



## STAFF REPORT

DATE: August 15, 2023

### **CONSENT**

**AGENDA ITEM:** Approve Pay Request No. 10 for the Whistling Valley Street and Utility Improvements

**SUBMITTED BY:** Chad Isakson, Project Engineer

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

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**ISSUE BEFORE COUNCIL:** Should the City Council approve Pay Request No. 10 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.

**PROPOSAL DETAILS/ANALYSIS:** Jacon, LLC has submitted Partial Pay Request No. 10 in the amount of \$67,399.21. The request has been reviewed and payment is recommended in the amount requested. In accordance with the contract documents, the City has retained 2.5% of the total work completed. The amount retained is \$58,340.48.

**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. 10 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. 10 to Jacon, LLC in the amount of \$67,399.21 for the Whistling Valley Street and Utility Improvements”.***

**ATTACHMENTS:**

1. Partial Pay Estimate No. 10.

**PROJECT PAY FORM**

PARTIAL PAY ESTIMATE NO. <u>10</u>	<b>FOCUS</b> ENGINEERING, inc.
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<b>WHISTLING VALLEY UTILITY AND STREET IMPROVEMENTS</b> PROJECT NO. 2020.123	PERIOD OF ESTIMATE FROM <u>2/1/2023</u> TO <u>8/1/2023</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>JACON, LLC</b> <b>3900 LABORE ROAD</b> <b>VADNAIS HEIGHTS, MN 55110</b> <b>ATTN: DANN REZABEK</b>
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CONTRACT CHANGE ORDER SUMMARY			
No.	Approval Date	Amount	
		Additions	Deductions
CO-1	3/15/2022	\$141,959.85	\$0.00
CO-2	6/7/2022	\$16,066.21	\$0.00
CO-3	7/19/2022	\$2,802.29	\$0.00
CO-4	9/2/2022	\$12,432.00	\$0.00
CO-5	12/20/2022	\$0.00	\$0.00
TOTALS		\$173,260.35	\$0.00
NET CHANGE		\$173,260.35	

PAY ESTIMATE SUMMARY	
1. Original Contract Amount	\$2,270,606.45
2. Net Change Order Sum	\$173,260.35
3. Revised Contract (1+2)	\$2,443,866.80
4. *Work Completed	\$2,333,619.22
5. *Stored Materials	\$0.00
6. Subtotal (4+5)	\$2,333,619.22
7. Retainage* <u>2.5%</u>	\$58,340.48
8. Previous Payments	\$2,207,879.53
9. Amount Due (6-7-8)	<b>\$67,399.21</b>
*Detailed Breakdown Attached	

