



## CHANGE ORDER

DATE: September 9, 2022 CO #: Two  
TO: Tri-State Construction  
1305 Argillite Road  
Flatwoods, Kentucky 41139 PROJECT: West Irvine Pavement  
Improvements  
Irvine, Kentucky  
BG 22-178  
RTA 2143  
CONTRACT DATE: May 2, 2022 CONTRACT FOR: General Construction

**THE CONTRACT IS CHANGED AS FOLLOWS:**

*(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives.)*

This change order proposed pricing was initiated by the Contractor reportedly in response to a Field Order issued to clarify the rim and invert elevations for a few drainage structures intended to be at no additional cost. This proposal has been reviewed with revision comments by RTA, and the Contractor has indicated this value requested remains reasonable. The additional cost requested reports 70% for Equipment & Labor. The proposed change also included a request for eight (8) additional days to address the work.

TOTAL AMOUNT OF THIS CHANGE ORDER:	\$14,640.67
The original Contract Sum was	\$303,371.69
The net change by previously authorized Change Orders	\$28,990.00
The Contract Sum prior to this Change Order was	\$332,361.69
The Contract Sum will be Increased by this Change Order in the amount of	\$14,640.67
The new Contract Sum including this Change Order will be	<b>\$347,002.36</b>
The Contract Time will be increased by this Change Order in the amount of	<b>8 days</b>
The Date of Substantial Completion as of the date of this Change Order is therefore	<b>July 25, 2022</b>

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

Rosstarrant Architects, Inc.  
101 Old Lafayette Avenue  
Lexington, Kentucky 40502

**ARCHITECT** (Firm name and address)

**BY** (Signature)

(Typed or printed name)

**DATE**

Tri-State Construction  
1305 Argillite Road  
Flatwoods, Kentucky 41139

**CONTRACTOR** (Firm name and address)

**BY** (Signature)

(Typed or printed name)

**DATE**

Estill County Board of Education  
253 Main Street  
Irvine, Kentucky 40336

**OWNER** (Firm name and address)

**BY** (Signature)

(Typed or printed name)

**DATE**

**Tri-State Paving & Construction**

1305 Argillite Rd.

Flatwoods, KY 41139

(606) 836-2534

**REVISION # 2****CHANGE ORDER**

Date	Estimate #
9/9/2022	C4926

<b>Name / Address</b>
Estill County BoE c/o Jeff Saylor & Peter Fisher

<b>Ship To</b>

<b>P.O. No.</b>

Description	Rate	Total
Complete all revised requested work of 3 drain basins, lowering 2, raising 1 and attaching additional wye on existing pipe and tying in with new pipe Request for Pricing on Drain Basins and Pipe		
DS-3 raised 12" using 12" riser	265.39	265.39
DS-4 raised 6" using 6" riser	104.94	104.94
DS-6 lower 6" fill bottom and cut inlet higher and backfill previous hole	250.00	250.00
8" pipe- 1 (one) 20' section	163.20	163.20
15" HDPE pipe- 1 (one) 20' section	206.40	206.40
2 (two) 15" HDPE pipe coupler	47.06	47.06
12" HDPE pipe- 1 (one) 20' section	163.40	163.40
1 (one) 15" wye coupler	273.96	273.96
1 (one) 15"-12" reducing coupler	159.66	159.66
3 (three) 15" couplers	70.59	70.59
1 (one) 12" coupler	16.42	16.42
Materials delivery	450.00	450.00
Gravel	450.00	450.00
<b>EQUIPMENT</b>		
Excavator rental rate- \$165/hr X 16 hours	2,640.00	2,640.00
Skid Steer rental rate- \$115/hr X 16 hours	1,840.00	1,840.00
Labor rate for workers- \$65/hr X 24 hours X 2 workers	3,120.00	3,120.00
Additional pipe backfill testing	350.00	350.00
Supervisor labor rate- \$90/hr x 24 hours	2,160.00	2,160.00
Markup 15%	1,909.65	1,909.65
Request additional 8 (eight) days for delivery and completion of work added to schedule		

Estimate expires in 10 days and any changes will require additional cost.

To accept the estimate, please sign and return.

Acceptance of estimate constitutes a binding contract to perform work.

