24
LPA Signature Authority DATE

Title DATE

Approved _____
State Highway Engineer DATE

Brian R. Billings, President
Contractor

By: BRIAN R. BILLINGS

4/22/24

Date

KENTUCKY TRANSPORTATION CABINET

Local Public Agency (Department of Highways Funding) CHANGE ORDER

Page 2

Change Order No

#10 (final)

Contractor

L-M Asphalt Partners (dba ATS Construction)

Contractor

Address

3009 Atkinson Ave. Lexington Ky 40509

County

Project Number

Project Name

Fayette

TGR 3003 (341)

Town Branch Trail Phase 6

Item No.	Bid Item #	Description	Quantity	Unit	Unit Price	Amount
	1	DGA BASE	-5,224.510	TON	23.50	-122,775.99
	1A	DGA BASE (DISCOUNT FOR VULCAN DONATIO	280.490	TON	(11.00)	-3,085.39
	2	CRUSHED AGGREGATE SIZE NO 2	-602.460	TON	30.00	-18,073.80
	3	LEVELING & WEDGING PG76-22	-66.000	TON	115.00	-7,590.00
	4	CL3 ASPH BASE 1.00D PG64-22	-2,211.480	TON	94.00	-207,879.12
	5	CL3 ASPH BASE 1.00D PG76-22	-277.000	TON	100.00	-27,700.00
	6	CL2 ASPH BASE 0.75D PG64-22	180.370	TON	96.00	17,315.52
	7	CL2 ASPH SURF 0.38D PG64-22	-0.500	TON	99.00	-49.50
	8	ASPHALT MATERIAL FOR TACK	-8.160	TON	0.01	-0.08
	9	CL3 ASPH SURF 0.38B PG76-22	-152.000	TON	120.00	-18,240.00
	10	CL3 ASPH SURF 0.38B PG64-22	89.770	TON	110.00	9,874.70
	11	CEM CONC ENT PAVEMENT-8 IN	-19.710	SQYD	85.00	-1,675.35
	12	STANDARD CURB AND GUTTER	-72.000	LF	30.00	-2,160.00
	13	STANDARD HEADER CURB	76.000	LF	40.00	3,040.00
	14	STANDARD BARRIER MEDIAN TYPE 1	-9.000	SQYD	125.00	-1,125.00
	15	STANDARD BARRIER MEDIAN TYPE 2	8.640	SQYD	125.00	1,080.00
	16	DELINEATOR FOR GUARDRAIL MONO DIRECT	-3.000	EACH	20.00	-60.00
	17	ROADWAY EXCAVATION	-826.000	CUYD	30.56	-25,242.56
	19	REMOVE FENCE	-1,350.000	LF	4.50	-6,075.00
	21	FENCE-8 FT CHAIN LINK	-580.000	LF	85.00	-49,300.00
	23	GUARDRAIL-STEEL W BEAM-S FACE	15.750	LF	60.00	945.00
	24	GUARDRAIL-STEEL W BEAM-S FACE A	0.500	LF	75.00	37.50
	27	REMOVE GUARDRAIL	-25.000	LF	5.00	-125.00
	30	CHANNEL LINING CLASS II	323.690	TON	38.50	12,462.07
	32	CONCRETE-CLASS B	19.000	CUYD	1,600.15	30,402.85
	33	TEMPORARY SIGNS	-682.000	SQFT	15.00	-10,230.00
	34	FABRIC-GEOTEXTILE TYPE I	-211.000	SQYD	1.83	-386.13
	35	FABRIC-GEOTEXTILE TYPE IV	-2,688.000	SQYD	1.64	-4,408.32
	36	FABRIC GEOTEXTILE TY IV FOR PIPE	-412.700	SQYD	1.90	-784.13
	40	ASPHALT PAVE MILLING & TEXTURING	-598.640	TON	24.00	-14,367.36
	41	EDGE LINE RUMBLE STRIPS	-294.000	LF	18.00	-5,292.00
Total for this Page						(-451,467.09)

Reasons for Proposed Changes:

Reconcile project quantities for close out.

KENTUCKY TRANSPORTATION CABINET**Local Public Agency (Department of Highways Funding)
CHANGE ORDER**

Page 3

Change Order No	#10 (final)	County	Fayette
Contractor	L-M Asphalt Partners (dba ATS Construction)	Project Number	TGR 3003 (341)
Contractor		Project Name	Town Branch Trail Phase 6
Address	3009 Atkinson Ave. Lexington Ky 40509		

