



## STAFF REPORT

DATE: November 21, 2023  
**CONSENT**

**AGENDA ITEM:** Approve Pay Request No. 4 for the 2023 Trail Improvements

**SUBMITTED BY:** Mike Rusenovich, Project Engineer

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

---

**ISSUE BEFORE COUNCIL:** Should the City Council approve Pay Request No. 4 for the 2023 Trail Improvements?

**BACKGROUND:** OMG Midwest DBA Minnesota Paving & Materials was awarded a construction contract on June 6, 2023 to complete the 2023 Trail Improvements. Work remains in progress with a substantial completion date of September 29, 2023 and final completion date of October 28, 2023. Substantial and final completion dates were extended 21 days by a change order approved August 28, 2023

**PROPOSAL DETAILS/ANALYSIS:** OMG Midwest DBA Minnesota Paving & Materials has submitted Partial Pay Request No. 4 in the amount of \$9,691.24. 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 \$28,594.24.

**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. 4 for the 2023 Trail Improvements. If removed from the consent agenda, the recommended motion for the action is as follows:

***“Move to approve Pay Request No. 4 to OMG Midwest DBA Minnesota Paving & Materials in the amount of \$9,691.24 for the 2023 Trail Improvements”.***

**ATTACHMENTS:**

1. Partial Pay Estimate No. 4.

# PROJECT PAY FORM

PARTIAL PAY ESTIMATE NO. 4

**FOCUS** ENGINEERING, inc.

2023 TRAIL IMPROVEMENTS  
PROJECT NO. 2022.117

PERIOD OF ESTIMATE  
FROM 10/1/2023 TO 10/31/2023

PROJECT OWNER:  
**CITY OF LAKE ELMO**  
**3880 LAVERNE AVENUE NORTH**  
**LAKE ELMO, MN 55042**  
**ATTN: JACK GRIFFIN, CITY ENGINEER**

CONTRACTOR:  
**OMG MIDWEST DBA MN PAVING AND MATERIALS**  
**14475 QUIRAM DRIVE**  
**ROGERS, MN 55374**  
**ATTN: LUKE TULIP, PROJECT MANAGER**

## CONTRACT CHANGE ORDER SUMMARY

No.	Approval Date	Amount	
		Additions	Deductions
1	8/28/2023		
TOTALS		\$0.00	\$0.00
NET CHANGE		\$0.00	

## PAY ESTIMATE SUMMARY

1. Original Contract Amount	\$549,359.21
2. Net Change Order Sum	\$0.00
3. Revised Contract (1+2)	\$549,359.21
4. *Work Completed	\$571,884.88
5. *Stored Materials	\$0.00
6. Subtotal (4+5)	\$571,884.88
7. Retainage* <b>5.0%</b>	\$28,594.24
8. Previous Payments	\$533,599.39
9. Amount Due (6-7-8)	<b>\$9,691.24</b>

\*Detailed Breakdown Attached

## CONTRACT TIME

START DATE: 7/24/2023  
SUBSTANTIAL COMPLETION: 9/29/2023 (CO#1)  
FINAL COMPLETION: 10/28/2023 (CO#1)