**Total** **\$14,640.67**



## Change Order Proposal

PROJECT NAME: West Irvine Intermediate Pavement Imp.  
PROJECT NUMBER: 2143  
SUBJECT: COP 04 Revised 02  
ID: COP 04 R02  
SENDER ID:  
DUE DATE: 9/22/2022  
PROPOSED TOTAL AMOUNT (USD): \$16,685.52  
PROPOSED TOTAL DAYS: 10  
REASONS:  
DISCIPLINE:  
STATUS: Open  
CONTRACT:  
DESCRIPTION:

### Message:

As I look for the revised DPOs, we wanted to share the following Change Order #4 questions with you before we share with the District for their review.

#### COP 04 Review:

No issue with the materials or material pricing as shown on the Invoice as it makes up only \$2,621.02 of the \$16,685.52 being proposed. What cannot be justified at this point is the equipment and labor cost which accounts for \$14,064.50 of the \$16,685.52 being proposed.

1. For the excavator and skid steer, 22 hours of work seems high for the rim elevation revisions to drainage structures DS-3, 4 and 6. These pieces of equipment were needed on site for other items during this time. The 22-hours of work for the equipment appears that there is downtime being billed for on these items.
2. The labor rate of \$65/hour seems high for a general laborer and the hours shown seem high as well.
3. There is a line item for additional pipe backfill testing which we have not seen any reports for to date for the utility installation.
4. The supervisor rate also appears a little high as well as the hours shown.
5. The 10 day time extension requested does not match the hours being stated as well. Based on the hours stated, the time extension should be more in line with approximately 3 days plus delivery time for materials.

Mr. Saylor has also seen this cost and feels that it is high. We need to be able to justify the proposed cost to Mr. Saylor and the District for revisions made due to encountered field conditions.

Please review. Any revisions should be sent to me by Friday @ noon.

ACTIONS



## Change Order Proposal

### Forwarded

DATE: 9/9/2022  
FROM: Jonathan Ruiz (RossTarrant Architects)  
RECIPIENTS: Michael Mays (RossTarrant Architects)  
REMARKS:

DUE BACK: 9/12/2022

Message: The supplied an annotated response to the comments posed. COP is essentially unchanged. I'll draft the CO and the FACPAC form for the District to consider even though we have stated revisions are needed. Let me know if we need to hold on to this CO for some reason.

As I look for the revised DPOs, we wanted to share the following Change Order #4 questions with you before we share with the District for their review.

#### COP 04 Review:

No issue with the materials or material pricing as shown on the Invoice as it makes up only \$2,621.02 of the \$16,685.52 being proposed. What cannot be justified at this point is the equipment and labor cost which accounts for \$14,064.50 of the \$16,685.52 being proposed.

1. For the excavator and skid steer, 22 hours of work seems high for the rim elevation revisions to drainage structures DS-3, 4 and 6. These pieces of equipment were needed on site for other items during this time. The 22-hours of work for the equipment appears that there is downtime being billed for on these items.
2. The labor rate of \$65/hour seems high for a general laborer and the hours shown seem high as well.
3. There is a line item for additional pipe backfill testing which we have not seen any reports for to date for the utility installation.
4. The supervisor rate also appears a little high as well as the hours shown.
5. The 10 day time extension requested does not match the hours being stated as well. Based on the hours stated, the time extension should be more in line with approximately 3 days plus delivery time for materials.

Mr. Saylor has also seen this cost and feels that it is high. We need to be able to justify the proposed cost to Mr. Saylor and the District for revisions made due to encountered field conditions.

Please review. Any revisions should be sent to me by Friday @ noon.



**Tri-State Paving & Construction**  
1305 Argillite Rd.  
Flatwoods, KY 41139  
(606) 836-2534

# Estimate

**REVISION # 1**

Date	Estimate #
8/5/2022	366-M

Name / Address
Estill County BoE c/o Jeff Saylor & Peter Fisher

Ship To

Stone costs adjusted based on recommendation

P.O. No.