Item No.	Bid Item #	Description	Quantity	Unit	Unit Price	Amount
	42	SIDEWALK-4 1/2 INCH CONCRETE	-55.110	SQYD	59.75	-3,292.82
	44	INITIAL FERTILIZER	0.010	TON	950.00	9.50
	45	MAINTENANCE FERTILIZER	-0.500	TON	950.00	-475.00
	46	SEEDING AND PROTECTION	-285.000	SQYD	0.85	-242.25
	47	AGRICULTURAL LIMESTONE	-9.810	TON	150.00	-1,471.50
	48	TOPSOIL FURNISHED AND PLACED	-495.000	CUYD	24.99	-12,370.05
	59	MONOLITHIC CURB AND 8 FT WALK 4.5 IN	45.000	LF	83.00	3,735.00
	60	MONOLITHIC CURB AND 8 FT WALK 8 IN	-6.400	LF	98.00	-627.20
	62	DETECTABLE WARNINGS	17.000	SQFT	15.84	269.28
	63	LFUCG CURB AND GUTTER TYPE 1	-13.000	LF	24.50	-318.50
	65	FLEXIBLE DELINEATOR POSTS	80.000	EACH	50.00	4,000.00
	67	FENCE 6 FT CHAIN LINK	-154.000	EACH	75.00	-11,550.00
	69	FENCE GUARDRAIL HEIGHT EXTENSION	2.000	LF	165.00	330.00
	70	CURB CUT	-3.000	EACH	116.38	-349.14
	71	RELOCATE EXISTING BUSINESS SIGN ASSEMBLY	-1.000	EACH	3,500.00	-3,500.00
	202	FENCE GATE - RR SAFETY	-1.000	EACH	7,000.00	-7,000.00
	305	4 PLANK WOOD FENCE	72.000	LF	57.75	4,158.00
	73	STORM SEWER PIPE-12 IN	-37.000	LF	251.14	-9,292.18
	74	STORM SEWER PIPE-15 IN	5.300	LF	72.48	384.14
	75	STORM SEWER PIPE-18 IN	179.000	LF	85.04	15,222.16
	76	STORM SEWER PIPE-24 IN	-83.900	LF	117.36	-9,846.50
	77	STORM SEWER PIPE-30 IN	-1.000	LF	156.79	-156.79
	78	PERFORATED PIPE EDGE DRAIN-4 IN	211.000	LF	25.00	5,275.00
	82	REMOVE PIPE	167.500	LF	22.49	3,767.08
	83	SLOPED BOX INLET-OUTLET TYPE 2	-1.000	EACH	4,272.00	-4,272.00
	89	DROP BOX INLET TYPE 14	-1.000	EACH	3,562.00	-3,562.00
	91	ADJUST INLET	1.000	EACH	2,388.00	2,388.00
	92	CORED HOLE DRAINAGE BOX CON-4 IN	-9.000	EACH	300.00	-2,700.00
	93	VIDEO INSPECTION	-4.000	LF	5.00	-20.00
	95	CORED HOLE DRAINAGE BOX CONNECTOR	-4.000	EACH	500.00	-2,000.00
	96	MODIFIED STRUCTURE TYPE 1	1.000	EACH	5,983.00	5,983.00
Total for this Page						(-27,524.77)

Reasons for Proposed Changes:

Reconcile project quantities for close out.

KENTUCKY TRANSPORTATION CABINET

Local Public Agency (Department of Highways Funding) CHANGE ORDER

Page 4

Change Order No	#10 (Final)	County	Fayette
Contractor	L-M Asphalt Partners (dba ATS Construction)	Project Number	TGR 3003 (341)
Contractor		Project Name	Town Branch Trail Phase 6
Address	3009 Atkinson Ave. Lexington Ky 40509		

