

**SUBJECT:**

**Amendment 3 to Construction Agreement for  
Shaw Drive Drainage Improvement Project.**

**MEETING DATE:**

June 4, 2024

**SUBMITTED BY:**

Jim Wilgus

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**SUGGESTED ACTION:**

Consider approval of Amendment 3 to Construction Agreement with Baldwin Paving Company, Inc., for the Shaw Drive Drainage Improvement project, in the amount of \$57,087.50, for remedial work and additional drainage improvements for the Kellogg Creek Road at Jacobs Road Intersection Improvement Project.

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**FACTS AND ISSUES:**

Shaw Drive is located in southern Cherokee County. An existing 42-inch corrugated metal pipe (CMP) in a stream is undersized and non-functional based on current engineering standards. The existing 42-inch CMP predates the construction of Shaw Drive. Baldwin Paving Company is under contract with the County to construct that project.

Construction of the Kellogg Creek Road at Jacobs Road Intersection Improvement Project was recently completed by Baldwin Paving Company in 2023. Cherokee County has requested Baldwin Paving Company to perform some remedial warranty and drainage work on the Kellogg Creek Road at Jacobs Road Intersection Improvement Project. That project was finally accepted by the County on September 15, 2023. The additional drainage and remedial work at the intersection was not included in the original project and could not have been anticipated in the original bid and should be considered for reimbursement by the original contractor, which was also Baldwin Paving Company.

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**ATTACHMENTS:**

[Third Amendment - Shaw Drive - Kellogg at Jacobs.pdf](#)

[Shaw Dr - THIRD Amendment backup.pdf](#)

[Kellogg Creek Rd at Jacobs Rd - modifications.pdf](#)

[320090-Shaw Drive Culvert - Mr. Chumley work @ Kellogg Creek Change Order.pdf](#)