



STAFF REPORT

DATE: July 19, 2022

CONSENT

AGENDA ITEM: Approve Pay Request No. 3 for the Whistling Valley Street and Utility Improvements

SUBMITTED BY: Mark Scholle, 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. 3 for the Whistling Valley Street and Utility Improvements?

BACKGROUND: Jacon, LLC was awarded a construction contract on January 4, 2022 to complete the Whistling Valley Street and Utility Improvements. Work remains in progress with a substantial completion date of October 14, 2022 and final completion date of November 25, 2022.

PROPOSAL DETAILS/ANALYSIS: Jacon, LLC has submitted Partial Pay Request No. 3 in the amount of \$498,694.02. 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 \$70,382.76.

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. 3 for the Whistling Valley Street and Utility Improvements. If removed from the consent agenda, the recommended motion for the action is as follows:

“Move to approve Pay Request No. 3 to Jacon, LLC in the amount of \$498,694.02 for Whistling Valley Street and Utility Improvements”.

ATTACHMENTS:

1. Partial Pay Estimate No. 3.

PROJECT PAY FORM

PARTIAL PAY ESTIMATE NO. <u>3</u>				<div style="font-size: 24px; font-weight: bold; margin: 0;">FOCUS</div> <div style="font-weight: bold; margin: 0;">ENGINEERING, inc.</div>	
WHISTLING VALLEY UTILITY AND STREET IMPROVEMENTS PROJECT NO. 2020.123				PERIOD OF ESTIMATE FROM <u>6/1/2022</u> TO <u>6/30/2022</u>	
PROJECT OWNER: CITY OF LAKE ELMO 3800 LAVERNE AVENUE NORTH LAKE ELMO, MN 55042 ATTN: JACK GRIFFIN, CITY ENGINEER				CONTRACTOR: JACON, LLC 3900 LABORE ROAD VADNAIS HEIGHTS, MN 55110 ATTN: JOHN DRESHAR	
CONTRACT CHANGE ORDER SUMMARY				PAY ESTIMATE SUMMARY	
No.	Approval Date	Amount			
		Additions	Deductions		
CO-1	3/15/2022	\$141,959.85		1. Original Contract Amount	\$2,270,606.45
CO-2	6/7/2022	\$16,066.21		2. Net Change Order Sum	\$158,026.06
				3. Revised Contract (1+2)	\$2,428,632.51
				4. *Work Completed	\$1,407,655.16
				5. *Stored Materials	\$0.00
				6. Subtotal (4+5)	\$1,407,655.16
				7. Retainage* 5.0%	\$70,382.76
				8. Previous Payments	\$838,578.38
TOTALS		\$158,026.06	\$0.00	9. Amount Due (6-7-8)	\$498,694.02
NET CHANGE		\$158,026.06		*Detailed Breakdown Attached	
CONTRACT TIME					
START DATE: <u>4/18/2022</u>		ORIGINAL DAYS <u>221</u>		ON SCHEDULE	
SUBSTANTIAL COMPLETION: <u>10/14/2022</u>		REVISED DAYS <u>0</u>		YES <input checked="" type="checkbox"/>	
FINAL COMPLETION: <u>11/25/2022</u>		REMAINING <u>148</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. <div style="text-align: center; margin-top: 10px;"> _____ ENGINEER </div> <div style="text-align: center; margin-top: 10px;"> <u>7/11/2022</u> DATE </div>	
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 _____ DATE _____	
APPROVED BY OWNER: CITY OF LAKE ELMO, MINNESOTA					
BY _____			BY _____		
DATE _____			DATE _____		