Item No.	Bid Item #	Description	Quantity	Unit	Unit Price	Amount
	97	LFUCG MANHOLE TYPE A	-1.000	EACH	25,751.00	-25,751.00
	98	LFUCG CURB BOX INLET TYPE D	-1.000	EACH	5,712.00	-5,712.00
	102	CYCLOPEAN STONE RIP RAP	-10.790	TON	50.00	-539.50
	103	CONCRETE-CLASS A	5.000	CUYD	1,250.00	6,250.00
	105	SBM ALUM SHEET SIGNS .080 IN	34.880	SQFT	41.00	1,430.08
	106	STEEL POST TYPE 1	-13.000	LF	50.00	-650.00
	107	CLASS A CONCRETE FOR SIGNS	-1.000	CUYD	900.00	-900.00
	108	PAVE STRIPING-PERM PAINT-4 IN	-2,893.000	LF	0.40	-1,157.20
	109	PAVE STRIPING-THERMO-4 IN W	5,367.000	LF	1.00	5,367.00
	110	PAVE STRIPING-THERMO-4 IN Y	3,086.000	LF	1.00	3,086.00
	111	PAVE STRIPING-TEMP REM TAPE-W	-6,000.000	LF	3.00	-18,000.00
	112	PAVE STRIPING-TEMP REM TAPE-Y	-6,000.000	LF	3.00	-18,000.00
	113	PAVE MARKING-THERMO R 6 FT	2.000	EACH	125.00	250.00
	114	PAVE MARKING-R/R XBUCKS 16 IN	40.000	LF	9.00	360.00
	115	PAVE MARKING-THERMO X-WALK-12 IN	523.000	LF	6.00	3,138.00
	116	PAVE MARKING-THERMO STOP BAR-12IN	-13.800	LF	6.00	-82.80
	117	PAVE MARKING-THERMO STOP BAR-24IN	-51.000	LF	10.00	-510.00
	118	PAVE MARKING-THERMO CROSS-HATCH	342.000	SQFT	6.00	2,052.00
	119	PAVE MARKING-THERMO CURV ARROW	-1.000	EACH	90.00	-90.00
	120	PAVE MARKING-THERMO COMB ARROW	-1.000	EACH	105.00	-105.00
	121	BARCODE SIGN INVENTORY	10.000	EACH	30.00	300.00
	122	PAVE MARKING TEMP PAINT 24 IN	24.000	LF	1.00	24.00
	124	PAVE MARKING THERMO GREEN BIKE LANE	-115.000	SQFT	10.00	-1,150.00
	126	REMOVE AND RELOCATE SIGN ASSEMBLY	-4.000	EACH	2,000.00	-8,000.00
	127	REMOVE SIGN ASSEMBLY	-8.000	EACH	900.00	-7,200.00
	128	INTERPRETIVE SIGN	-10.000	EACH	4,000.00	-40,000.00
	306	LIGHTING ASSEMBLY	-6.000	EACH	9,039.77	-54,238.62
	131	CABLE-NO. 14/5C	-215.000	LF	0.48	-103.20
	138	TRAFFIC SIGNAL POLE BASE	-8.000	CUYD	159.46	-1,275.68
	140	SIGNAL CONTROLLER-TY 2070	-1.000	EACH	4,968.50	-4,968.50
	149	PERENNIAL	1,777.000	EACH	28.00	49,756.00
Total for this Page						(-116,420.42)

Reasons for Proposed Changes:

Reconcile project quantities for close out.

KENTUCKY TRANSPORTATION CABINET**Local Public Agency (Department of Highways Funding)
CHANGE ORDER**

Page 5

Change Order No #10 (Final)
 Contractor L-M Asphalt Partners (dba ATS Construction)
 Contractor
 Address 3009 Atkinson Ave. Lexington Ky 40509

County Fayette
 Project Number TGR 3003 (341)
 Project Name Town Branch Trail Phase 6

Item No.	Bid Item #	Description	Quantity	Unit	Unit Price	Amount
	152	SHADE TREE	2.000	EACH	1,400.00	2,800.00
	601	PLANTER BOXES	-30.000	EACH	487.19	-14,615.70
	602	PLANTER BOX PLACEMENT AND GRADING	-0.600	EACH	11,000.00	-6,600.00
	603	PLANTER BOX FLOWERS	-480.000	EACH	29.93	-14,366.40
	401	DGA BASE	-11.490	TN	35.00	-402.15
	402	CRUSHED AGG. NO. 2	-44.280	TN	40.00	-1,771.20
	403	CL2 ASPH BASE 1.00D PG 64-22	25.430	TN	160.00	4,068.80
	404	CL2 ASPH SURF 0.38D PG 64-22	15.220	TN	185.00	2,815.70
	405	STORM SEWER PIPE 15 IN.	2.000	LF	85.00	170.00
	406	PERFORATED PIPE EDGE DRAIN	7.000	LF	35.00	245.00
	408	CEM. CONCRETE ENT. PAVEMENT	32.000	SY	125.00	4,000.00
	409	ROADWAY EXCAVATION	2.920	CY	50.00	146.00
	410	SIDEWALK 4.5 IN.	-31.000	SY	75.00	-2,325.00
	411	SEEDING AND PROTECTION	251.000	SY	1.50	376.50
	412	TOPSOIL FURNISHED AND PLACED	-76.000	CY	40.00	-3,040.00
	413	SBM ALUM SHEET SIGN 0.080 IN.	-2.000	SF	175.00	-350.00
	414	STEEL POST TYPE 1	-20.000	LF	75.00	-1,500.00
	415	PAVE STRIPING PERM. PAINT 4 IN.	-22.000	LF	1.25	-27.50
	416	DETECTABLE WARNINGS	-2.000	SF	30.00	-60.00
	417	LFUCG CURB & GUTTER TYPE 1	7.000	LF	35.00	245.00
	421	MODIFY CURB	-44.000	LF	25.00	-1,100.00
	422	ASPHALT SLOPE WEDGE	-14.000	TB	500.00	-7,000.00
	501	DGA BASE	-116.500	TN	23.50	-2,737.75
	502	CRUSHED AGGREGATE SIZE NO 2	35.900	TN	30.00	1,077.00
	503	CL3 ASPH BASE 1.00D PG64-22	-116.500	TN	94.00	-10,951.00
	504	CL2 ASPH SURF 0.38D PG64-22	47.000	TN	99.00	4,653.00
	505	ROADWAY ECCAVATION	-250.000	CY	30.56	-7,640.00
	506	CHANNEL LINING CLASS II	7.000	TN	38.50	269.50
	508	FABRIC-GEOTEXTILE TYPE IV	249.000	SY	1.64	408.36
	701	SAWCUT	-850.000	LF	5.00	-4,250.00
	703	STANDARD HEADER CURB	-500.000	LF	32.00	-16,000.00
<i>Total for this Page</i>						(-73,461.84)

Reasons for Proposed Changes:

Reconcile project quantities for close out.

