



STAFF REPORT

DATE: March 21, 2023

CONSENT

AGENDA ITEM: Approve Pay Request No. 8 for the Water Tower No. 3 Project

SUBMITTED BY: Chad Isakson, Project Engineer

REVIEWED BY: Kristina Handt, City Administrator
Marty Powers, Public Works Director
Jack Griffin, City Engineer

ISSUE BEFORE COUNCIL: Should the City Council approve Pay Request No. 8 for the Water Tower No. 3 project?

BACKGROUND: Phoenix Fabricators & Erectors, LLC was awarded a construction contract on January 18, 2022 for the construction of Water Tower No. 3. Work remains in progress and is on schedule. The contract requires a milestone 1 completion date of November 18, 2022, milestone 2 completion date of March 31, 2023, milestone 3 completion date of July 28, 2023, substantial completion date of October 13, 2023 and final completion date of November 17, 2023.

PROPOSAL DETAILS/ANALYSIS: Phoenix Fabricators & Erectors, LLC has submitted Partial Pay Request No. 8 in the amount of \$288,131.73. The request has been reviewed and payment is recommended in the amount requested. In accordance with the contract documents, the City has retained 5% of the total work completed. The amount retained is \$102,083.80.

FISCAL IMPACT: None. Partial payment is proposed in accordance with the Contract for the project. Payment remains within the authorized scope and budget.



RECOMMENDATION: Staff is recommending that the City Council approve, *as part of the Consent Agenda*, Pay Request No. 8 for the Water Tower No. 3 project. If removed from the consent agenda, the recommended motion for the action is as follows:

“Move to approve Pay Request No. 8 to Phoenix Fabricators & Erectors, LLC. in the amount of \$288,131.73 for the Water Tower No. 3 project”.

ATTACHMENTS:

1. Partial Pay Estimate No. 8.

PROJECT PAY FORM

| | | | | | |
|---|---------------|-----------|---|---|---|
| PARTIAL PAY ESTIMATE NO. <u>8</u> | | | | FOCUS ENGINEERING, inc. | |
| WATER TOWER NO. 3 PROJECT NO. 2020.118 PFE#3878 | | | | PERIOD OF ESTIMATE FROM <u>1/1/2023</u> TO <u>2/28/2023</u> | |
| PROJECT OWNER: CITY OF LAKE ELMO 3800 LAVERNE AVENUE NORTH LAKE ELMO, MN 55042 ATTN: JACK GRIFFIN, CITY ENGINEER | | | CONTRACTOR: PHOENIX FABRICATORS & ERECTORS, LLC 182 SOUTH CR 900 EAST AVON, IN 46123 ATTN: FIRST LASTNAME, PROJECT ROLE | | |
| CONTRACT CHANGE ORDER SUMMARY | | | | PAY ESTIMATE SUMMARY | |
| No. | Approval Date | Amount | | | |
| | | Additions | Deductions | | |
| | | | \$0.00 | 1. Original Contract Amount | \$3,493,000.00 |
| | | | | 2. Net Change Order Sum | \$0.00 |
| | | | | 3. Revised Contract (1+2) | \$3,493,000.00 |
| | | | | 4. *Work Completed | \$2,041,676.00 |
| | | | | 5. *Stored Materials | \$0.00 |
| | | | | 6. Subtotal (4+5) | \$2,041,676.00 |
| | | | | 7. Retainage* 5.0% | \$102,083.80 |
| | | | | 8. Previous Payments | \$1,651,460.47 |
| | | | | 9. Amount Due (6-7-8) | \$288,131.73 |
| TOTALS | | \$0.00 | \$0.00 | | |
| NET CHANGE | | \$0.00 | | *Detailed Breakdown Attached | |
| CONTRACT TIME | | | | | |
| START DATE: <u>3/16/2022</u> | | | ORIGINAL DAYS <u>611</u> | | ON SCHEDULE YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
| SUBSTANTIAL COMPLETION: <u>10/13/2023</u> | | | REVISED DAYS <u>0</u> | | |
| FINAL COMPLETION: <u>11/17/2023</u> | | | REMAINING <u>262</u> | | |
| ENGINEER'S CERTIFICATION: The undersigned certifies that the work has been reviewed and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents. | | | | FOCUS Engineering, inc.  ENGINEER <u>3/1/2023</u> DATE | |
| CONTRACTOR'S CERTIFICATION: The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due. | | | | CONTRACTOR  BY Noelle Crosby, Billing & Collections Manager <u>2/28/2023</u> DATE | |
| APPROVED BY OWNER: CITY OF LAKE ELMO, MINNESOTA | | | | | |
| BY _____ | | | BY _____ | | |
| DATE _____ | | | DATE _____ | | |

