



## STAFF REPORT

DATE: October 15, 2024

### **CONSENT**

**AGENDA ITEM:** Accept Improvements and Approve Pay Request No. 2 (FINAL) for the 2024 Seal Coat Project.

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

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

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**ISSUE BEFORE COUNCIL:** Should the City Council accept the improvements and approve Pay Request No. 2 (Final) for the 2024 Seal Coat Project?

**BACKGROUND:** Pearson Bros, Inc. was awarded a construction contract on June 18, 2024 to complete the 2024 Seal Coat Project. The contractor has now completed the work in accordance with the contract and specifications.

**PROPOSAL DETAILS/ANALYSIS:** Pearson Bros, Inc. has submitted Pay Request No. 2 (Final) in the amount of \$13,758.40. The request has been reviewed and payment is recommended in the amount requested. The Project Engineer has prepared a Certificate of Completion indicating that all work is completed and is recommending the acceptance of the improvements and release of final retainage. Project acceptance will initiate the one-year warranty period for the improvements. The one-year warranty will begin on October 15, 2024 and will extend through October 15, 2025.

**FISCAL IMPACT:** None. Final payment is being recommended. The final construction cost for the Project is \$275,168.00, which is \$3,239.40 below the original construction contract amount of \$278,407.40.

**RECOMMENDATION:** Staff is recommending that the City Council, *as part of the Consent Agenda*, accept the improvements and approve Pay Request No. 2 (Final) to Pearson Bros, Inc in the amount of \$13,758.10 for the 2024 Seal Coat Project. If removed from the consent agenda, the recommended motion for the action is as follows:

***“Move to accept the improvements for the 2024 Seal Coat Project and approve Pay Request No. 2 (Final) to Pearson Bros, Inc. in the amount of \$13,758.40”.***

**ATTACHMENTS:**

1. Partial Pay Estimate #2 (Final).
2. Certificate of Completion.

**PROJECT PAY FORM**

PARTIAL PAY ESTIMATE NO. <u>2 (FINAL)</u>	<b>FOCUS</b> ENGINEERING, inc.
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<b>2024 SEAL COAT PROJECT</b> PROJECT NO. 2024.108	PERIOD OF ESTIMATE FROM <u>10/1/2024</u> TO <u>10/15/2024</u>
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PROJECT OWNER: <b>CITY OF LAKE ELMO</b> <b>3800 LAVERNE AVENUE NORTH</b> <b>LAKE ELMO, MN 55042</b> <b>ATTN: JACK GRIFFIN, CITY ENGINEER</b>	CONTRACTOR: <b>PEARSON BROS, INC.</b> <b>11079 LAMONT AVE NE</b> <b>HANOVER, MN 55341</b> <b>ATTN: TODD BARTELS</b>
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CONTRACT CHANGE ORDER SUMMARY				PAY ESTIMATE SUMMARY	
No.	Approval Date	Amount			
		Additions	Deductions		
				1. Original Contract Amount	\$278,107.40
				2. Net Change Order Sum	\$0.00
				3. Revised Contract (1+2)	\$278,107.40
				4. *Work Completed	\$275,168.00
				5. *Stored Materials	\$0.00
				6. Subtotal (4+5)	\$275,168.00
				7. Retainage* <span style="color: red;">0.0%</span>	\$0.00
				8. Previous Payments	\$261,409.60
TOTALS		\$0.00	\$0.00	9. Amount Due (6-7-8)	<b>\$13,758.40</b>
NET CHANGE		\$0.00		*Detailed Breakdown Attached	

CONTRACT TIME					
START DATE: <u>9/5/2024</u>	ORIGINAL DAYS	<u>29</u>	ON SCHEDULE		
SUBSTANTIAL COMPLETION: _____	REVISED DAYS	<u>0</u>	YES	<input checked="" type="checkbox"/>	
FINAL COMPLETION: <u>10/4/2024</u>	REMAINING	<u>-11</u>	NO	<input type="checkbox"/>	

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>10/1/2024</u> _____ DATE
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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 <u>10/1/2024</u> _____ DATE
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APPROVED BY OWNER: <b>CITY OF LAKE ELMO, MINNESOTA</b>	
_____ BY	_____ BY
_____ DATE	_____ DATE

PARTIAL PAY ESTIMATE NO. 2 (FINAL)

2024 SEAL COAT PROJECT  
 CITY OF LAKE ELMO, MINNESOTA  
 PROJECT NO. 2024.108

**FOCUS** ENGINEERING, inc.

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
<b>BASE BID</b>									
1	BITUMINOUS SEAL COAT WITH 1/8" DRESSER TRAP ROCK AND CRS-2P EMULSIFIED ASPHALT	SY	177,040	\$1.56	\$276,182.40	0	\$0.00	175,300	\$273,468.00
2	PROTECT EXISTING PREFORMED THERMOPLASTIC PAVEMENT MARKING (TURN ARROW)	EA	11	\$175.00	\$1,925.00	0.00	\$0.00	8.00	\$1,400.00
3	PROTECT EXISTING THERMOPLASTIC PAVEMENT MARKING (CROSSWALK)	EA	1	\$300.00	\$300.00	0.00	\$0.00	1.00	\$300.00
<b>TOTALS - BASE CONTRACT</b>									
					\$278,407.40		\$0.00		\$275,168.00

**CERTIFICATE OF COMPLETION**

DATE OF ISSUANCE: OCTOBER 15, 2024

OWNER: CITY OF LAKE ELMO, MN

CONTRACTOR: PEARSON BROS, INC.

PROJECT NAME: 2024 SEAL COAT PROJECT

PROJECT NO.: 2024.108

- This Certification of Completion applies to all work under the Contract Documents
- This Certification of Completion applies to the following specified parts of the Contract Documents

I do hereby certify that the work to which this Certificate applies has been constructed in accordance with the Contract dated June 25th, 2024. The above-mentioned improvement is hereby declared to be complete and acceptance of this work is recommended.

DATE OF COMPLETION: October 15, 2024

Michael Rusenovich                      Reg. No. 58717

  
FOCUS Engineering, Inc.

THE WARRANTY PERIOD BEGINS October 15, 2024 AND ENDS October 15, 2025