Reconcile project quantities for close out.

4/22/24 Date

Change Order No

#1 (Final)

Contractor

L-M Asphalt Partners (dba ATS Construction)

Contractor

County

Fayette

Project Number

SYP# 07-03718.00

Project Name

Turn Lanes @ Manchester :

Address

3009 Atkinson Ave. Lexington Ky 40509

Item No.	Bid Item #	Description	Quantity	Unit	Unit Price	Amount
	163	ASPHALT MATERIAL FOR TACK	-2.440	TON	0.01	-0.02
	164	CL3 ASPH SURF 0.38B PG76-22	265.190	TON	120.00	31,822.80
	165	CL3 ASPH SURF 0.38B PG64-22	-6.000	TON	110.00	-660.00
	166	JPC PAVEMENT-11 IN	-477.000	SQYD	93.90	-44,790.30
	167	CEM CONC ENT PAVEMENT-8 IN	1.200	SQYD	93.06	111.67
	168	STANDARD CURB AND GUTTER	-62.250	LF	23.25	-1,447.31
	169	BARRIER CURB AND GUTTER	-50.000	LF	51.70	-2,585.00
	170	STANDARD INTERGAL CURB	-173.000	LF	38.31	-6,627.63
	171	ROADWAY EXCAVATION	-534.000	CUYD	38.18	-20,388.12
	172	REMOVE FENCE	-77.000	LF	5.50	-423.50
	173	FABRIC-GEOTEXTILE TYPE IV	8,307.700	SQYD	1.46	12,129.24
	174	ASPHALT PAVE MILLING & TEXTURING	-47.930	TON	24.00	-1,150.32
	175	INITIAL FERTILIZER	-0.060	TON	950.00	-57.00
	176	MAINTENANCE FERTILIZER	-0.040	TON	950.00	-38.00
	177	SEEDING AND PROTECTION	-1,113.000	SQYD	1.00	-1,113.00
	178	AGRICULTURAL LIMESTONE	-0.690	TON	180.00	-124.20
	179	TOPSOIL FURNISHED AND PLACED	14.000	CUYD	41.64	582.96
	180	EROSION CONTROL BLANKET	1,813.000	SQYD	8.50	15,410.50
	181	SBM ALUM SHEET SIGNS .080 IN	-2.000	SQFT	116.00	-232.00
	182	STEEL POST TYPE 1	-22.000	LF	60.00	-1,320.00
	183	PAVE STRIPING-PERM PAINT-4 IN	-5,697.000	LF	0.40	-2,278.80
	184	PAVE MARKING-THERMO STOP BAR-24IN	50.000	LF	10.00	500.00
	185	PAVE MARKING-THERMO CROSS-HATCH	-277.000	SQFT	6.00	-1,662.00
	186	PAVE MARKING-THERMO CURV ARROW	5.000	EACH	90.00	450.00
	187	PAVE MARKING-THERMO COMB ARROW	2.000	EACH	105.00	210.00
	188	PAVE MARK TY 1 TAPE STOP BAR-24 IN	-22.000	LF	20.00	-440.00
	189	PAVE MARK TY 1 TAPE-COMBO ARROW	-2.000	EACH	525.00	-1,050.00
	190	PAVE MARK TY 1 TAPE-CURV ARROW	-2.000	EACH	350.00	-700.00

<i>Total for this Page</i>	(-25,870.03)
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Reasons for Proposed Changes:

Reconcile project quantities for close out.



General Government and Planning Committee

April 16, 2024

Summary and Motions

Chair Worley called the meeting to order at 1:02 p.m. Vice Mayor Wu and Committee Members J. Brown, Ellinger, Lynch, LeGris, Sheehan, Baxter, Reynolds, and Plomin were in attendance. Council members Monarrez, Gray, F. Brown, and Sevigny were present as non-voting members.

I. February 13, 2024 General Government and Planning Committee Summary

Motion by Ellinger to approve the February 13, 2024, GGP Committee Summary. Seconded by Baxter.
Motion passed without dissent.

II. Annual PDR Update

Beth Overman, Director of the Purchase of Development Rights (PDR) Program, presented on behalf of the item. She gave background information on the Rural Service Area (RSA) and the Rural Land Management Plan (RLMP). The RLMP was adopted in 1999 as an element of the 1996 Comprehensive Plan; it was designed to document the natural and historical attributes of the RSA and recommend ways to manage and preserve them. The PDR program was created from the RLMP recommendations and was established in 2000. The Rural Land Management Board (RLMB) was created to govern the program.

