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2602 NORTH STADIUM BLVD.  
COLUMBIA, MO 65202

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March 10, 2014

Mr. Jerod Kelley  
Kansas Department of Transportation  
Lawrence Construction Office  
1462 US-40 Hwy  
Lawrence KS, 66044

**RE: Notice of Differing Site Conditions & Request for Change Order**  
**12" Water Main Relocation**  
**31st Street from Haskell Avenue to O'Connell Road**  
**Job U-2117-01**

Mr. Kelley:

As discussed verbally on Friday March 10, 2014 and as required by the contract documents Emery Sapp & Sons, Inc. (ESS) is providing notice of differing site conditions and as a result of these unforeseeable circumstances will incur additional costs and require additional contract time. Specifically, as part of the U-2117-01 project ESS is to replace an existing 12" waterline along a new alignment as indicated on sheet 105 of the current plans. When ESS began to install the new waterline it became apparent that a Black Hills Energy gas main that was relocated as part of the K10 8392-04 "South Lawrence Trafficway" (SLT) project was relocated in such a way that is now directly over the path of the waterline as shown in Figure A.

**Figure A – Waterline Station 208+00 Looking South**





The relocated gas line was installed in such a way that it either runs concurrent with the waterline alignment or meanders from one side of the alignment to the other as can be seen in figures B and C. When the line is not running with the waterline it is crossing it. The gas line remains in conflict for the entirety of the waterline alignment from stations 200+00 to 209+73 as shown on sheet 105 of the current plans.

**Figure B – Waterline Station 205+50 Looking South**





**Figure C – Waterline Station 204+500 Looking North**



On October 30, 2013 KDOT hosted a utility relocation status meeting at Lawrence City Hall. At this time the Black Hills energy line was not installed but a representative drew the anticipated location on the plans that were provided at the meeting as shown in Figure D. As shown the gas line in question was installed after the award of the contract, and was not shown on any of the contract documents. Also of note in Figure D is the WOW line that was also relocated as part of the SLT project, it is shown to be well clear of the waterline but was found to be in direct conflict for approximately 70 lf located at the proposed vertical deflection located at 203+45.



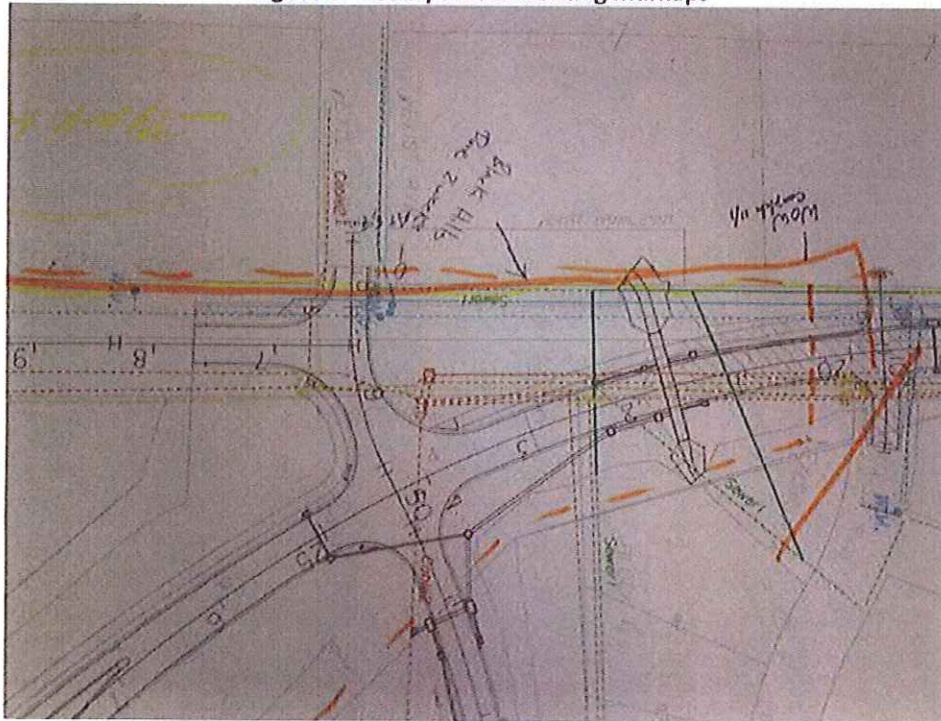


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Figure D – Utility Status Meeting Markups



After corresponding with the City of Lawrence, they believe they cannot relocate the line from its proposed alignment. The line is limited by a 10' separation from sanitary sewer as required by regulation to the west and limited by pavement to the east. The City of Lawrence has indicated that if the line was shifted to the west their maintenance costs over the lifetime of the line would be increased significantly.