PARTIAL PAY ESTIMATE NO. 8

WATER TOWER NO. 3

CITY OF LAKE ELMO, MINNESOTA

PROJECT NO. 2020.118



| ITEM | DESCRIPTION OF PAY ITEM | UNIT | CONTRACT | | | THIS PERIOD | | TOTAL TO DATE | |
|----------|--|------|----------------|----------------|----------------|--------------|--------------|----------------|--------------|
| | | | QUANTITY | UNIT PRICE | AMOUNT | QUANTITY | AMOUNT | QUANTITY | AMOUNT |
| BASE BID | | | | | | | | | |
| 1 | SITE GRADING | LS | 1.00 | \$18,000.00 | \$18,000.00 | 0.00 | \$0.00 | 0.75 | \$13,500.00 |
| 2 | ROCK CONSTRUCTION ENTRANCE | EACH | 1.00 | \$3,400.00 | \$3,400.00 | 0.00 | \$0.00 | 1.00 | \$3,400.00 |
| 3 | TRAFFIC CONTROL | LS | 1.00 | \$12,000.00 | \$12,000.00 | 0.00 | \$0.00 | 1.00 | \$12,000.00 |
| 4 | SUBGRADE EXCAVATION | CY | 175.00 | \$14.00 | \$2,450.00 | 0.00 | \$0.00 | 175.00 | \$2,450.00 |
| 5 | GEOTEXTILE FABRIC TYPE V | SY | 200.00 | \$17.50 | \$3,500.00 | 0.00 | \$0.00 | 200.00 | \$3,500.00 |
| 6 | ORGANIC TOPSOIL BORROW | CY | 175.00 | \$35.00 | \$6,125.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 7 | SELECT GRANULAR BORROW | CY | 200.00 | \$29.00 | \$5,800.00 | 0.00 | \$0.00 | 200.00 | \$5,800.00 |
| 8 | AGGREGATE BASE, CLASS 1 (MODIFIED) | CY | 8.00 | \$45.00 | \$360.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 9 | AGGREGATE BASE, CLASS 6 (CV) (P) | CY | 375.00 | \$65.00 | \$24,375.00 | 0.00 | \$0.00 | 275.00 | \$17,875.00 |
| 10 | TYPE SP 9.5 WEARING COURSE MIX (3,C) | TON | 80.00 | \$130.00 | \$10,400.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 11 | BIT. MATERIAL FOR TACK COAT | GAL | 35.00 | \$30.00 | \$1,050.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 12 | 5" CONCRETE SIDEWALK | SF | 202.00 | \$20.00 | \$4,040.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 13 | 8" CONCRETE SIDEWALK | SF | 240.00 | \$45.00 | \$10,800.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 14 | CONNECT TO EXISTING WATER MAIN | EACH | 1.00 | \$1,900.00 | \$1,900.00 | 0.00 | \$0.00 | 1.00 | \$1,900.00 |
| 15 | 6" DIP WATER MAIN PIPE, CL. 52 (POLY ENCASED) | LF | 17.00 | \$55.00 | \$935.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 16 | 16" DIP WATER MAIN PIPE, CL. 52 (POLY ENCASED) | LF | 78.00 | \$140.00 | \$10,920.00 | 0.00 | \$0.00 | 84.00 | \$11,760.00 |
| 17 | 6" GATE VALVE & BOX | EACH | 1.00 | \$2,500.00 | \$2,500.00 | 0.00 | \$0.00 | 0.75 | \$1,875.00 |
| 18 | HYDRANT | EACH | 1.00 | \$6,000.00 | \$6,000.00 | 0.00 | \$0.00 | 0.75 | \$4,500.00 |
| 19 | DUCTILE IRON FITTINGS | LB | 650.00 | \$9.00 | \$5,850.00 | 0.00 | \$0.00 | 1,155.00 | \$10,395.00 |
| 20 | 4' X 4' CATCH BASIN WITH GRATING | EACH | 1.00 | \$4,500.00 | \$4,500.00 | 0.00 | \$0.00 | 1.00 | \$4,500.00 |
| 21 | 1.5" CLEAR ROCK (WRAPPED IN TYPE 1 GEOTEXTILE FABRIC) | CY | 16.00 | \$85.00 | \$1,360.00 | 0.00 | \$0.00 | 15.00 | \$1,275.00 |
| 22 | 18" RCP STORM SEWER PIPE, CL. V | LF | 100.00 | \$110.00 | \$11,000.00 | 0.00 | \$0.00 | 87.00 | \$9,570.00 |
| 23 | 18" RCP APRON W/ TRASH GUARD | EACH | 1.00 | \$2,500.00 | \$2,500.00 | 0.00 | \$0.00 | 1.00 | \$2,500.00 |
| 24 | 15" CAS PIPE CULVERT | LF | 73.00 | \$55.00 | \$4,015.00 | 0.00 | \$0.00 | 73.00 | \$4,015.00 |