Overman explained how PDR easements function and how they are issued. She also shared financial benefits of farmland preservation and explained how the federal funding partnership works. Potential PDR parcels are ranked based on the Land Evaluation and Site Assessment provided in the Code of Ordinances. This includes categories like agricultural support, environmental protection, historic preservation, and others. The PDR program has preserved 286 farms and over 32,000 acres, which is roughly 2/3 of the way to the 50,000-acre goal. The Program recently issued the largest easement in PDR history. PDR staff and the RLMB are currently working with 27 PDR applicants and stewarding easements on nearly 300 farms.

No action was taken on this item.

III. Short Term Rentals: RLMB Recommendations

This item was postponed due to time constraints.

IV. Consent Agenda

Jennifer Sutton, Council Research Analyst, presented on behalf of the item. She gave an overview of what a consent agenda is and a brief history of the item. It was first introduced in 2009 and failed its second reading in 2011. It was reintroduced in 2016 but did not make it out of committee. The Urban County Council started implementing pieces of a consent agenda model in 2021. The actions to date include: change orders and contract modification implemented in 2021, grant budgets implemented in 2022, Price contracts implemented in 2022, and budget amendments implemented in 2022.

The proposed changes include amending the Code of Ordinances to allow for Council Capital Projects to move as a budget adjustment instead of requiring a budget amendment and to allow for fixed price bid

recommendations and sole source vendors to move forward on the Mayor's report. Additionally, the proposed changes include amending the Council Rules to move the Mayor's Report between New Business and Continuing Business, change title to "Communications from the Mayor," and will include Appointments, Donations, and Procurement. Votes would take place at Appointments, Donations, and at each new sub-item under "Procurement." The benefits of the changes include preparation time savings for staff, council meeting time savings from the reduction of readings, and speeds up the approval process. Items can still be questioned and/or removed.

Motion by Plomin to approve the resolution and ordinances pertaining to the consent agenda, seconded by Baxter. The motion passed without dissent.

V. Disparity Study

Sherita Miller, Minority Program Coordinator, gave an update on the Disparity Study. She shared the study's accomplishments thus far and what is currently in progress. They have implemented a prompt payment police to ensure that subcontractors are paid timely. They have also marketed the programs offered to the area business community through the existing partnership with KY APEX Accelerator. The race and gender-neutral measures that are still in-progress include small contract opportunities, unbundling large contracts, supportive services, comprehensive data collection and monitoring, creating a Small Local Business Enterprise (SLBE) Program, and expansion of the Minority Business Enterprise Program (MBEP).

A race conscious measure that was implemented was the establishment of new aspirational goals for the participation of minority and women-owned businesses based on information from the disparity study. It resulted in a revised resolution to implement changes to address disparities found in the study and improve the MBEP. The revised resolution changes the goal to 5% for minority-owned businesses and 12% for women-owned businesses; expands goals to cover all LFUCG purchases; adds language for race conscious measures; and adds a sunset provision of five years that will require a re-evaluation of the program. The next steps for implementation includes Council approval of the revised resolution, stakeholder meetings, Bonding Assistance Program RFI release, and Small Local Business Enterprise/Sheltered Bidding Program Development.

Motion by J. Brown to approve the resolution pertaining to the Disparity Study Update, seconded by Ellinger. The motion passed without dissent.

VI. Items Referred

No action was taken on this item.

VII. Adjournment

Motion by Ellinger to adjourn, seconded by Baxter. The motion passed without dissent.

The Committee adjourned at 2:48 pm.

RESOLUTION NO. _____ - 2024

A RESOLUTION AMENDING SECTION 3.104(1) OF APPENDIX A, RULES AND PROCEDURES OF THE LEXINGTON-FAYETTE URBAN COUNTY COUNCIL, PERTAINING TO THE ORDER OF BUSINESS FOR URBAN COUNTY COUNCIL WORK SESSIONS, TO CHANGE THE LABEL “MAYOR’S REPORT” TO “COMMUNICATIONS FROM THE MAYOR”, TO MOVE THE COMMUNICATIONS FROM THE MAYOR TO FOLLOW NEW BUSINESS ITEMS ON THE ORDER OF BUSINESS, AND TO ADD DONATIONS, AND FIXED PRICE BIDS AND SOLE SOURCE PROCUREMENTS THAT ONLY REQUIRE THE URBAN COUNTY GOVERNMENT TO ENTER INTO A UNILATERAL CONTRACT OR ISSUE A PURCHASE ORDER, AS SEPARATE ITEMS FOR CONSIDERATION UNDER COMMUNICATIONS FROM THE MAYOR, AND RELABELING OR RENUMBERING OTHER AFFECTED ITEMS, ALL EFFECTIVE UPON PASSAGE OF COUNCIL.