WHISTLING VALLEY UTILITY AND STREET IMPROVEMENTS
CITY OF LAKE ELMO, MINNESOTA
PROJECT NO. 2020.123



ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
1	MOBILIZATION**	LUMP SUM	1	\$122,784.30	\$122,784.30	0.00	\$0.00	1.00	\$122,784.30
2	CLEARING AND GRUBBING**	ACRE	1	\$12,012.90	\$12,012.90	0.11	\$1,321.42	0.11	\$1,321.42
3	REMOVE CONCRETE CURB AND GUTTER	LIN FT	4679	\$5.43	\$25,406.97	261.00	\$1,417.23	1,853.00	\$10,061.79
4	REMOVE CONCRETE DRIVEWAY PAVEMENT	SQ YD	13	\$31.05	\$403.65	0.00	\$0.00	0.00	\$0.00
5	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	SQ YD	30	\$10.35	\$310.50	22.00	\$227.70	22.00	\$227.70
6	SALVAGE AND REINSTALL DRIVEWAY PAVERS	SQ YD	34	\$190.00	\$6,460.00	0.00	\$0.00	0.00	\$0.00
7	SAWING PAVEMENT (FULL DEPTH)	LIN FT	670	\$5.00	\$3,350.00	0.00	\$0.00	636.00	\$3,180.00
8	REMOVE SEWER PIPE (STORM)	SQ YD	55	\$35.00	\$1,925.00	50.00	\$1,750.00	50.00	\$1,750.00
9	REMOVE BITUMINOUS PAVEMENT (P)**	SQ YD	23218	\$5.00	\$116,090.00	0.00	\$0.00	12,000.00	\$60,000.00
10	REMOVE BITUMINOUS WALK	SQ YD	200	\$10.35	\$2,070.00	114.00	\$1,179.90	144.00	\$1,490.40
11	REMOVE SIGN	EACH	19	\$45.00	\$855.00	0.00	\$0.00	0.00	\$0.00
12	SALVAGE AND REINSTALL MAIL BOX ASSEMBLY**	EACH	37	\$341.89	\$12,649.93	0.00	\$0.00	10.00	\$3,418.90
13	ADJUST CASTING	EACH	46	\$200.00	\$9,200.00	0.00	\$0.00	0.00	\$0.00
14	ADJUST CATCH BASIN	EACH	18	\$150.00	\$2,700.00	10.00	\$1,500.00	20.00	\$3,000.00
15	REMOVE CASTING	EACH	12	\$50.00	\$600.00	0.00	\$0.00	0.00	\$0.00
16	GEOTEXTILE FABRIC, TYPE V	CU YD	10448	\$0.79	\$8,253.92	693.00	\$547.47	693.00	\$547.47
17	GEOGRID	SQ FT	824	\$7.32	\$6,031.68	0.00	\$0.00	0.00	\$0.00
18	AGGREGATE BASE CL 6 (CV)(P)**	CU YD	4890	\$31.20	\$152,568.00	933.00	\$29,109.60	2,495.00	\$77,844.00
19	COMMON EXCAVATION (P)**	CU YD	3869	\$20.30	\$78,540.70	120.00	\$2,436.00	2,220.00	\$45,066.00
20	STREET SWEEPING	HOURL	40	\$120.00	\$4,800.00	10.00	\$1,200.00	29.00	\$3,480.00
21	TYPE SP 9.5 WEARING COURSE MIX (2,C)	TON	2210	\$90.00	\$198,900.00	0.00	\$0.00	0.00	\$0.00
22	TYPE SP 12.5 WEARING COURSE MIXTURE (2,C)	TON	2945	\$83.00	\$244,435.00	1,088.00	\$90,304.00	1,088.00	\$90,304.00
23	TYPE SP 9.5 WEARING COURSE MIX (2,B) (DRIVEWAYS & TRAIL)	TON	200	\$156.00	\$31,200.00	0.00	\$0.00	0.00	\$0.00
24	BITUMINOUS MATERIAL FOR TACK COAT	GAL	1628	\$2.00	\$3,256.00	0.00	\$0.00	0.00	\$0.00
25	4" PVC SCHEDULE 40 PERF PE PIPE DRAIN W/ BACKFILL AND WRAP	LIN FT	1458	\$14.00	\$20,412.00	294.00	\$4,116.00	294.00	\$4,116.00
26	DRAINTILE CLEANOUT	EACH	14	\$250.00	\$3,500.00	3.00	\$750.00	3.00	\$750.00
27	12" HDPE STORM SEWER PIPE	LIN FT	55	\$21.00	\$1,155.00	40.00	\$840.00	40.00	\$840.00
28	12" FLARED END SECTION	EACH	1	\$420.00	\$420.00	1.00	\$420.00	1.00	\$420.00
29	6" CONCRETE HEADWALL	EACH	1	\$12,300.00	\$12,300.00	0.00	\$0.00	0.00	\$0.00
30	CONCRETE FLUME	EACH	2	\$1,500.00	\$3,000.00	0.00	\$0.00	0.00	\$0.00
31	FURNISH AND INSTALL CASTING ASSEMBLY R-3067-V	EACH	18	\$675.00	\$12,150.00	0.00	\$0.00	0.00	\$0.00
32	CONNECT DRAINTILE TO EXISTING STORM STRUCTURE	EACH	14	\$500.00	\$7,000.00	3.00	\$1,500.00	3.00	\$1,500.00
33	CONNECT TO EXISTING WATERMAIN	EACH	2	\$4,025.00	\$8,050.00	1.00	\$4,025.00	2.00	\$8,050.00
34	HYDRANT AND GATE VALVE ASSEMBLY	EACH	12	\$7,500.00	\$90,000.00	6.00	\$45,000.00	12.00	\$90,000.00