| 25 | 15" CAS PIPE APRON W/ TRASH GUARD | EACH | 2.00 | \$450.00 | \$900.00 | 0.00 | \$0.00 | 2.00 | \$900.00 |
| 26 | HAND PLACED RIP RAP, CL. III | CY | 20.00 | \$125.00 | \$2,500.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 27 | GEOTEXTILE FABRIC TYPE IV | SY | 74.00 | \$4.50 | \$333.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 28 | GEOTEXTILE FABRIC TYPE V | SY | 400.00 | \$4.50 | \$1,800.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 29 | SILT FENCE, TYPE HI | LF | 300.00 | \$6.00 | \$1,800.00 | 0.00 | \$0.00 | 300.00 | \$1,800.00 |
| 30 | SEDEMENT CONTROL LOG TYPE WOOD FIBER | LF | 40.00 | \$7.00 | \$280.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 31 | TEMPORARY SEEDING MIX (MIX 22-112 WITH TYPE 1 MULCH) | ACRE | 0.50 | \$5,000.00 | \$2,500.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 32 | SEEDING (MIX 25-141 WITH FERTILIZER & HYDROMULCH) | ACRE | 0.50 | \$9,000.00 | \$4,500.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 33 | CONIFEROUS TREE 8' HT B&B | TREE | 12.00 | \$550.00 | \$6,600.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 34 | LOAM TOPSOIL BORROW | CY | 28.00 | \$55.00 | \$1,540.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 35 | MULCH MATERIAL TYPE 6 | CY | 27.50 | \$46.00 | \$1,265.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 36 | 1 MG COMPOSITE ELEVATED WATER STORAGE TANK, FOUNDATION, GENERAL ELECTRICAL AND ALL ASSOCIATED COMPONENTS AS SHOWN IN PLANS & SPECIFICATIONS (NOT OTHERWISE LISTED ON BID FORM) - SEE BELOW | | | | | | | | |
| 36.1 | WATER TOWER - ENGINEERING/BONDS/INSURANCE | LS | 1.00 | \$174,000.00 | \$174,000.00 | 0.00 | \$0.00 | 1.00 | \$174,000.00 |
| 36.2 | WATER TOWER - DRILLED PIERS | LS | 1.00 | \$120,000.00 | \$120,000.00 | 0.00 | \$0.00 | 1.00 | \$120,000.00 |
| 36.3 | WATER TOWER - FOUNDATION | LS | 1.00 | \$460,000.00 | \$460,000.00 | 0.00 | \$0.00 | 1.00 | \$460,000.00 |
| 36.4 | WATER TOWER - CONCRETE SHAFT | LS | 1.00 | \$550,000.00 | \$550,000.00 | 0.00 | \$0.00 | 1.00 | \$550,000.00 |
| 36.5 | WATER TOWER - TANK MATERIAL/FABRICATION | LS | 1.00 | \$1,083,202.00 | \$1,083,202.00 | 0.28 | \$303,296.56 | 0.50 | \$541,601.00 |
| 36.6 | WATER TOWER - TANK DELIVERY | LS | 1.00 | \$36,000.00 | \$36,000.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 36.7 | WATER TOWER - ERECTION | LS | 1.00 | \$350,000.00 | \$350,000.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 36.8 | WATER TOWER - PAINTING | LS | 1.00 | \$250,000.00 | \$250,000.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 36.9 | WATER TOWER - ELECTRICAL | LS | 1.00 | \$68,000.00 | \$68,000.00 | 0.00 | \$0.00 | 0.17 | \$11,560.00 |
| 37 | SCADA AND NEW RTU AT NEW TOWER, AND UPDATES TO MASTER CONTROL PROGR | LS | 1.00 | \$44,000.00 | \$44,000.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 38 | PRV STATION VALVE MODIFICATIONS AND ASSOCIATED ELECTRICAL RTU AND SCADA | LS | 1.00 | \$100,000.00 | \$100,000.00 | 0.00 | \$0.00 | 0.71 | \$71,000.00 |
| 39 | FURNISH AND INSTALL COMPLETE GAS CHLORINATION SYSTEM | LS | 1.00 | \$80,000.00 | \$80,000.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| BASE BID | | | \$3,493,000.00 | | | \$303,296.56 | | \$2,041,676.00 | |

TOTALS - BASE CONTRACT

\$3,493,000.00

\$303,296.56

\$2,041,676.00