



## STAFF REPORT

DATE: July 19, 2022

### **CONSENT**

**AGENDA ITEM:** Approve Pay Request No. 1 for the Torre Pines 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

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**ISSUE BEFORE COUNCIL:** Should the City Council approve Pay Request No. 1 for the Torre Pines Street and Utility Improvements?

**BACKGROUND:** Jacon, LLC was awarded a construction contract on January 4, 2022 to complete the Torre Pines Street and Utility Improvements. Work remains in progress with a substantial completion date of September 2, 2022 and final completion date of October 14, 2022.

**PROPOSAL DETAILS/ANALYSIS:** Jacon, LLC has submitted Partial Pay Request No. 1 in the amount of \$365,238.31. 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 \$19,233.07.

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

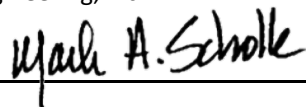
**RECOMMENDATION:** Staff is recommending that the City Council approve, *as part of the Consent Agenda*, Pay Request No. 1 for the Torre Pines Street and Utility Improvements. If removed from the consent agenda, the recommended motion for the action is as follows:

***“Move to approve Pay Request No. 1 to Jacon, LLC in the amount of \$365,238.31 for Torre Pines Street and Utility Improvements”.***

### **ATTACHMENTS:**

1. Partial Pay Estimate No. 1.

# PROJECT PAY FORM

|  |               |           |                          |  |   |
|--|---------------|-----------|--------------------------|--|---|
| PARTIAL PAY ESTIMATE NO. <u>1</u>  |               |           |                          | <b>FOCUS</b> ENGINEERING, inc.   |   |
| TORRE PINES STREET AND UTILITY IMPROVEMENTS<br>PROJECT NO. 2020.122  |               |           |                          | PERIOD OF ESTIMATE<br>FROM <u>6/1/2022</u> TO <u>6/30/2022</u>   |   |
| PROJECT OWNER:<br><b>CITY OF LAKE ELMO</b><br><b>3800 LAVERNE AVENUE NORTH</b><br><b>LAKE ELMO, MN 55042</b><br><b>ATTN: JACK GRIFFIN, CITY ENGINEER</b>   |               |           |                          | CONTRACTOR:<br><b>JACON, LLC</b><br><b>3900 Labore Road</b><br><b>Vadnais Heights, MN 55110</b><br><b>ATTN: Dwight Johnson</b> |   |
| CONTRACT CHANGE ORDER SUMMARY  |               |           |                          | PAY ESTIMATE SUMMARY   |   |
| No.  | Approval Date | Amount    |                          |  |   |
|  |               | Additions | Deductions               |  |   |
|  |               |           | \$0.00                   | 1. Original Contract Amount  | \$1,344,107.16  |
|  |               |           |                          | 2. Net Change Order Sum  | \$0.00  |
|  |               |           |                          | 3. Revised Contract (1+2)  | \$1,344,107.16  |
|  |               |           |                          | 4. *Work Completed   | \$384,461.38  |
|  |               |           |                          | 5. *Stored Materials   | \$0.00  |
|  |               |           |                          | 6. Subtotal (4+5)  | \$384,461.38  |
|  |               |           |                          | 7. Retainage* <u>5.0%</u>  | \$19,223.07   |
|  |               |           |                          | 8. Previous Payments   | \$0.00  |
| TOTALS   |               | \$0.00    | \$0.00                   | 9. Amount Due (6-7-8)  | <b>\$365,238.31</b>   |
| NET CHANGE   |               | \$0.00    |                          | *Detailed Breakdown Attached   |   |
| CONTRACT TIME  |               |           |                          |  |   |
| START DATE: <u>6/1/2022</u>  |               |           | ORIGINAL DAYS <u>135</u> |  | ON SCHEDULE<br>YES <input checked="" type="checkbox"/><br>NO <input type="checkbox"/> |
| SUBSTANTIAL COMPLETION: <u>9/2/2022</u>  |               |           | REVISED DAYS <u>0</u>    |  |   |
| FINAL COMPLETION: <u>10/14/2022</u>  |               |           | REMAINING <u>106</u>     |  |   |
| <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><b>ENGINEER'S CERTIFICATION:</b></p> <p>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.</p> </div> <div style="width: 50%;"> <p>FOCUS Engineering, inc.</p> <div style="text-align: center;"> <br/>             _____<br/>             ENGINEER           </div> <div style="text-align: center;">             _____<br/>             DATE           </div> </div> </div>   |               |           |                          |  |   |
| <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><b>CONTRACTOR'S CERTIFICATION:</b></p> <p>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.</p> </div> <div style="width: 50%;"> <p>CONTRACTOR</p> <div style="text-align: center;">             _____<br/>             BY           </div> <div style="text-align: center;">             _____<br/>             DATE           </div> </div> </div> |               |           |                          |  |   |
| <p>APPROVED BY OWNER: <b>CITY OF LAKE ELMO, MINNESOTA</b></p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>_____</p> <p>BY</p> <p>_____</p> <p>DATE</p> </div> <div style="width: 45%;"> <p>_____</p> <p>BY</p> <p>_____</p> <p>DATE</p> </div> </div>  |               |           |                          |  |   |