35	10" HDPE TO 8" DIP TRANSITION FITTING	EACH	71	\$770.00	\$54,670.00	20.00	\$15,400.00	44.00	\$33,880.00
36	1.5" CURB STOP & BOX	EACH	37	\$485.00	\$17,945.00	12.00	\$5,820.00	25.00	\$12,125.00
37	1.5" CORPORATION STOP	EACH	37	\$550.00	\$20,350.00	12.00	\$6,600.00	25.00	\$13,750.00
38	1.5" TYPE K COPPER PIPE	LIN FT	1189	\$36.60	\$43,517.40	318.00	\$11,638.80	840.00	\$30,744.00
39	8" GATE VALVE AND BOX	EACH	11	\$3,283.15	\$36,114.65	2.00	\$6,566.30	11.00	\$36,114.65
40	6" WATERMAIN DUCTILE IRON CL 52	LIN FT	112	\$116.70	\$13,070.40	42.00	\$4,901.40	85.00	\$9,919.50
41	8" WATERMAIN DUCTILE IRON CL 52	LIN FT	816	\$81.00	\$66,096.00	232.00	\$18,792.00	485.00	\$39,285.00
42	10" HDPE DR 11 WATERMAIN (DIRECTIONAL DRILLING) W/ 4700 LB TRACER WIRE**	LIN FT	6691	\$71.25	\$476,733.75	1,696.00	\$120,840.00	6,993.00	\$498,251.25
43	4" INSULATION	SQ YD	56	\$34.00	\$1,904.00	20.00	\$680.00	20.00	\$680.00
44	DUCTILE IRON FITTINGS	LB	3040	\$6.83	\$20,763.20	1,526.00	\$10,422.58	3,026.00	\$20,667.58
45	CONCRETE CURB AND GUTTER DESIGN D412	LIN FT	3849	\$30.36	\$116,855.64	1,296.00	\$39,346.56	1,853.00	\$56,257.08
46	CONCRETE CURB AND GUTTER DESIGN B618	LIN FT	1310	\$30.80	\$40,348.00	417.00	\$12,843.60	417.00	\$12,843.60
47	24" CONCRETE RIBBON CURB	LIN FT	5284	\$13.86	\$73,236.24	3,700.00	\$51,282.00	3,700.00	\$51,282.00
48	6" CONCRETE DRIVEWAY PAVEMENT	SQ YD	13	\$110.00	\$1,430.00	0.00	\$0.00	0.00	\$0.00
49	INSTALL CONCRETE PEDESTRIAN RAMP	EACH	19	\$2,079.00	\$39,501.00	10.00	\$20,790.00	10.00	\$20,790.00
50	TRAFFIC CONTROL	LUMP SUM	1	\$6,500.00	\$6,500.00	0.00	\$0.00	0.50	\$3,250.00
51	SIGN PANELS TYPE C	SQ FT	63.31	\$130.00	\$8,230.30	0.00	\$0.00	0.00	\$0.00
52	SIGN PANELS TYPE SPECIAL (STREET NAME SIGN)	EACH	10	\$340.00	\$3,400.00	0.00	\$0.00	0.00	\$0.00
53	SILT FENCE PREASSEMBLED	LIN FT	1000	\$3.00	\$3,000.00	0.00	\$0.00	0.00	\$0.00
54	STORM DRAIN INLET PROTECTION	EACH	34	\$220.00	\$7,480.00	0.00	\$0.00	15.00	\$3,300.00
55	COMMON TOPSOIL BORROW PULVERIZED (LV)	CU YD	678	\$40.25	\$27,289.50	0.00	\$0.00	0.00	\$0.00
56	SODDING TYPE MINERAL**	SQ YD	6401	\$11.67	\$74,699.67	0.00	\$0.00	0.00	\$0.00
57	SEEDING (SEED MIXTURE TYPE 25-141)	ACRE	0.5	\$4,500.00	\$2,250.00	0.00	\$0.00	0.00	\$0.00
58	EROSION CONTROL BLANKETS CATEGORY 3N	SQ YD	2505	\$2.60	\$6,513.00	0.00	\$0.00	0.00	\$0.00
59	CLASS 3 RIP-RAP WITH GEOTEXTILE FABRIC	CY YD	50	\$149.50	\$7,475.00	3.00	\$448.50	3.00	\$448.50
60	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EACH	2	\$1,750.00	\$3,500.00	0.00	\$0.00	1.00	\$1,750.00
61	SEDIMENT CONTROL LOG	LIN FT	12301	\$3.00	\$36,903.00	0.00	\$0.00	7,080.00	\$21,240.00
			\$2,412,566.30			\$514,016.06		\$1,396,730.14	

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
NOTE: ** PREVAILING WAGE COSTS INCLUDED IN UNIT PRICE PER CHANGE ORDER NO.1			Orig. Contract Amount		\$2,270,606.45				
CO-1	See note above and Change Order-1 for detail				\$141,959.85				
TOTALS - BASE CONTRACT					\$2,412,566.30		\$514,016.06		\$1,396,730.14
CHANGE ORDER NO. 2									
CO2-1	ADD TRACER WIRE FOR ALL PROJECT SERVICES AND HYDRANTS	LS	1	\$16,066.21	\$16,066.21	0.68	\$10,925.02	0.68	\$10,925.02
SUBTOTAL - CHANGE ORDER NO. 2			\$16,066.21			\$10,925.02		\$10,925.02	
TOTALS - REVISED CONTRACT					\$2,428,632.51		\$524,941.08		\$1,407,655.16