WHEREAS, the Urban County Council, by Resolution No. 55-79, as amended, adopted “Rules and Procedures of the Lexington-Fayette Urban County Council”, which were repealed, reorganized, revised and readopted by Resolution No. 599-2023 (hereinafter, “Rules”);

WHEREAS, Section 5.104 of the Rules provides that “[n]o permanent change shall be made to these rules without notice specifying the purpose and wording of the change given prior to the consideration of the change and the adoption of the permanent change by a majority of all councilmembers through an amending resolution”; and

WHEREAS, notice of proposed changes to the Rules was given to all Councilmembers at the Council Work Session on February__, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE COUNTY GOVERNMENT:

Section 1 – That Section 3.104(1) of Appendix A – Rules and Procedures of the Lexington-Fayette Urban County Council, be and hereby is amended to read as follows:

- 1) The urban county council shall meet at the dates and times specified in a schedule of meetings adopted annually by the council by ordinance, in the council chamber on the second floor of the Lexington-Fayette Government Center, for purposes of conducting a "work session." Action taken by the urban county council at a work session is procedural in nature (See 2.201). A quorum for work sessions shall consist of not fewer than eight (8) of the fifteen (15) members of the council. The following order of business shall apply for work sessions of the urban county council;
 - I. Public comment—agenda items only.
 - II. *Requested rezonings/docket approval. (No item shall be placed on the docket which has not been approved at work session, either as part of the work docket or as a separate item at work session, except in case of emergency and except as limited by section 4.07 of the Charter).

- III. Approval of summary.
- IV. *Budget amendments.
- V. Budget adjustments (for information only).
- VI. New business.
- VII. Communications from the Mayor.
 - a. Appointments.
 - b. Donations.
 - c. Procurement Reports.
 - 1. Price Contracts.
 - 2. Fixed price bid recommendations (unilateral contract or purchase order).
 - 3. Sole source procurement recommendations (unilateral contract or purchase order).
- VIII. Continuing business/presentations/employee recognition. Up to two presentations are permitted per work session and each presentation shall not exceed 15 minutes; up to one presentation can be LFUCG employee recognition.
- IX. Council reports.
- X. Public comment—issues not on agenda.
- XI. Adjournment.

Section 2 – That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
4870-7769-5641, v. 4

DRAFT 01-03-24

ORDINANCE NO. _____ - 2024

AN ORDINANCE AMENDING SECTION 7-45 OF THE CODE OF ORDINANCES, WHICH PROVIDES FOR BUDGET ADJUSTMENTS FOR CERTAIN BUDGET AMENDMENT ITEMS TO ADD SUBSECTION (i) PERTAINING TO COUNCIL CAPITAL PROJECT FUNDING, EFFECTIVE UPON PASSAGE OF COUNCIL.

WHEREAS, it is more efficient and timely to have the option of using an approval process for certain budgeting actions that does not require an ordinance for each such action; and

WHEREAS, the Lexington-Fayette Urban County Government has previously adopted legislation in this area that should be unified in the Code of Ordinances of the Lexington-Fayette Urban County Government.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Section 7-45 of the Lexington-Fayette Urban County Government, Code of Ordinances, be and hereby is amended to add subsection (i), to read as follows:

Sec. 7-45. Exceptions. The following types of amendments may be processed using a budget adjustment process administered by the Division of Budgeting:

* * * * *

- (i) Council Capital Project for Council approved allocations to any department or division.

Section 3 – That to the extent any ordinance or resolution is in conflict with the provision of this Ordinance, the provisions of this ordinance shall take precedence.

Section 4 – That if any section, subsection, sentence, clause, phrase, or portion of

this Ordinance is for any reason held invalid or unlawful by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
PUBLISHED:

DRAFT 01-03-24

ORDINANCE NO. _____ - 2024

AN ORDINANCE AMENDING SECTION 7-6 OF THE CODE OF ORDINANCES, PERTAINING TO PROVIDING FOR AN ALTERNATIVE PROCESS FOR THE ACCEPTANCE, APPROVAL, AND ESTABLISHMENT OF PRICE CONTRACTS FOR PURCHASES FOR WHICH FUNDS HAVE BEEN BUDGETED, TO ALLOW THE SAME PROCESS TO BE USED FOR FIXED PRICE BIDS AND SOLE SOURCE PROCUREMENTS THAT ONLY REQUIRE THE URBAN COUNTY GOVERNMENT TO ENTER INTO A UNILATERAL CONTRACT OR ISSUE A PURCHASE ORDER, EFFECTIVE UPON PASSAGE OF COUNCIL.