As this conflict seriously impacts ESS costs and schedule to install the above referenced waterline ESS is requesting additional compensation as well as additional days to be added to the contract duration. Even though the waterline is on the U 2117 project, its relocation must be complete before storm sewer, grading and paving can be completed on the SLT project. To quantify the costs ESS has compared the as bid production (20 LF/Crew Hour) to the current production observed while installing this waterline (9.5 LF/Crew Hour) to date and has used the reduced production numbers to project out the total time required to complete this line. As all of the excavation is captured in the 12" line itself ESS doesn't anticipate any cost impacts for installing other necessary waterline appurtenances. The total cost impact and duration is reflected in the attached breakout. Please contact ESS at your earliest convenience so we can discuss this matter further.

Sincerely,  
Emery Sapp & Sons, Inc.

Tyler Myers  
Project Manager

KANSAS DEPARTMENT OF TRANSPORTATION	FINAL SUMMARY	CHANGE ORDER	006
		DATE SUBMITTED	3/10/2014
COUNTY <u>Douglas</u>	ROUTE <u>Haskell Avenue</u>	SECTION _____	
CONTRACT ID: _____			
PROJECT: <u>Douglas County U-2117-01</u>			
Justification for Contractor's Quotation for: <u>Blackhills Gasline - Colocation Additional Costs</u>			
LABOR COST	_____		\$14,045.30
Overhead & Profit in Breakout	_____		\$0.00
MATERIAL COST	_____		\$0.00
15% OVERHEAD & PROFIT	_____		\$0.00
EQUIPMENT COST	_____		\$13,200.00
15% OVERHEAD & PROFIT	_____		\$1,980.00
SUBCONTRACTOR COST	_____		\$0.00
5% OVERHEAD FOR SUBCONTRACTOR	_____		\$0.00
SUBTOTAL	_____		\$29,225.30
TOTAL PRICE	_____		\$29,225.30
TOTAL QUANTITY	_____	1.00 LS	
UNIT PRICE	_____	LS	<b>\$29,225.30</b>

KANSAS DEPARTMENT OF TRANSPORTATION		LABOR SUMMARY				COUNTY	Douglas
						ROUTE	Haskell Avenue
						CONTRACT ID:	Douglas County U-2117-01
CLASSIFICATION		HOURS	BASE RATE	Fringes	Burden & Profit	TOTAL RATE	TOTAL AMOUNT
FOREMAN	ST	44	\$22.40	11.57	\$20.88	\$54.85	\$3,215.91
	OT	11	\$33.60		\$27.77	\$72.94	
TRACK HOE OPERATOR	ST	44	\$22.40	11.57	\$20.88	\$54.85	\$3,215.91
	OT	11	\$33.60		\$27.77	\$72.94	
TRACK Loader OPERATOR	ST	44	\$22.40	11.57	\$20.88	\$54.85	\$3,215.91
	OT	11	\$33.60		\$27.77	\$72.94	
LABORER	ST	0	\$16.22	7.18	\$14.39	\$37.79	\$0.00
	OT	0	\$24.33		\$19.37	\$50.88	
Pipe Fitter	ST	44	\$32.25	14.04	\$28.46	\$74.75	\$4,397.56
	OT	11	\$48.38		\$38.37	\$100.79	
	ST						\$0.00
	OT						\$0.00
	ST						\$0.00
	OT						\$0.00
	ST						\$0.00
	OT						\$0.00
	ST						\$0.00
	OT						\$0.00
	ST						\$0.00
	OT						\$0.00
TOTAL BASE AMOUNT							
						TOTAL LABOR COSTS	\$14,045.30



