



# MAYOR & COUNCIL COMMUNICATION

**DATE:** August 5, 2014

**CONSENT**

**ITEM #** 5

**AGENDA ITEM:** Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street – Approve Pay Request No. 8 (Final) (**ADMINISTRATIVE CORRECTION**)

**SUBMITTED BY:** Ryan Stempksi, Project Engineer

**THROUGH:** Dean A. Zuleger, City Administrator

**REVIEWED BY:** Jack Griffin, City Engineer  
Cathy Bendel, Finance Director  
Mike Bouthilet, Public Works

**SUGGESTED ORDER OF BUSINESS if removed from the Consent Agenda):**

- Questions from Council to Staff ..... Mayor Facilitates
- Public Input, if Appropriate.....Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

**POLICY RECOMMENDER:** Engineering

**FISCAL IMPACT:** Corrected payment results in additional \$3,014.55 due to the Contractor.

Final payment is proposed in accordance with the Contract for the project. Payment remains within authorized contract amount and approved change orders for the project.

**SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to consider, *as part of the consent agenda*, approving Pay Request No. 8 (Final) (**ADMINISTRATIVE CORRECTION**) to Minger Construction, Inc. in the amount of \$179,094.45 for the Lake Elmo Avenue Infrastructure Improvements: I-94 to 30<sup>th</sup> Street. If removed from the consent agenda, the recommended motion for this action is as follows:

***“Move to approve Pay Request No. 8 (Final) (ADMINISTRATIVE CORRECTION) to Minger Construction, Inc. in the amount of \$179,094.45 for the Lake Elmo Avenue Infrastructure Improvements: I-94 to 30<sup>th</sup> Street.”***

**LEGISLATIVE HISTORY/BACKGROUND INFORMATION:**

At the July 15, 2014 City Council Meeting, the improvements were accepted and final payment was approved for this project. An error was found in the final payment quantities for the silt fence payment item. The Contractor was paid 50% of the silt fence quantity that was installed and is owed the remaining 50% now that the silt fence has been removed on the project, resulting in additional payment owed to the Contractor in the amount of \$3,014.55. Pay Request No. 8 (Final) has been revised accordingly.

The final construction cost for the project is \$3,412,260.75 which is 1.6% under the original contract and approved change order amount of \$3,469,228.74. The Project is being funded partially through the MN-DEED sewer system grant with the remaining funds covered through the issuance of bonds with the debt retirement to be covered with the collection of Sewer Availability and Sewer Connection charges established by the City.

Final payment will be made to the Contractor, including the release of all retained funds, upon receipt of the Contractor’s signed Pay Request No. 8 (Final) (***ADMINISTRATIVE CORRECTION***).

**RECOMMENDATION:**

Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, approving Pay Request No. 8 (Final) (***ADMINISTRATIVE CORRECTION***) in the amount of \$179,094.45. If removed from the consent agenda, the recommended motion for this action is as follows:

***“Move to approve Pay Request No. 8 (Final) (ADMINISTRATIVE CORRECTION) to Minger Construction, Inc. in the amount of \$179,094.45 for the Lake Elmo Avenue Infrastructure Improvements: I-94 to 30<sup>th</sup> Street.”***

**ATTACHMENT(S):**

1. Pay Request No. 8 (Final) (***ADMINISTRATIVE CORRECTION***)