CONTRACT TIME			
START DATE:	<u>4/18/2022</u>	ORIGINAL DAYS	<u>402</u>
SUBSTANTIAL COMPLETION:	<u>10/14/2022</u>	REVISED DAYS	<u>0</u>
FINAL COMPLETION:	<u>5/25/2023</u>	REMAINING	<u>-68</u>
		ON SCHEDULE	
		YES <input type="checkbox"/>	
		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. <i>Chad Isakson</i> _____ ENGINEER 8/4/2023 _____ 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>8/4/2023</u> _____ DATE
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APPROVED BY OWNER: <b>CITY OF LAKE ELMO, MINNESOTA</b>	
_____ 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	0.00	\$0.00	1.00	\$12,012.90
3	REMOVE CONCRETE CURB AND GUTTER	LIN FT	4679	\$5.43	\$25,406.97	0.00	\$0.00	4,823.00	\$26,188.89
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	0.00	\$0.00	22.00	\$227.70
6	SALVAGE AND REINSTALL DRIVEWAY PAVERS	SQ YD	34	\$190.00	\$6,460.00	0.00	\$0.00	34.00	\$6,460.00
7	SAWING PAVEMENT (FULL DEPTH)	LIN FT	670	\$5.00	\$3,350.00	0.00	\$0.00	670.00	\$3,350.00
8	REMOVE SEWER PIPE (STORM)	SQ YD	55	\$35.00	\$1,925.00	0.00	\$0.00	50.00	\$1,750.00
9	REMOVE BITUMINOUS PAVEMENT (P)**	SQ YD	23218	\$5.00	\$116,090.00	0.00	\$0.00	23,218.00	\$116,090.00
10	REMOVE BITUMINOUS WALK	SQ YD	200	\$10.35	\$2,070.00	0.00	\$0.00	200.00	\$2,070.00
11	REMOVE SIGN	EACH	19	\$45.00	\$855.00	0.00	\$0.00	19.00	\$855.00
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	46.00	\$9,200.00
14	ADJUST CATCH BASIN	EACH	18	\$150.00	\$2,700.00	0.00	\$0.00	28.00	\$4,200.00
15	REMOVE CASTING	EACH	12	\$50.00	\$600.00	0.00	\$0.00	12.00	\$600.00
16	GEOTEXTILE FABRIC, TYPE V	CU YD	10448	\$0.79	\$8,253.92	0.00	\$0.00	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	0.00	\$0.00	5,165.00	\$161,148.00
19	COMMON EXCAVATION (P)**	CU YD	3869	\$20.30	\$78,540.70	0.00	\$0.00	3,939.00	\$79,961.70
20	STREET SWEEPING	HOURL	40	\$120.00	\$4,800.00	0.00	\$0.00	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	1,916.74	\$172,506.60
22	TYPE SP 12.5 WEARING COURSE MIXTURE (2,C)	TON	2945	\$83.00	\$244,435.00	0.00	\$0.00	2,506.37	\$208,028.71
23	TYPE SP 9.5 WEARING COURSE MIX (2,B) (DRIVEWAYS & TRAIL)	TON	200	\$156.00	\$31,200.00	0.00	\$0.00	55.03	\$8,584.68
24	BITUMINOUS MATERIAL FOR TACK COAT	GAL	1628	\$2.00	\$3,256.00	0.00	\$0.00	1,050.00	\$2,100.00
25	4" PVC SCHEDULE 40 PERF PE PIPE DRAIN W/ BACKFILL AND WRAP	LIN FT	1458	\$14.00	\$20,412.00	0.00	\$0.00	1,458.00	\$20,412.00
26	DRAINTILE CLEANOUT	EACH	14	\$250.00	\$3,500.00	0.00	\$0.00	14.00	\$3,500.00
27	12" HDPE STORM SEWER PIPE	LIN FT	55	\$21.00	\$1,155.00	0.00	\$0.00	40.00	\$840.00
28	12" FLARED END SECTION	EACH	1	\$420.00	\$420.00	0.00	\$0.00	1.00	\$420.00
29	6" CONCRETE HEADWALL	EACH	1	\$12,300.00	\$12,300.00	0.00	\$0.00	1.00	\$12,300.00
30	CONCRETE FLUME	EACH	2	\$1,500.00	\$3,000.00	0.00	\$0.00	2.00	\$3,000.00
31	FURNISH AND INSTALL CASTING ASSEMBLY R-3067-V	EACH	18	\$675.00	\$12,150.00	0.00	\$0.00	19.00	\$12,825.00
32	CONNECT DRAINTILE TO EXISTING STORM STRUCTURE	EACH	14	\$500.00	\$7,000.00	0.00	\$0.00	14.00	\$7,000.00
33	CONNECT TO EXISTING WATERMAIN	EACH	2	\$4,025.00	\$8,050.00	0.00	\$0.00	2.00	\$8,050.00
34	HYDRANT AND GATE VALVE ASSEMBLY	EACH	12	\$7,500.00	\$90,000.00	0.00	\$0.00	12.00	\$90,000.00
35	10" HDPE TO 8" DIP TRANSITION FITTING	EACH	71	\$770.00	\$54,670.00	0.00	\$0.00	44.00	\$33,880.00
36	1.5" CURB STOP & BOX	EACH	37	\$485.00	\$17,945.00	0.00	\$0.00	37.00	\$17,945.00
37	1.5" CORPORATION STOP	EACH	37	\$550.00	\$20,350.00	0.00	\$0.00	37.00	\$20,350.00
38	1.5" TYPE K COPPER PIPE	LIN FT	1189	\$36.60	\$43,517.40	0.00	\$0.00	1,212.00	\$44,359.20
39	8" GATE VALVE AND BOX	EACH	11	\$3,283.15	\$36,114.65	0.00	\$0.00	11.00	\$36,114.65
40	6" WATERMAIN DUCTILE IRON CL 52	LIN FT	112	\$116.70	\$13,070.40	0.00	\$0.00	85.00	\$9,919.50
41	8" WATERMAIN DUCTILE IRON CL 52	LIN FT	816	\$81.00	\$66,096.00	0.00	\$0.00	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	0.00	\$0.00	6,993.00	\$498,251.25
43	4" INSULATION	SQ YD	56	\$34.00	\$1,904.00	0.00	\$0.00	23.60	\$802.40
44	DUCTILE IRON FITTINGS	LB	3040	\$6.83	\$20,763.20	0.00	\$0.00	3,026.00	\$20,667.58
45	CONCRETE CURB AND GUTTER DESIGN D412	LIN FT	3849	\$30.36	\$116,855.64	0.00	\$0.00	4,889.00	\$148,430.04
46	CONCRETE CURB AND GUTTER DESIGN B618	LIN FT	1310	\$30.80	\$40,348.00	0.00	\$0.00	1,665.00	\$51,282.00
47	24" CONCRETE RIBBON CURB	LIN FT	5284	\$13.86	\$73,236.24	0.00	\$0.00	4,311.00	\$59,750.46
48	6" CONCRETE DRIVEWAY PAVEMENT	SQ YD	13	\$110.00	\$1,430.00	0.00	\$0.00	13.00	\$1,430.00
49	INSTALL CONCRETE PEDESTRIAN RAMP	EACH	19	\$2,079.00	\$39,501.00	0.00	\$0.00	19.00	\$39,501.00
50	TRAFFIC CONTROL	LUMP SUM	1	\$6,500.00	\$6,500.00	0.00	\$0.00	0.85	\$5,525.00
51	SIGN PANELS TYPE C	SQ FT	63.31	\$130.00	\$8,230.30	0.00	\$0.00	63.31	\$8,230.30
52	SIGN PANELS TYPE SPECIAL (STREET NAME SIGN)	EACH	10	\$340.00	\$3,400.00	0.00	\$0.00	10.00	\$3,400.00
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	34.00	\$7,480.00
55	COMMON TOPSOIL BORROW PULVERIZED (LV)	CU YD	678	\$40.25	\$27,289.50	0.00	\$0.00	669.00	\$26,927.25
56	SODDING TYPE MINERAL**	SQ YD	6401	\$11.67	\$74,699.67	110.00	\$1,283.70	4,812.00	\$56,156.04
57	SEEDING (SEED MIXTURE TYPE 25-141)	ACRE	0.5	\$4,500.00	\$2,250.00	0.20	\$900.00	1.20	\$5,400.00
58	EROSION CONTROL BLANKETS CATEGORY 3N	SQ YD	2505	\$2.60	\$6,513.00	543.00	\$1,411.80	6,292.00	\$16,359.20
59	CLASS 3 RIP-RAP WITH GEOTEXTILE FABRIC	CY YD	50	\$149.50	\$7,475.00	0.00	\$0.00	58.00	\$8,671.00
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	1,980.00	\$5,940.00	12,180.00	\$36,540.00
					<b>\$2,412,566.30</b>	<b>\$9,535.50</b>	<b>\$2,302,318.72</b>		