ORIGINAL DAYS 75  
REVISED DAYS 96  
REMAINING 0

ON SCHEDULE  
YES ☒  
NO ☐

## 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

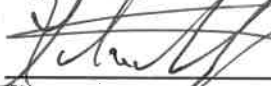
11/13/2023

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

11/10/2023  
DATE

APPROVED BY OWNER: **CITY OF LAKE ELMO, MINNESOTA**

BY \_\_\_\_\_

DATE \_\_\_\_\_

BY \_\_\_\_\_

DATE \_\_\_\_\_

2023 TRAIL IMPROVEMENTS  
CITY OF LAKE ELMO, MINNESOTA  
PROJECT NO. 2022.117



ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
PART 1 - BASE BID									
1	MOBILIZATION	LS	1	\$23,500.00	\$23,500.00	0.00	\$0.00	1.00	\$23,500.00
2	TRAFFIC CONTROL	LS	1	\$2,900.00	\$2,900.00	0.00	\$0.00	1.00	\$2,900.00
3	SILT FENCE	LF	5560	\$1.00	\$5,560.00	0.00	\$0.00	5,719.00	\$5,719.00
4	INLET CONTROL	EA	13	\$150.00	\$1,950.00	8.00	\$1,200.00	16.00	\$2,400.00
5	CLEARING	EA	7	\$818.28	\$5,727.96	0.00	\$0.00	24.00	\$19,638.72
6	GRUBBING	EA	4	\$204.57	\$818.28	0.00	\$0.00	6.00	\$1,227.42
7	CLEARING	SY	960	\$5.11	\$4,905.60	0.00	\$0.00	840.00	\$4,292.40
8	GRUBBING	SY	1040	\$5.11	\$5,314.40	0.00	\$0.00	840.00	\$4,292.40
9	CLEAR BRUSH, TRIM BRANCHES, REMOVE DEADFALL - TAPESTRY/HAMLET TRAIL CONNECTION	LS	1	\$10,228.45	\$10,228.45	0.00	\$0.00	1.00	\$10,228.45
10	COMMON TOPSOIL BORROW	CY	600	\$16.24	\$9,744.00	240.00	\$3,897.60	540.00	\$8,769.60
11	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EA	8	\$1.00	\$8.00	0.00	\$0.00	0.00	\$0.00
12	STREET SWEEPER (WITH PICKUP BROOM)	HOURL	14	\$160.45	\$2,246.30	4.00	\$641.80	4.00	\$641.80
13	EROSION CONTROL BLANKET	SY	3430	\$1.00	\$3,430.00	0.00	\$0.00	1,991.00	\$1,991.00
14	SEED MIXTURE 25-131	SY	2940	\$0.50	\$1,470.00	0.00	\$0.00	1,991.00	\$995.50
15	SEED MIXTURE 25-151	SY	490	\$0.60	\$294.00	0.00	\$0.00	490.00	\$294.00
16	SODDING	SY	3580	\$7.00	\$25,060.00	0.00	\$0.00	3,425.00	\$23,975.00
17	SALVAGE AND REINSTALL SIGN	EA	5	\$300.84	\$1,504.20	0.00	\$0.00	5.00	\$1,504.20
18	SAWCUT BITUMINOUS OR CONCRETE PAVEMENT	LF	72	\$8.33	\$599.76	0.00	\$0.00	196.00	\$1,632.68
19	REMOVE AND DISPOSE OF EXISTING BITUMINOUS TRAIL PAVEMENT	SY	793	\$5.49	\$4,353.57	0.00	\$0.00	793.00	\$4,353.57
20	REMOVE AND DISPOSE OF EXISTING BITUMINOUS STREET PAVEMENT	SY	38	\$12.97	\$492.86	0.00	\$0.00	130.00	\$1,686.10
21	REMOVE AND DISPOSE OF EXISTING CONCRETE CURB & GUTTER	LF	171	\$13.14	\$2,246.94	0.00	\$0.00	176.00	\$2,312.64
22	15" RCP, CLASS 5 STORM SEWER	LF	16	\$222.87	\$3,565.92	0.00	\$0.00	16.00	\$3,565.92
23	15" RCP FES W/ TRASH GUARD	EA	2	\$539.15	\$1,078.30	0.00	\$0.00	2.00	\$1,078.30
24	CLASS III RIPRAP	CU YD	6	\$270.35	\$1,622.10	0.00	\$0.00	6.00	\$1,622.10
25	TELEWISE STORM SEWER	LF	16	\$25.07	\$401.12	0.00	\$0.00	0.00	\$0.00
26	EXCAVATION - COMMON (P)	CU YD	2040	\$44.00	\$89,760.00	0.00	\$0.00	2,040.00	\$89,760.00
27	SUBGRADE CORRECTION	CU YD	80	\$37.06	\$2,964.80	0.00	\$0.00	287.10	\$10,639.93
28	COMMON EMBANKMENT (CV) (P)	CU YD	83	\$10.03	\$832.49	0.00	\$0.00	83.00	\$832.49
29	AGGREGATE BASE CLASS 6	TON	1820	\$15.70	\$28,574.00	0.00	\$0.00	2,029.97	\$31,870.53
30	SELECT GRANULAR BORROW	TON	20	\$12.67	\$253.40	0.00	\$0.00	114.00	\$1,444.38