Description	Rate	Total
Complete all revised requested work of 3 drain basins, lowering 2, raising 1 and attaching additional wye on existing pipe and tying in with new pipe Request for Pricing on Drain Basins and Pipe		
DS-3 raised 12" using 12" riser	265.39	265.39
DS-4 raised 6" using 6" riser	104.94	104.94
DS-6 lower 6" fill bottom and cut inlet higher and backfill previous hole	250.00	250.00
8" pipe- 1 (one) 20' section	163.20	163.20
15" HDPE pipe- 1 (one) 20' section	206.40	206.40
2 (two) 15" HDPE pipe coupler	47.06	47.06
12" HDPE pipe- 1 (one) 20' section	163.40	163.40
1 (one) 15" wye coupler	273.96	273.96
1 (one) 15"-12" reducing coupler	159.66	159.66
3 (three) 15" couplers	70.59	70.59
1 (one) 12" coupler	16.42	16.42
Materials delivery	450.00	450.00
Gravel	450.00	450.00
<b>EQUIPMENT</b>		
Excavator rental rate- \$165/hr X 22 hours	3,630.00	3,630.00
Skid Steer rental rate- \$115/hr X 22 hrs	2,530.00	2,530.00
Labor rate for workers- \$65/hr X 26 hours X 2 workers	3,380.00	3,380.00
Additional pipe backfill testing	350.00	350.00
Supervisor labor rate- \$90/hr x 26 hours	2,340.00	2,340.00
Markup 15%	1,834.50	1,834.50
Request additional 10 (ten) days for delivery and completion of work added to schedule		
Additional time requested is to provide for unhelpful weather encroachment causing additional delays in a season of extreme weather and record rainfall		

ALL HOURS REDUCED- Rates based on bid, idle machinery still have to be paid for when on-site and used on partial time

Estimate expires in 10 days and any changes will require additional cost.  
To accept the estimate, please sign and return.  
Acceptance of estimate constitutes a binding contract to perform work.

**Total** **\$16,685.52**



## Change Order Proposal

PROJECT NAME: West Irvine Intermediate Pavement Imp.  
PROJECT NUMBER: 2143  
SUBJECT: Field Order triggered Change Order-Revised AS REQUESTED  
resubmitted via NEWFORMA  
ID: COP 04r01  
SENDER ID:  
DUE DATE: 9/1/2022  
PROPOSED TOTAL AMOUNT  
(USD): \$16,685.52  
PROPOSED TOTAL DAYS: 0  
REASONS:  
DISCIPLINE:  
STATUS: Closed  
CONTRACT:  
DESCRIPTION: Information previously submitted via email to interested parties  
and not responded to.  
  
Resubmitting via NewForma for immediate response.

### ACTIONS

#### Received

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DATE:	8/18/2022	DUE BACK:	--
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FROM: Dan Bartlett (Tri-State Construction)  
RECIPIENTS: Jonathan Ruiz (RossTarrant Architects);  
Dan Bartlett (Tri-State Construction);  
mwheeler@tristateenterprise.com; Peter  
Fisher (RossTarrant Architects); Gregory  
Carter (Staggs & Fisher Consulting  
Engineers); Randy Brookshire  
(RossTarrant Architects); Jeff Saylor  
(Estill County Board of Education);  
rgraham@sfengineering.com; Joseph  
Browning (RossTarrant Architects); Ryan  
Graham  
REMARKS: Information previously submitted via email to interested parties and not  
responded to.  
  
Resubmitting via NewForma for immediate response.

#### Forwarded

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DATE:	8/19/2022	DUE BACK:	8/31/2022
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FROM: Jonathan Ruiz (RossTarrant Architects)  
RECIPIENTS: Michael Mays (RossTarrant Architects)  
REMARKS: Information previously submitted via email to interested parties and not  
responded to.  
  
Resubmitting via NewForma for immediate response.



## Change Order Proposal

### Responded and Closed

DATE: 9/8/2022 DUE BACK: --  
FROM: Jonathan Ruiz (RossTarrant Architects)  
RECIPIENTS: Dan Bartlett (Tri-State Construction)  
REMARKS: As I look for the revised DPOs, we wanted to share the following Change Order #4 questions with you before we share with the District for their review.

#### COP 04 Review:

No issue with the materials or material pricing as shown on the Invoice as it makes up only \$2,621.02 of the \$16,685.52 being proposed. What cannot be justified at this point is the equipment and labor cost which accounts for \$14,064.50 of the \$16,685.52 being proposed.

1. For the excavator and skid steer, 22 hours of work seems high for the rim elevation revisions to drainage structures DS-3, 4 and 6. These pieces of equipment were needed on site for other items during this time. The 22-hours of work for the equipment appears that there is downtime being billed for on these items.
2. The labor rate of \$65/hour seems high for a general laborer and the hours shown seem high as well.
3. There is a line item for additional pipe backfill testing which we have not seen any reports for to date for the utility installation.
4. The supervisor rate also appears a little high as well as the hours shown.
5. The 10 day time extension requested does not match the hours being stated as well. Based on the hours stated, the time extension should be more in line with approximately 3 days plus delivery time for materials.

Mr. Saylor has also seen this cost and feels that it is high. We need to be able to justify the proposed cost to Mr. Saylor and the District for revisions made due to encountered field conditions.

