



## STAFF REPORT

DATE: March 21, 2023  
**CONSENT**

**AGENDA ITEM:** Approve Pay Request No. 8 for the Water Tower No. 3 Project

**SUBMITTED BY:** Chad Isakson, 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. 8 for the Water Tower No. 3 project?

**BACKGROUND:** Phoenix Fabricators & Erectors, LLC was awarded a construction contract on January 18, 2022 for the construction of Water Tower No. 3. Work remains in progress and is on schedule. The contract requires a milestone 1 completion date of November 18, 2022, milestone 2 completion date of March 31, 2023, milestone 3 completion date of July 28, 2023, substantial completion date of October 13, 2023 and final completion date of November 17, 2023.

**PROPOSAL DETAILS/ANALYSIS:** Phoenix Fabricators & Erectors, LLC has submitted Partial Pay Request No. 8 in the amount of \$288,131.73. 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 \$102,083.80.

**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. 8 for the Water Tower No. 3 project. If removed from the consent agenda, the recommended motion for the action is as follows:

***“Move to approve Pay Request No. 8 to Phoenix Fabricators & Erectors, LLC. in the amount of \$288,131.73 for the Water Tower No. 3 project”.***

**ATTACHMENTS:**

1. Partial Pay Estimate No. 8.

**PROJECT PAY FORM**

PARTIAL PAY ESTIMATE NO. <u>8</u>	<b>FOCUS</b> ENGINEERING, inc.
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WATER TOWER NO. 3 PROJECT NO. 2020.118 PFE#3878	PERIOD OF ESTIMATE FROM <u>1/1/2023</u> TO <u>2/28/2023</u>
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PROJECT OWNER: CITY OF LAKE ELMO 3800 LAVERNE AVENUE NORTH LAKE ELMO, MN 55042 ATTN: JACK GRIFFIN, CITY ENGINEER	CONTRACTOR: PHOENIX FABRICATORS & ERECTORS, LLC 182 SOUTH CR 900 EAST AVON, IN 46123 ATTN: FIRST LASTNAME, PROJECT ROLE
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CONTRACT CHANGE ORDER SUMMARY				PAY ESTIMATE SUMMARY	
No.	Approval Date	Amount			
		Additions	Deductions		
			\$0.00	1. Original Contract Amount	\$3,493,000.00
				2. Net Change Order Sum	\$0.00
				3. Revised Contract (1+2)	\$3,493,000.00
				4. *Work Completed	\$2,041,676.00
				5. *Stored Materials	\$0.00
				6. Subtotal (4+5)	\$2,041,676.00
				7. Retainage* <b>5.0%</b>	\$102,083.80
				8. Previous Payments	\$1,651,460.47
TOTALS		\$0.00	\$0.00	9. Amount Due (6-7-8)	<b>\$288,131.73</b>
NET CHANGE		\$0.00		*Detailed Breakdown Attached	

CONTRACT TIME					
START DATE:	<u>3/16/2022</u>	ORIGINAL DAYS	<u>611</u>	ON SCHEDULE	
SUBSTANTIAL COMPLETION:	<u>10/13/2023</u>	REVISED DAYS	<u>0</u>	YES	<input checked="" type="checkbox"/>
FINAL COMPLETION:	<u>11/17/2023</u>	REMAINING	<u>262</u>	NO	<input type="checkbox"/>

<p><b>ENGINEER'S CERTIFICATION:</b> 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>	<p>FOCUS Engineering, inc.  ENGINEER <u>3/1/2023</u> DATE</p>
<p><b>CONTRACTOR'S CERTIFICATION:</b> 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>	<p>CONTRACTOR  BY Noelle Crosby, Billing &amp; Collections Manager <u>2/28/2023</u> DATE</p>