PARTIAL PAY ESTIMATE NO. 1

TORRE PINES STREET AND UTILITY IMPROVEMENTS  
CITY OF LAKE ELMO, MINNESOTA  
PROJECT NO. 2020.122

**FOCUS** ENGINEERING, inc.

| ITEM              | DESCRIPTION OF PAY ITEM                                  | UNIT | CONTRACT |             |                | THIS PERIOD  |              | TOTAL TO DATE |              |
|-------------------|--|------|----------|-------------|----------------|--------------|--------------|---------------|--------------|
|                   |  |      | QUANTITY | UNIT PRICE  | AMOUNT         | QUANTITY     | AMOUNT       | QUANTITY      | AMOUNT       |
| BASE BID          |  |      |          |             |                |              |              |               |              |
| 1                 | INLET PROTECTION   | EA   | 20       | \$250.00    | \$5,000.00     | 10.00        | \$2,500.00   | 10.00         | \$2,500.00   |
| 2                 | SILT FENCE, MACHINE SLICED                               | LF   | 1,785    | \$3.00      | \$5,355.00     | 47.00        | \$141.00     | 47.00         | \$141.00     |
| 3                 | SEDIMENT CONTROL LOG, TYPE WOOD FIBER                    | LF   | 80       | \$3.00      | \$240.00       | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 4                 | TEMPORARY MAILBOX  | EA   | 23       | \$200.00    | \$4,600.00     | 11.00        | \$2,200.00   | 11.00         | \$2,200.00   |
| 5                 | CLEARING   | EA   | 34       | \$253.68    | \$8,625.12     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 6                 | GRUBBING   | EA   | 34       | \$253.68    | \$8,625.12     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 7                 | CLEAR BRUSH  | SY   | 600      | \$19.17     | \$11,502.00    | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 8                 | DITCH GRADING (AT FLARED END)                            | EA   | 4        | \$500.00    | \$2,000.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 9                 | DITCH GRADING  | LF   | 40       | \$120.00    | \$4,800.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 10                | 16" X 8" WET TAP, INCL 8" GATE VALVE & BOX               | EA   | 1        | \$577.31    | \$577.31       | 1.00         | \$577.31     | 1.00          | \$577.31     |
| 11                | HYDRANT  | EA   | 9        | \$6,129.00  | \$55,161.00    | 5.00         | \$30,645.00  | 5.00          | \$30,645.00  |
| 12                | HYDRANT EXTENSION  | LF   | 5        | \$1,528.00  | \$7,640.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 13                | CONCRETE HYDRANT SPLASH PAD                              | SF   | 90       | \$23.00     | \$2,070.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 14                | 6" GATE VALVE AND BOX                                    | EA   | 9        | \$2,128.00  | \$19,152.00    | 5.00         | \$10,640.00  | 5.00          | \$10,640.00  |
| 15                | 8" GATE VALVE AND BOX                                    | EA   | 7        | \$2,785.00  | \$19,495.00    | 6.00         | \$16,710.00  | 6.00          | \$16,710.00  |
| 16                | VALVE BOX EXTENSION                                      | LF   | 16       | \$92.00     | \$1,472.00     | 5.00         | \$460.00     | 5.00          | \$460.00     |
| 17                | 1.5" CORPORATION STOP W/ SADDLE                          | EA   | 23       | \$674.00    | \$15,502.00    | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 18                | 2" CORPORATION STOP                                      | EA   | 1        | \$633.00    | \$633.00       | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 19                | 1.5" CURB STOP & BOX                                     | EA   | 23       | \$682.00    | \$15,686.00    | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 20                | 2" CURB STOP & BOX                                       | EA   | 1        | \$868.00    | \$868.00       | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 21                | 1.5" TYPE "K" COPPER WATER SERVICE                       | LF   | 850      | \$26.04     | \$22,134.00    | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 22                | 2" TYPE "K" COPPER WATER SERVICE                         | LF   | 11       | \$126.70    | \$1,393.70     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 23                | 4" DIP, CL. 52 WATERMAIN, INCL POLY WRAP                 | LF   | 12       | \$134.00    | \$1,608.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 24                | 6" DIP, CL. 52 WATERMAIN, INCL POLY WRAP                 | LF   | 150      | \$65.00     | \$9,750.00     | 75.00        | \$4,875.00   | 75.00         | \$4,875.00   |
| 25                | 10" HDPE WATERMAIN, DIRECTIONAL DRILL                    | LF   | 4,400    | \$63.75     | \$280,500.00   | 4,158.00     | \$265,072.50 | 4,158.00      | \$265,072.50 |
| 26                | DUCTILE IRON FITTINGS                                    | LB   | 2,100    | \$4.28      | \$8,988.00     | 1,349.00     | \$5,773.72   | 1,349.00      | \$5,773.72   |
| 27                | 10" HDPE TO 8" DIP TRANSITION FITTINGS                   | EA   | 34       | \$1,417.00  | \$48,178.00    | 20.00        | \$28,340.00  | 20.00         | \$28,340.00  |