Please review. Any revisions should be sent to me by Friday @ noon.





**Tri-State Paving & Construction**  
1305 Argillite Rd.  
Flatwoods, KY 41139  
(606) 836-2534

## Change Order

Date	Estimate #
8/5/2022	366-M

<b>Name / Address</b>
Estill County BoE c/o Jeff Saylor & Peter Fisher

<b>Ship To</b>
no material needed to trim existing structure.

Stone cost seems high. New stone should only be needed for additional 16-feet of storm pipe. This cost should be closer to \$365 based on trench backfill requirements and similar contract unit prices.

<b>P.O. No.</b>

Description	Rate	Total
Complete all revised requested work of 3 drain basins, lowering 2, raising 1 and attaching additional wye on existing pipe and tying in with new pipe Request for Pricing on Drain Basins and Pipe DS-3 raised 12" using 12" riser DS-4 raised 6" using 6" riser DS-6 lower 6" and cut down existing on site 8" pipe- 1 (one) 20' section 15" HDPE pipe- 1 (one) 20' section 2 (two) 15" HDPE pipe coupler 12" HDPE pipe- 1 (one) 20' section 1 (one) 15" wye coupler 1 (one) 15"-12" reducing coupler 3 (three) 15" couplers 1 (one) 12" coupler Materials delivery Gravel	265.39 104.94 250.00 163.20 206.40 47.06 163.40 273.96 159.66 70.59 16.42 450.00 900.00	265.39 104.94 250.00 163.20 206.40 47.06 163.40 273.96 159.66 70.59 16.42 450.00 900.00
<b>EQUIPMENT</b> Excavator rental rate- \$165/hr X 26 hours Skid Steer rental rate- \$115/hr X 26 hrs Labor rate for workers- \$65/hr X 30 hours X 2 workers Additional pipe backfill testing Supervisor labor rate- \$90/hr x 30 Markup 15%	4,290.00 2,990.00 3,900.00 350.00 2,700.00 2,595.16	4,290.00 2,990.00 3,900.00 350.00 2,700.00 2,595.16
Request additional 10 (ten) days for delivery and completion of work added to schedule		

Estimate expires in 10 days and any changes will require additional cost.  
To accept the estimate, please sign and return.  
Acceptance of estimate constitutes a binding contract to perform work.

**Total** **\$19,896.18**





## Change Order Proposal

PROJECT NAME: West Irvine Intermediate Pavement Imp.  
PROJECT NUMBER: 2143  
SUBJECT: Change order #2- Field Order triggered Change Order- additional time required  
ID: COP 04  
SENDER ID:  
DUE DATE: 8/19/2022  
PROPOSED TOTAL AMOUNT (USD): \$19,896.18  
PROPOSED TOTAL DAYS: 10  
REASONS:  
DISCIPLINE:  
STATUS: Closed  
CONTRACT:  
DESCRIPTION: A Change Order based on the Field Order provided by Peter Fisher on 8/2/22 in response to question about wrong position of drainage on plans presented on 7/12/22 to the architect and owner. Additional D5 off mark and met onsite 7/25/22 to discuss.

### ACTIONS

#### Received

DATE:	8/5/2022	DUE BACK:	--
FROM:	Dan Bartlett (Tri-State Construction)		
RECIPIENTS:	Jonathan Ruiz (RossTarrant Architects); Dan Bartlett (Tri-State Construction); mwheeler@tristateenterprise.com; Peter Fisher (RossTarrant Architects); Gregory Carter (Staggs & Fisher Consulting Engineers); Randy Brookshire (RossTarrant Architects); Jeff Saylor (Estill County Board of Education); rgraham@sfengineering.com; Joseph Browning (RossTarrant Architects)		
REMARKS:	A Change Order based on the Field Order provided by Peter Fisher on 8/2/22 in response to question about wrong position of drainage on plans presented on 7/12/22 to the architect and owner. Additional D5 off mark and met onsite 7/25/22 to discuss.		

#### Forwarded

DATE:	8/5/2022	DUE BACK:	8/12/2022
FROM:	Jonathan Ruiz (RossTarrant Architects)		
RECIPIENTS:	Michael Mays (RossTarrant Architects); Emma Moore (RossTarrant Architects); Joseph Browning (RossTarrant Architects)		
REMARKS:	A Change Order based on the Field Order provided by Peter Fisher on 8/2/22 in response to question about wrong position of drainage on plans presented on 7/12/22 to the architect and owner. Additional D5 off mark and met onsite 7/25/22 to discuss.		