WHEREAS, the Urban County Government previously created and codified a more efficient and timely alternative process for the acceptance, approval and establishment of price contracts for which funds have been budgeted in Section 7-6 of the Code of Ordinances; and

WHEREAS, it is also more efficient and timely to have the option of using a similar process for procurements that only require the Urban County Government to enter into a unilateral contract or a purchase order; and

WHEREAS, including sufficient information on the Mayor's report for approval by Council ensures transparency with such procurement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That Section 7-6 of the Lexington-Fayette Urban County Government Code of Ordinances be and hereby is amended to read as follows:

Sec. 7-6. Alternative Approval Process for Price Contracts.

- (a) For purchases utilizing either: price contracts, or (ii) fixed price bids or sole source procurements that only require the Urban County Government to enter into a unilateral contract or issue a purchase order, and for which the funds have been budgeted, the administration may place a summary of the acceptance, approval, and establishment of each such procurement [price contract] on the Mayor's Report for Council approval in lieu of a resolution for each procurement.
- (b) At a minimum, the following information must be provided for each procurement: the name of the department or division for which the procurement is being made, a description of the goods or services being procured, and the name(s) of the successful bidder(s).
- (c) The Urban County Council may take any appropriate action with respect to any [price contract] procurement item that is included in the Mayor's Report.

Section 2 - To the extent any ordinance or resolution is in conflict with the provision of this ordinance, the provisions of this ordinance shall take precedence.

Section 3 - If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unlawful by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
PUBLISHED:

RESOLUTION NO. _____ - 2024

A RESOLUTION AMENDING AND RESTATING RESOLUTION NO. 167-91 AND RESOLUTION NO. 319-2015, TO ADOPT A REVISED MINORITY AND WOMEN BUSINESS ENTERPRISE AN INITIAL 17% MINIMUM GOAL—INCLUDING MINIMUM SUBGOALS OF 5% FOR MINORITY BUSINESS ENTERPRISES AND 12% FOR WOMEN BUSINESS ENTERPRISES—AND TO RESTATE A CERTIFIED VETERAN-OWNED SMALL BUSINESS AND CERTIFIED SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS MINIMUM 3% GOAL FOR GOVERNMENT CONTRACTS; AND ESTABLISHING EVIDENTIARY CRITERIA FOR THE DIVISION OF PROCUREMENT TO MODIFY THESE GOALS ON AN ANNUAL BASIS.

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WHEREAS, the Urban County Council by Resolution No. 167-91 adopted an administrative plan implementing a ten percent (10%) minimum goal for minority and women business enterprises;

WHEREAS, the Urban County Council by Resolution No. 319-2015 adopted a three percent (3%) minimum goal for certified veteran-owned small businesses and certified service disabled veteran-owned small business;

WHEREAS, the Urban County Council completed a disparity study ("hereafter referred to as "2022 Disparity and Availability Study") to assess whether substantial disparities exist between the availability and utilization of minority and women business enterprises for government contracts;

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WHEREAS the 2022 Disparity and Availability Study found that there are substantial disparities between the availability and utilization of minority and women business enterprises for government contracts and that minority business enterprises are available for five percent (5%) of government contracts and women business enterprises are available for twelve percent (12%) of government contracts, for a combined total of seventeen percent (17%); and

WHEREAS, it is now the desire of the Urban County Council to amend and restate

Resolution No. 167-91 and Resolution No. 319-2015 to better align with the findings of the 2022 Disparity and Availability Study.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Resolution No. 167-91 and Resolution No. 319-2015, be and hereby are amended, restated, and replaced in their entirety with the contents of this Resolution.

Section 2 - That the following definitions shall be used throughout this Resolution:

(a) Certified. The business is appropriately certified, licensed, verified, or validated by an organization or entity recognized by the Division of Procurement as having the appropriate credentials to make a determination as to the status of the business.

(b) Certified Disadvantaged Business Enterprise (DBE). A business in which at least fifty-one percent (51%) is owned, managed and controlled by a person(s) who is socially and economically disadvantaged as defined by 49 CFR subpart 26.

(c) Certified Minority Business Enterprise (MBE). A business in which at least fifty-one percent (51%) is owned, managed and controlled by an ethnic minority (i.e. Black American, Asian American, Hispanic American, or Native American).

(d) Certified Women Business Enterprise (WBE). A business in which at least fifty-one percent (51%) is owned, managed and controlled by a woman.

(e) Certified Veteran-Owned Small Business. The term Certified Veteran-Owned Small Business shall be defined and interpreted consistent with federal law or regulation as it may be amended from time-to-time.

(f) Certified Service-Disabled Veteran Owned Small Business. The term Certified Service-Disabled Veteran Owned Small Business shall be defined and interpreted consistent with federal law or regulation as it may be amended from time-to-time.

(g) Black American, Asian American, Hispanic American, and Native American shall have the same definitions as provided in the Minority Business Enterprise Program Manual, a copy of which shall be kept by the Division of Procurement, as it may be amended from time-to-time.