| 28                | 4" INSULATION  | SF   | 100      | \$9.98      | \$998.00       | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 29                | REMOVE AND DISPOSE OF EXISTING STORM SEWER PIPE          | LF   | 35       | \$44.36     | \$1,552.60     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 30                | REMOVE AND DISPOSE OF EXISTING STORM SEWER STRUCTURE     | EA   | 1        | \$1,725.00  | \$1,725.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 31                | CONNECT TO EXISTING STORM SEWER PIPE                     | EA   | 3        | \$1,600.00  | \$4,800.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 32                | 12" RCP STORM SEWER, CL 5                                | LF   | 24       | \$195.00    | \$4,680.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 33                | 15" RCP STORM SEWER, CL 5                                | LF   | 7        | \$250.00    | \$1,750.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 34                | SALVAGE & REINSTALL 12" RCP FLARED END SECTION           | EA   | 1        | \$750.00    | \$750.00       | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 35                | SALVAGE & REINSTALL 18" RCP STORM SEWER                  | LS   | 1        | \$4,200.00  | \$4,200.00     | 1.00         | \$4,200.00   | 1.00          | \$4,200.00   |
| 36                | 6' DIA CBMH WITH CASTING PER DETAIL 406                  | EA   | 1        | \$11,500.00 | \$11,500.00    | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 37                | SALVAGE AND REINSTALL CASTING WITH NEW RINGS             | EA   | 18       | \$683.31    | \$12,299.58    | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 38                | PATCH DOGHOUSES  | EA   | 5        | \$575.00    | \$2,875.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 39                | PATCH INVERT   | EA   | 7        | \$657.14    | \$4,599.98     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 40                | JET AND CLEAN STORM PIPE                                 | LF   | 500      | \$17.48     | \$8,740.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 41                | RANDOM RIPRAP CL III WITH FABRIC                         | CY   | 40       | \$150.00    | \$6,000.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 42                | REMOVE AND DISPOSE OF BITUMINOUS PAVEMENT                | SY   | 13,200   | \$10.16     | \$134,112.00   | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 43                | COMMON EXCAVATION (EV) (P)                               | CY   | 2,200    | \$22.41     | \$49,302.00    | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 44                | SUBGRADE EXCAVATION                                      | CY   | 800      | \$11.00     | \$8,800.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 45                | GRANULAR BORROW (CV)                                     | CY   | 800      | \$23.00     | \$18,400.00    | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 46                | AGGREGATE BASE, CLASS 6 (CV)                             | CY   | 2,550    | \$20.00     | \$51,000.00    | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 47                | TYPE SP 9.5 BITUMINOUS WEARING COURSE MIXTURE (2,C)      | TN   | 1,310    | \$96.85     | \$126,873.50   | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 48                | TYPE SP 12.5 BITUMINOUS NON WEARING COURSE MIXTURE (2,C) | TN   | 1,750    | \$101.74    | \$178,045.00   | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 49                | BITUMINOUS MATERIAL FOR TACK COAT                        | GAL  | 970      | \$2.00      | \$1,940.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 50                | CONCRETE APPROACH NOSE                                   | EA   | 3        | \$690.00    | \$2,070.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 51                | REMOVE SIGNS & POST                                      | EA   | 7        | \$51.75     | \$362.25       | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 52                | SALVAGE AND REINSTALL SIGN PANEL                         | EA   | 1        | \$189.75    | \$189.75       | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 53                | SIGN PANELS TYPE C                                       | SF   | 56       | \$69.00     | \$3,864.00     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 54                | STREET NAME BLADE SIGN (2 BLADES)                        | EA   | 2        | \$201.25    | \$402.50       | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 55                | STREET NAME BLADE SIGN (2 BLADES), INCLUDING POST        | EA   | 1        | \$402.50    | \$402.50       | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 56                | STREET NAME BLADE SIGN (3 BLADES)                        | EA   | 1        | \$322.00    | \$322.00       | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 57                | SEED MIXTURE 35-241 & EROSION CONTROL BLANKET            | SY   | 810      | \$2.85      | \$2,308.50     | 0.00         | \$0.00       | 0.00          | \$0.00       |
| 58                | STREET SWEEPER WITH PICK UP BROOM                        | HR   | 20       | \$150.00    | \$3,000.00     | 7.00         | \$1,050.00   | 7.00          | \$1,050.00   |
| SUBTOTAL BASE BID |  |      |          |             | \$1,209,419.41 | \$373,184.53 |              | \$373,184.53  |              |

