



MAYOR & COUNCIL COMMUNICATION

DATE: May 17, 2016
CONSENT
ITEM # 17

AGENDA ITEM: 2016 Crack Seal Project – Pay Request No. 1 (FINAL)

SUBMITTED BY: Ryan Stempiski, Project Engineer

THROUGH: Kristina Handt, City Administrator

REVIEWED BY: Jack Griffin, City Engineer
Cathy Bendel, Finance Director

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: None. Final payment is proposed in accordance with the Contract for the project.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider approving Pay Request No. 1 for the 2016 Crack Seal Project.

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

The 2016 Crack Seal Project has been fully completed. The Project Engineer has prepared a Certificate of Completion and is recommending acceptance of the improvements and release of payment in full. The one year warranty period will begin on May 17, 2016, and will extend to May 17, 2017.

RECOMMENDATION:

Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, Pay Request No. 1 to Gopher State Sealcoat, Inc. in the amount of \$29,828.00 for the 2016 Crack Seal Project. If removed from the consent agenda, the recommended motion for the action is as follows:

“Move to approve Pay Request No. 1 to Gopher State Sealcoat, Inc. in the amount of \$29,828.00 for the 2016 Crack Seal Project”.

ATTACHMENT(S):

1. Engineer’s Certificate of Completion dated May 17, 2016.
2. Gopher State Sealcoat Invoice dated April 27, 2016.
3. Lien Waiver dated May 5, 2016.

CERTIFICATE OF COMPLETION

DATE OF ISSUANCE: May 17, 2016

OWNER:	<u>CITY OF LAKE ELMO, MN</u>
CONTRACTOR:	<u>GOPHER STATE SEALCOAT, INC.</u>
PROJECT NAME:	<u>2016 CRACK SEAL PROJECT</u>
PROJECT NO.:	<u>2016.119</u>

- ☒ 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

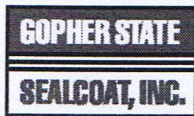
I do hereby certify that the work to which this Certificate applies has been constructed in accordance with the Contract dated April 19, 2016. The above-mentioned improvement is hereby declared to be complete and acceptance of this work is recommended.

DATE OF COMPLETION: May 17, 2016

Ryan Stempski Reg. No. 45395

FOCUS Engineering, Inc.

THE WARRANTY PERIOD BEGINS May 17, 2016 AND ENDS May 17, 2017



Invoice

12519 Rhode Island Avenue
Savage, MN 55378

Date	Invoice #
4/27/2016	15725

Bill To
City of Lake Elmo Attn: Ryan Stempki 3800 Laverne Avenue North Lake Elmo, MN 55042

Job Location
various streets Lake Elmo

P.O. No.	Terms	Due Date	Rep
	Net 10	5/7/2016	CAO

Description				Amount
Crack Sealing -- locations per maps provided				29,828.00

RECEIPT AND WAIVER OF MECHANICS' LIEN RIGHTS

Date: 5/5/16

The undersigned hereby acknowledges receipt of the sum of \$29828.00
CHECK ONLY ONE:

- ☐ as partial payment for labor, skill and material furnished
- ☐ as payment for all labor, skill and material furnished or to be furnished (except the sum of retainage for holdback)
- ☒ as full and final payment for all labor, skill and material furnished or to be furnished to the following real property (legal description, street address or project name):

City of Lake Elmo, MN

Various streets per map provided

Project No. 2016.119

And for value hereby waives all rights acquired by the undersigned to file or record mechanic's lien against said real property for labor, skill or material furnished to said real property (only for the amount paid if Box 1 is checked, and except for retainage shown if Box 2 is checked). The undersigned affirms that all material furnished by the undersigned has been paid for, and all subcontractors employed by the undersigned have been paid in full, EXCEPT: None.

Note: If this instrument is executed by a Corporation, it must be signed by an Officer, and if executed by a Partnership, it must be signed by a Partner.

GOPHER STATE SEALCOAT, INC.

By: Alison L. Blackonik
Alison L. Blackonik
Title: Corporate Secretary

Address: 12519 Rhode Island Avenue
Savage, MN 55378

***The lien waiver only becomes valid upon successful cashing of payment.**