31	SUBGRADE PREPARATION	ROAD STA	45.2	\$286.20	\$12,936.24	0.00	\$0.00	45.20	\$12,936.24
32	BITUMINOUS PATCHING MIXTURE	TON	7	\$155.44	\$1,088.08	0.00	\$0.00	8.08	\$1,255.96
33	TYPE SP 9.5 WEARING COURSE MIXTURE (2,B)	TON	590	\$108.00	\$63,720.00	0.00	\$0.00	570.50	\$61,614.00
34	CONCRETE CURB AND GUTTER DESIGN B418	LF	171	\$70.20	\$12,004.20	0.00	\$0.00	171.00	\$12,004.20
35	CONCRETE PEDESTRIAN RAMP	EA	7	\$3,509.76	\$24,568.32	0.00	\$0.00	7.00	\$24,568.32
36	TRUNCATED DOME PANELS	SF	120	\$75.21	\$9,025.20	0.00	\$0.00	120.00	\$9,025.20
37	FURNISH SIGN PANELS	SF	13	\$58.16	\$756.08	0.00	\$0.00	13.00	\$756.08
38	INSTALL SIGN PANELS	EA	6	\$255.71	\$1,534.26	0.00	\$0.00	6.00	\$1,534.26
39	4" BROKEN LINE PAINT - YELLOW	LF	113	\$2.01	\$227.13	0.00	\$0.00	120.00	\$241.20
TOTAL PART 1 - BASE BID					\$367,265.96		\$5,739.40		\$387,103.58
PART 2 - ALTERNATE (SUNFISH PONDS TRAIL)									
40	MOBILIZATION	LS	1	\$15,000.00	\$15,000.00	0.00	\$0.00	1.00	\$15,000.00
41	TRAFFIC CONTROL	LS	1	\$952.65	\$952.65	0.00	\$0.00	1.00	\$952.65
42	SILT FENCE	LF	4080	\$1.96	\$7,996.80	0.00	\$0.00	2,906.00	\$5,695.76
43	INLET CONTROL	EA	5	\$149.91	\$749.55	1.00	\$149.91	2.00	\$299.82
44	COMMON TOPSOIL BORROW	CU YD	400	\$21.56	\$8,624.00	200.00	\$4,312.00	400.00	\$8,624.00
45	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EA	3	\$0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
46	STREET SWEEPER (WITH PICKUP BROOM)	HOURL	6	\$160.45	\$962.70	0.00	\$0.00	0.00	\$0.00
47	EROSION CONTROL BLANKET	SY	4670	\$1.00	\$4,670.00	0.00	\$0.00	4,660.00	\$4,660.00
48	SEED MIXTURE 25-131	SY	4670	\$0.50	\$2,335.00	0.00	\$0.00	4,719.00	\$2,359.50
49	SAWCUT BITUMINOUS OR CONCRETE PAVEMENT	LF	16	\$8.33	\$133.28	0.00	\$0.00	94.00	\$783.02
50	REMOVE AND DISPOSE OF EXISTING BITUMINOUS TRAIL PAVEMENT	SY	2370	\$3.40	\$8,058.00	0.00	\$0.00	2,370.00	\$8,058.00
51	REMOVE AND DISPOSE OF EXISTING BITUMINOUS STREET PAVEMENT	SY	21	\$12.97	\$272.37	0.00	\$0.00	21.00	\$272.37
52	EXCAVATION - COMMON (P)	CU YD	1230	\$45.00	\$55,350.00	0.00	\$0.00	1,230.00	\$55,350.00
53	SUBGRADE CORRECTION	CU YD	40	\$37.06	\$1,482.40	0.00	\$0.00	182.90	\$6,778.27
54	COMMON EMBANKMENT (CV) (P)	CU YD	1	\$10.03	\$10.03	0.00	\$0.00	1.00	\$10.03
55	AGGREGATE BASE CLASS 6	TON	1040	\$15.70	\$16,328.00	0.00	\$0.00	1,020.03	\$16,014.47
56	SUBGRADE PREPARATION	ROAD STA	26.1	\$286.32	\$7,472.95	0.00	\$0.00	26.10	\$7,472.95

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
57	BITUMINOUS PATCHING MIXTURE	TON	3	\$193.68	\$581.04	0.00	\$0.00	4.00	\$774.72
58	TYPE SP 9.5 WEARING COURSE MIXTURE (2,B)	TON	330	\$85.00	\$28,050.00	0.00	\$0.00	329.17	\$27,979.45
59	CONCRETE CURB AND GUTTER DESIGN B418	LF	60	\$70.20	\$4,212.00	0.00	\$0.00	69.00	\$4,843.80
60	CONCRETE PEDESTRIAN RAMP	EA	4	\$3,509.76	\$14,039.04	0.00	\$0.00	4.00	\$14,039.04
61	TRUNCATED DOME PANELS	SF	64	\$75.21	\$4,813.44	0.00	\$0.00	64.00	\$4,813.44
TOTAL PART 2 - ALTERNATE (SUNFISH PONDS TRAIL)					\$182,093.25		\$4,461.91		\$184,781.30

TOTALS - BASE CONTRACT & ALTERNATE

\$549,359.21

\$10,201.31

\$571,884.88