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

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	SITE GRADING	LS	1.00	\$18,000.00	\$18,000.00	0.00	\$0.00	0.75	\$13,500.00
2	ROCK CONSTRUCTION ENTRANCE	EACH	1.00	\$3,400.00	\$3,400.00	0.00	\$0.00	1.00	\$3,400.00
3	TRAFFIC CONTROL	LS	1.00	\$12,000.00	\$12,000.00	0.00	\$0.00	1.00	\$12,000.00
4	SUBGRADE EXCAVATION	CY	175.00	\$14.00	\$2,450.00	0.00	\$0.00	175.00	\$2,450.00
5	GEOTEXTILE FABRIC TYPE V	SY	200.00	\$17.50	\$3,500.00	0.00	\$0.00	200.00	\$3,500.00
6	ORGANIC TOPSOIL BORROW	CY	175.00	\$35.00	\$6,125.00	0.00	\$0.00	0.00	\$0.00
7	SELECT GRANULAR BORROW	CY	200.00	\$29.00	\$5,800.00	0.00	\$0.00	200.00	\$5,800.00
8	AGGREGATE BASE, CLASS 1 (MODIFIED)	CY	8.00	\$45.00	\$360.00	0.00	\$0.00	0.00	\$0.00
9	AGGREGATE BASE, CLASS 6 (CV) (P)	CY	375.00	\$65.00	\$24,375.00	0.00	\$0.00	275.00	\$17,875.00
10	TYPE SP 9.5 WEARING COURSE MIX (3,C)	TON	80.00	\$130.00	\$10,400.00	0.00	\$0.00	0.00	\$0.00
11	BIT. MATERIAL FOR TACK COAT	GAL	35.00	\$30.00	\$1,050.00	0.00	\$0.00	0.00	\$0.00
12	5" CONCRETE SIDEWALK	SF	202.00	\$20.00	\$4,040.00	0.00	\$0.00	0.00	\$0.00
13	8" CONCRETE SIDEWALK	SF	240.00	\$45.00	\$10,800.00	0.00	\$0.00	0.00	\$0.00
14	CONNECT TO EXISTING WATER MAIN	EACH	1.00	\$1,900.00	\$1,900.00	0.00	\$0.00	1.00	\$1,900.00
15	6" DIP WATER MAIN PIPE, CL. 52 (POLY ENCASED)	LF	17.00	\$55.00	\$935.00	0.00	\$0.00	0.00	\$0.00
16	16" DIP WATER MAIN PIPE, CL. 52 (POLY ENCASED)	LF	78.00	\$140.00	\$10,920.00	0.00	\$0.00	84.00	\$11,760.00
17	6" GATE VALVE & BOX	EACH	1.00	\$2,500.00	\$2,500.00	0.00	\$0.00	0.75	\$1,875.00
18	HYDRANT	EACH	1.00	\$6,000.00	\$6,000.00	0.00	\$0.00	0.75	\$4,500.00
19	DUCTILE IRON FITTINGS	LB	650.00	\$9.00	\$5,850.00	0.00	\$0.00	1,155.00	\$10,395.00
20	4' X 4' CATCH BASIN WITH GRATING	EACH	1.00	\$4,500.00	\$4,500.00	0.00	\$0.00	1.00	\$4,500.00
21	1.5" CLEAR ROCK (WRAPPED IN TYPE 1 GEOTEXTILE FABRIC)	CY	16.00	\$85.00	\$1,360.00	0.00	\$0.00	15.00	\$1,275.00
22	18" RCP STORM SEWER PIPE, CL. V	LF	100.00	\$110.00	\$11,000.00	0.00	\$0.00	87.00	\$9,570.00
23	18" RCP APRON W/ TRASH GUARD	EACH	1.00	\$2,500.00	\$2,500.00	0.00	\$0.00	1.00	\$2,500.00
24	15" CAS PIPE CULVERT	LF	73.00	\$55.00	\$4,015.00	0.00	\$0.00	73.00	\$4,015.00
25	15" CAS PIPE APRON W/ TRASH GUARD	EACH	2.00	\$450.00	\$900.00	0.00	\$0.00	2.00	\$900.00
26	HAND PLACED RIP RAP, CL. III	CY	20.00	\$125.00	\$2,500.00	0.00	\$0.00	0.00	\$0.00
