

**HARDIN COUNTY FISCAL COURT  
RESOLUTION NO. 2016-181**

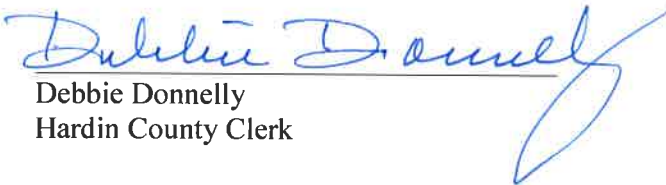
**BE IT RESOLVED**, upon recommendation of Judge/Executive Harry L. Berry, with the concurrence of the Solid Waste Committee, to approve Kay & Kay Contracting, LLC's Change Order No. 1 extending their contract time by 77 calendar days to end on September 25, 2017.

**BE IT FURTHER RESOLVED**, to authorize the Judge/Executive to negotiate and execute any documents related to the above work order.

**ADOPTED**, by Hardin County Fiscal Court in its regular meeting on 22 November, 2016.

  
\_\_\_\_\_  
Harry L. Berry  
Hardin County Judge/Executive

ATTEST

  
\_\_\_\_\_  
Debbie Donnelly  
Hardin County Clerk

## CHANGE ORDER

No. 1

DATE OF ISSUANCE 11/11/2016 EFFECTIVE DATE 11/11/2016  
 OWNER Hardin County Fiscal Court  
 CONTRACTOR Kay & Kay Contracting, LLC  
 CONTRACT Construction of 3B  
 PROJECT Hardin County Contained Landfill – Phase 3B  
 OWNER'S CONTRACT NO. N/A ENGINEER'S CONTRACT NO. N/A  
 ENGINEER Tetra Tech, Inc.

You are directed to make the following changes in the Contract Documents:

**Description:** Delay Clearing and Grubbing operations until August 1, 2016

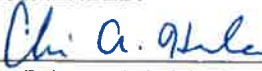
**Reason for Change Order:** Needed concurrence from U.S. Fish and Wildlife Service that requirements of the Endangered Species Act have been fulfilled to clear trees because of potential Indiana bat habitat.

**Contingency:** The approval of Change Order No. 1 is contingent upon the Right (north) Side being completed and approved for waste acceptance by the Kentucky Division of Waste Management prior to the original Final Completion Date of July 10, 2017.

**Attachments** (List documents supporting change): Letter from Kay & Kay requesting contract extension.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price \$ <u>5,157,000.00</u>	Original Contract Times: Final Completion: <u>420 calendar days, ending July 10, 2017</u>
Net Increase (Decrease) from Previous Change Orders No. <u>   </u> to No. <u>   </u> : \$ <u>                    </u>	Net change from Previous Change Orders No. <u>   </u> to No. <u>   </u> :  <u>0</u> Days
Contract Price prior to this Change Order: \$ <u>                    </u>	Contract Times prior to this Change Order: Final Completion: <u>July 10, 2017</u>
Net Increase (Decrease) of this Change Order: \$ <u>                    </u>	Net Increase (Decrease) of this Change Order:  <u>77 Calendar Days</u>
Contract Price with all approved Change Orders: \$ <u>                    </u>	Contract Times with all approved Change Orders: Final Completion: <u>September 25, 2017</u>

RECOMMENDED:

By:   
Engineer (Authorized Signature)

APPROVED:

By:   
Owner (Authorized Signature)

ACCEPTED:

By: \_\_\_\_\_  
Contractor (Authorized Signature)

Date: Nov. 11, 2016

Date: Nov 22, 2016

Date: \_\_\_\_\_

# Kay & Kay Contracting, LLC

P.O. Box 2478  
London, Kentucky 40743

William Robinson, President  
Michael Merida, Vice President  
Michael P. Hamm, Vice President

Phone: 606-864-7384  
Fax: 606-878-9225

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October 31, 2016

Tetra Tech  
424 Lewis Hargett Circle, Suite 100  
Lexington, KY 40503  
Attn: Chris Hale

Re: Hardin County Landfill  
Phase 3B

Chris:

We request 77 days be added to our contract for the time associated with revising the start of clearing and grubbing to August 1, 2016. This revision was made to avoid excessive cost for in kind fees due to Indiana Bat spawning period.

The change required Kay & Kay Contracting to delayed our clearing and grubbing operations, a critical path activity. We were unable to start clearing and grubbing until September 8, 2016. The site was available on August 1, 2016, however due to other commitments we could not begin until the September 8<sup>th</sup> date. Our time extension request reflects the August 1, 2016 date of availability.

If you require any additional information, please let us know.

Sincerely,

**KAY & KAY CONTRACTING, LLC**



Michael Merida  
Vice President