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Section 3 – That the Urban County Council be and hereby adopts an initial annual aspirational goal of utilizing at least seventeen percent (17%) of public funds spent from certain discretionary government construction, professional services, and goods and services agreements, with the following businesses, as provided in the following subgoals: (a) a separate annual aspirational goal of five percent (5%) with Certified Minority Business Enterprises (MBEs); and (b) a separate annual aspirational goal of twelve percent (12%) with Certified Women Business Enterprises (WBEs).

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Section 4 – That the Urban County Council be and hereby re-adopts and restates an aspirational goal of utilizing, at least three percent (3%) of public funds spent from certain discretionary government construction, professional services, and goods and services agreements with Certified Veteran-Owned Small Businesses and Certified Service Disabled Veteran-Owned Small Businesses, collectively.

Section 5 – That the Urban County Council be and hereby adopts an annual aspirational goal of otherwise utilizing Certified Disadvantaged Business Enterprises on government contracts, where applicable.

Section 6 – That the Division of Procurement and its appropriate personnel shall take the following actions with respect to meeting these goals:

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(a) Ensure that all appropriate bid, proposal and solicitation documents, including contracts, include appropriate language and provisions related to these goals and compliance and reporting related thereto.

(b) Adopt policies, procedures or guidelines consistent with the intent and purpose of this resolution.

(c) Track, monitor, and report information related to compliance with these goals.

(d) Establish good faith efforts and request supported documentation; ~~and-~~

(e) Evaluate and, as deemed appropriate, adopt program or policies based on information and recommendations from the 2022 Disparity and Availability Study, organizational resources, and other considerations. Such measures may include:

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(i) Race- and gender-neutral measures such as prompt payment mechanisms, advertising and outreach (expansion) activities, establishing subcontracting minimums, unbundling large contracts, establishing small business set-asides, expanding supportive services, and data collection and monitoring activities.

(ii) Race- and gender-conscious measures such as contract-specific goals and price and/or evaluation preferences.

Section 7 – That (a) The Division of Procurement shall review the goals and actions taken to meet these goals annually. The Division of Procurement shall determine whether the goals are being met, whether the conditions giving rise to these goals continue to

exist, and whether the goals and/or actions taken to meet the goals should be modified or rescinded.

(b) The Director of the Division of Procurement and designated Minority Business Enterprise Program Staff, may increase these goals, in whole or in part, annually, if the availability of Certified Minority Business Enterprises (MBEs) or Certified Women Business Enterprises (WBEs) in the market increases, as determined by the Division of Procurement from the following evidence related to the Urban County Government's contracts and procurements:

(i) Evidence that participation of minority- and woman-owned businesses has increased;

(ii) Evidence that policies and programs throughout the market area have been created that may positively impact the ability of minority- and woman-owned businesses to compete and participate;

(iii) Evidence regarding increased upcoming contract and procurement opportunities that may positively impact the ability of minority- and woman-owned businesses to compete and participate;

(iv) Evidence indicating increased employment, business ownership, education, training, and unions, that may positively impact the ability of minority- and woman-owned businesses to compete, and participate; -or,

(v) Evidence indicating positive changes in financing, bonding, and insurance requirements that may positively impact the ability of

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minority- and woman-owned businesses to compete and participate,

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in the past twelve (12) months within a twelve (12) month period.

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(c) The Division of Procurement shall publish any changes to the aspirational goals provided herein online, as well as within the Minority Business Enterprise Program Manual, at least sixty (60) days prior to implementation.

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Section 8 – If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unlawful by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 9 – Unless earlier revoked or amended, this Resolution shall be in effect for five (5) years from the date on which it became effective. The Division of Procurement shall review the goals and actions taken to meet those goals annually. The Division of Procurement shall determine whether the goals are being met, whether the conditions giving rise to the Resolution continue to exist, and whether the goals and/or actions taken to meet the goals should be modified or sunsetted.

Section 10 – That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

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Urban County Council Council Meeting May 9, 2024

The following price contract bid recommendations will be placed on the Mayor's Report for approval at the May 9, 2024 Council Meeting;

- (1) Accepting and approving the following bids and establishing price contracts for the following Departments or Divisions as to the specifications and amount set forth in the terms of the respective bids:
 - (a) Div. of Police – Portable Radio Earpieces – 49-2024 – Waveband Communications Inc and Holzberg Communications Inc
 - (b) Div. of Fleet Services – Hydraulic Oil – 57-2024 – Riley Oil Company
 - (c) Div. of Fire & Emergency Services – Can-Am UTV – 53-2024 – Joe Hill's Auto Center Inc
 - (d) Div. of Parks & Recreation – Tennis & Pickleball Court Unit Price Contract – 45-2024 – Tennis Technology Inc and Whitestone Bullitt LLC
 - (e) Division of Parks & Recreation – Underground Electrical Service – 22-2024 – Davis H Elliot Construction Company Inc and Szabo Project Services Inc
 - (f) Division of Water Quality – System Integrator and Operational Technology Services – 18-2024 – AE Electrical Systems, LoVo Systems and Rawdon Myers Inc