27	GEOTEXTILE FABRIC TYPE IV	SY	74.00	\$4.50	\$333.00	0.00	\$0.00	0.00	\$0.00
28	GEOTEXTILE FABRIC TYPE V	SY	400.00	\$4.50	\$1,800.00	0.00	\$0.00	0.00	\$0.00
29	SILT FENCE, TYPE HI	LF	300.00	\$6.00	\$1,800.00	0.00	\$0.00	300.00	\$1,800.00
30	SEDEMENT CONTROL LOG TYPE WOOD FIBER	LF	40.00	\$7.00	\$280.00	0.00	\$0.00	0.00	\$0.00
31	TEMPORARY SEEDING MIX (MIX 22-112 WITH TYPE 1 MULCH)	ACRE	0.50	\$5,000.00	\$2,500.00	0.00	\$0.00	0.00	\$0.00
32	SEEDING (MIX 25-141 WITH FERTILIZER & HYDROMULCH)	ACRE	0.50	\$9,000.00	\$4,500.00	0.00	\$0.00	0.00	\$0.00
33	CONIFEROUS TREE 8' HT B&B	TREE	12.00	\$550.00	\$6,600.00	0.00	\$0.00	0.00	\$0.00
34	LOAM TOPSOIL BORROW	CY	28.00	\$55.00	\$1,540.00	0.00	\$0.00	0.00	\$0.00
35	MULCH MATERIAL TYPE 6	CY	27.50	\$46.00	\$1,265.00	0.00	\$0.00	0.00	\$0.00
36	1 MG COMPOSITE ELEVATED WATER STORAGE TANK, FOUNDATION, GENERAL ELECTRICAL AND ALL ASSOCIATED COMPONENTS AS SHOWN IN PLANS & SPECIFICATIONS (NOT OTHERWISE LISTED ON BID FORM) - SEE BELOW								
36.1	WATER TOWER - ENGINEERING/BONDS/INSURANCE	LS	1.00	\$174,000.00	\$174,000.00	0.00	\$0.00	1.00	\$174,000.00
36.2	WATER TOWER - DRILLED PIERS	LS	1.00	\$120,000.00	\$120,000.00	0.00	\$0.00	1.00	\$120,000.00
36.3	WATER TOWER - FOUNDATION	LS	1.00	\$460,000.00	\$460,000.00	0.00	\$0.00	1.00	\$460,000.00
36.4	WATER TOWER - CONCRETE SHAFT	LS	1.00	\$550,000.00	\$550,000.00	0.00	\$0.00	1.00	\$550,000.00
36.5	WATER TOWER - TANK MATERIAL/FABRICATION	LS	1.00	\$1,083,202.00	\$1,083,202.00	0.28	\$303,296.56	0.50	\$541,601.00
36.6	WATER TOWER - TANK DELIVERY	LS	1.00	\$36,000.00	\$36,000.00	0.00	\$0.00	0.00	\$0.00
36.7	WATER TOWER - ERECTION	LS	1.00	\$350,000.00	\$350,000.00	0.00	\$0.00	0.00	\$0.00
36.8	WATER TOWER - PAINTING	LS	1.00	\$250,000.00	\$250,000.00	0.00	\$0.00	0.00	\$0.00
36.9	WATER TOWER - ELECTRICAL	LS	1.00	\$68,000.00	\$68,000.00	0.00	\$0.00	0.17	\$11,560.00
37	SCADA AND NEW RTU AT NEW TOWER, AND UPDATES TO MASTER CONTROL PROGR	LS	1.00	\$44,000.00	\$44,000.00	0.00	\$0.00	0.00	\$0.00
38	PRV STATION VALVE MODIFICATIONS AND ASSOCIATED ELECTRICAL RTU AND SCADA	LS	1.00	\$100,000.00	\$100,000.00	0.00	\$0.00	0.71	\$71,000.00
39	FURNISH AND INSTALL COMPLETE GAS CHLORINATION SYSTEM	LS	1.00	\$80,000.00	\$80,000.00	0.00	\$0.00	0.00	\$0.00
<b>BASE BID</b>					\$3,493,000.00		\$303,296.56		\$2,041,676.00

**TOTALS - BASE CONTRACT**

**\$3,493,000.00**

**\$303,296.56**

**\$2,041,676.00**