## Change Order Proposal

### Review Response

DATE:	8/12/2022	DUE BACK:	--
FROM:	Michael Mays (RossTarrant Architects)		
RECIPIENTS:	Jonathan Ruiz (RossTarrant Architects)		
REMARKS:	Refer to comments on attachment.		

### Forwarded

DATE:	8/12/2022	DUE BACK:	--
FROM:	Michael Mays (RossTarrant Architects)		
RECIPIENTS:	Jonathan Ruiz (RossTarrant Architects); Peter Fisher (RossTarrant Architects)		
REMARKS:	A Change Order based on the Field Order provided by Peter Fisher on 8/2/22 in response to question about wrong position of drainage on plans presented on 7/12/22 to the architect and owner. Additional D5 off mark and met onsite 7/25/22 to discuss.		

### Responded and Closed

DATE:	8/12/2022	DUE BACK:	--
FROM:	Jonathan Ruiz (RossTarrant Architects)		
RECIPIENTS:	Dan Bartlett (Tri-State Construction)		
REMARKS:	Refer to comments on attachment. Also note: the rates for the supervisor and laborer seem high and we are requesting to confirm the labor rates.		



## Field Order

PROJECT NAME: West Irvine Intermediate Pavement Imp.  
PROJECT NUMBER: 2143  
TYPE: Supplemental Instructions  
SUBJECT: FO 01 - DS3 & 4 Storm Rims and Inverts Clarification  
DUE DATE:  
ID: FO 01  
SENDER ID:  
INITIATED BY:  
REASONS:  
DISCIPLINE:  
STATUS: Closed  
CONTRACT:  
DESCRIPTION: Refer to the attached sketches for rim and invert intent clarifications at DS 3&4.

### ACTIONS

#### Sent and Closed

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DATE:	8/1/2022	DUE BACK:	--
FROM:	Jonathan Ruiz (RossTarrant Architects)		
RECIPIENTS:	Dan Bartlett (Tri-State Construction)		
REMARKS:	Refer to the attached sketches for rim and invert intent clarifications at DS 3&4.		



PROJECT NAME: West Irvine Intermediate Pavement Imp.  
 PROJECT NUMBER: 2143  
 SUBJECT: RFI 03 - ON SITE ISSUES IMMEDIATE ATTENTION  
 DUE DATE: 7/26/2022  
 ID: RFI 03  
 SENDER ID:  
 TYPE: Construction  
 ORIGINATED BY:  
 DISCIPLINE:  
 CONTRACT:  
 STATUS: Closed  
 QUESTION: We are experiencing issues with the d5 catch basin with existing pipe tie ins.

Additional issues exist with the elevation on the walkway.

We require an on-site visit to correct these issues.

SUGGESTION:

#### ACTIONS

#### Received

DATE:	7/12/2022	DUE BACK:	--
FROM:	Dan Bartlett (Tri-State Construction)		
RECIPIENTS:	Jonathan Ruiz (RossTarrant Architects); Dan Bartlett (Tri-State Construction); mwheeler@tristateenterprise.com; Peter Fisher (RossTarrant Architects); Gregory Carter (Staggs & Fisher Consulting Engineers); Randy Brookshire (RossTarrant Architects); Jeff Saylor (Estill County Board of Education); rgraham@sfengineering.com		
REMARKS:	We are experiencing issues with the d5 catch basin with existing pipe tie ins.		

Additional issues exist with the elevation on the walkway.

We require an on-site visit to correct these issues.

#### Forwarded

DATE:	7/15/2022	DUE BACK:	7/22/2022
FROM:	Jonathan Ruiz (RossTarrant Architects)		
RECIPIENTS:	Michael Mays (RossTarrant Architects)		
REMARKS:	During the 7.15 10am progress meeting, reviewed the following submitted question + additional questions mentioned to Peter while on site: <ol style="list-style-type: none"> <li>1. We are experiencing issues with the d5 catch basin with existing pipe tie ins.</li> <li>2. Additional issues exist with the elevation on the walkway.</li> </ol> Michael to discuss with site super Danny.		



**RFI**

**Responded and Closed**

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DATE:	7/29/2022	DUE BACK:	--
FROM:	Jonathan Ruiz (RossTarrant Architects)		
RECIPIENTS:	Dan Bartlett (Tri-State Construction)		
REMARKS:	RTA met on site with the Site Super to discuss DS elevations and pipe connections. RTA to issue formal clarifications for DS2-4.		