NOTE: \*\* PREVAILING WAGE COSTS INCLUDED IN UNIT PRICE PER CHANGE ORDER NO.1

Orig. Contract Amount \$2,270,606.45

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT

**TOTALS - BASE CONTRACT**

**\$2,412,566.30**

**\$9,535.50**

**\$2,302,318.72**

ITEM	CHANGE ORDER NO. 1	UNIT	QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
CO1-1	PREVAILING WAGE - **See note above and Change Order-1 for detail	N/A	0	\$141,959.85	\$0.00	0.00	\$0.00	0.00	\$0.00
	SUBTOTAL - CHANGE ORDER NO. 1				\$0.00		\$0.00		\$0.00

ITEM	CHANGE ORDER NO. 2	UNIT	QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
CO2-1	ADD TRACER WIRE FOR ALL PROJECT SERVICES AND HYDRANTS	LS	1	\$16,066.21	\$16,066.21	0.00	\$0.00	1.00	\$16,066.21
	SUBTOTAL - CHANGE ORDER NO. 2				\$16,066.21		\$0.00		\$16,066.21

ITEM	CHANGE ORDER NO. 3	UNIT	QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
CO3-1	SALVAGE OF EXISTING BASE MATERIAL	LS	1	\$368.00	\$368.00	0.00	\$0.00	1.00	\$368.00
CO3-2	CONCRETE VALLEY GUTTER	LF	53	\$45.93	\$2,434.29	0.00	\$0.00	53.00	\$2,434.29
	SUBTOTAL - CHANGE ORDER NO. 3				\$2,802.29		\$0.00		\$2,802.29

ITEM	CHANGE ORDER NO. 4	UNIT	QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
CO4-1	HYDRANT SPLASH PAD	EA	12	\$1,036.00	\$12,432.00	0.00	\$0.00	12.00	\$12,432.00
	SUBTOTAL - CHANGE ORDER NO. 4				\$12,432.00		\$0.00		\$12,432.00

ITEM	CHANGE ORDER NO. 5	UNIT	QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
CO5-1	TIME EXTENSION	N/A	N/A	\$0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
									\$0.00

**TOTALS - CHANGE ORDERS**

**\$31,300.50**

**\$0.00**

**\$31,300.50**

**TOTALS - REVISED CONTRACT**

**\$2,443,866.80**

**\$9,535.50**

**\$2,333,619.22**