| ITEM | DESCRIPTION OF PAY ITEM                                    | UNIT | CONTRACT |            |                     | THIS PERIOD |                    | TOTAL TO DATE |                    |
|------|--|------|----------|------------|---------------------|-------------|--------------------|---------------|--------------------|
|      |  |      | QUANTITY | UNIT PRICE | AMOUNT              | QUANTITY    | AMOUNT             | QUANTITY      | AMOUNT             |
|      | <b>BID ALTERNATE 2 - SPOT CURB REPLACEMENT</b>             |      |          |            |                     |             |                    |               |                    |
| 74   | MOBILIZATION   | LS   | 1        | \$9,000.00 | \$9,000.00          | 1.00        | \$9,000.00         | 1.00          | \$9,000.00         |
| 75   | TRAFFIC CONTROL  | LS   | 1        | \$5,117.50 | \$5,117.50          | 0.30        | \$1,535.25         | 0.30          | \$1,535.25         |
| 76   | SAWCUT BITUMINOUS PAVEMENT                                 | LF   | 225      | \$5.00     | \$1,125.00          | 0.00        | \$0.00             | 0.00          | \$0.00             |
| 77   | SAWCUT CONCRETE PAVEMENT                                   | LF   | 50       | \$8.00     | \$400.00            | 0.00        | \$0.00             | 0.00          | \$0.00             |
| 78   | REMOVE AND DISPOSE OF BITUMINOUS PAVEMENT (DRIVEWAY)       | SY   | 80       | \$10.35    | \$828.00            | 0.00        | \$0.00             | 0.00          | \$0.00             |
| 79   | REMOVE AND DISPOSE OF CONCRETE PAVEMENT (DRIVEWAY)         | SY   | 35       | \$32.00    | \$1,120.00          | 0.00        | \$0.00             | 0.00          | \$0.00             |
| 80   | REMOVE AND DISPOSE OF CONCRETE CURB & GUTTER - SPOT REPAIR | LF   | 2,000    | \$6.18     | \$12,360.00         | 120.00      | \$741.60           | 120.00        | \$741.60           |
| 81   | BITUMINOUS DRIVEWAY PAVEMENT                               | SY   | 80       | \$75.90    | \$6,072.00          | 0.00        | \$0.00             | 0.00          | \$0.00             |
| 82   | 6" CONCRETE DRIVEWAY PAVEMENT                              | SY   | 35       | \$113.85   | \$3,984.75          | 0.00        | \$0.00             | 0.00          | \$0.00             |
| 83   | B618 CONCRETE CURB & GUTTER - SPOT REPAIR                  | LF   | 2,000    | \$32.49    | \$64,980.00         | 0.00        | \$0.00             | 0.00          | \$0.00             |
| 84   | TOPSOIL BORROW (LV)  | CY   | 300      | \$30.00    | \$9,000.00          | 0.00        | \$0.00             | 0.00          | \$0.00             |
| 85   | SEED MIXTURE 25-131 & HYDRAULIC MULCH                      | SY   | 150      | \$7.67     | \$1,150.50          | 0.00        | \$0.00             | 0.00          | \$0.00             |
| 86   | SODDING, TYPE LAWN   | SY   | 1,700    | \$11.50    | \$19,550.00         | 0.00        | \$0.00             | 0.00          | \$0.00             |
|      | <b>SUBTOTAL BID ALTERNATE 2</b>                            |      |          |            | <b>\$134,687.75</b> |             | <b>\$11,276.85</b> |               | <b>\$11,276.85</b> |

TOTALS - BASE CONTRACT

\$1,344,107.16

\$384,461.38

\$384,461.38