

AGENDA REPORT

To: Mayor Pat Humphrey and the Clare City Commission
From: Steven J. Kingsbury, MBA, CPFA, MiCPT
Treasurer, Finance and Technology Director
Date: December 17, 2015
Regarding: North Industrial Park/Infrastructure Build Project - Contractor Payment

For the Agenda of December 21, 2015

Background The general contractor that has been working on the Division A portion of the City's North Industrial Park and Utility Infrastructure project has submitted their eleventh and final application for payment. The City's engineer for this project Gourdie-Fraser has reviewed the application for payment and has verified that all indicated work has in fact been satisfactorily completed and that all invoices/purchases included within the contractor's application for payment have in fact been purchased by the contractor for the City of Clare's 2014/15 North Industrial Park/Infrastructure project.

Financial Impact Approval of this application for payment from the contractor thereby allows the City to submit it along with the approving resolution from the Clare City Commission to both the U.S. Economic Development Administration to request reimbursement from the EDA Grant awarded to the City for this project as well as the USDA Rural Development Office to be approved as a construction draw from the water and sewer revenue bonds and the capital improvement bond all financed through Rural Development.

Recommendation Based upon our project engineers review and approval of the enclosed application for payment we recommend that the City Commission approve resolution 2015-143 thereby authorizing the \$109,436.28 payment to Dunigan Brothers, Inc. which represents the balance of the contract less a \$23,732.70 savings on the project and also the performance retainage from all prior pay applications.

Attachments

1. Dunigan Brothers, Inc. - Contractor's Application for Payment Number Eleven.
2. City of Clare Resolution 2015-143.

		Contractor's Application for Payment No.	11 - Final
Application Period: 11/01/15 thru 12/10/2015		Application Date: 12/10/15	
To (Owner): City of Clare 202 W. 5th St., Clare, MI 48617-4508	From (Contractor): Dunigan Brothers, Inc. 911 E. South St., Jackson, MI 49203	Via (Engineer): Gourdie-Fraser, Inc 123 W. Front St., Traverse City, MI 4968	
Project: Division A - Water, Sewer & Infrastructure - Clare Industrial Park North	Contract:		
Owner's Contract No.: EDA # 06-79-05874	Contractor's Project No.:	Engineer's Project No.: 13388	

Application For Payment
Change Order Summary

Approved Change Orders		
Number	Additions	Deductions
1 (time extension)		
2 - Final Balancing		(\$23,732.70)
TOTALS		(\$23,732.70)
NET CHANGE BY CHANGE ORDERS	(\$23,732.70)	

1. ORIGINAL CONTRACT PRICE	\$ 2,281,821.80
2. Net change by Change Orders	\$ (23,732.70)
3. Current Contract Price (Line 1 ± 2)	\$ 2,258,089.10
4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate).....	\$ 2,258,089.10
5. RETAINAGE:	
a. 0% X _____ Work Completed.....	\$ -
b. 0% X _____ Stored Material.....	\$ -
c. Total Retainage (Line 5a + Line 5b).....	\$ -
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)	\$ 2,258,089.10
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	\$ 2,148,652.82
8. AMOUNT DUE THIS APPLICATION	\$ 109,436.28
9. BALANCE TO FINISH, PLUS RETAINAGE (Column G on Progress Estimate + Line 5 above).....	\$ -

Contractor's Certification	
<p>The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.</p>	
By:	Date:

Payment of: \$ One hundred nine thousand four hundred thirty six dollars and twenty eight cents
(Line 8 or other - attach explanation of the other amount)

is recommended by: _____ (Engineer) _____ (Date)

Payment of: \$ One hundred nine thousand four hundred thirty six dollars and twenty eight cents
(Line 8 or other - attach explanation of the other amount)

is approved by: _____ (Owner) _____ (Date)

Approved by: _____ (Date)
Funding Agency (if applicable)

Progress Estimate - Unit Price Work

Contractor's Application

For (Contract): Division A - Water, Sewer & Infrastructure - Clare Industrial Park North							Application Number: 11 - Final			
Application Period: 11/01/15 thru 12/10/2015							Application Date: 12/10/15			
A				B	C	D	E	F		
Bid Item No.	Item Description	Bid Item Quantity	Unit Price	Bid Item Value (\$)	Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F / B)	Balance to Finish (B - F)
1	Water Main, 12"	6,153	\$39.60	\$243,658.80	6,153	\$243,658.80		\$243,658.80	100.0%	
2	Bore & Jack Steel Casing, 24"	410	\$264.00	\$108,240.00	410	\$108,240.00		\$108,240.00	100.0%	
3	Gate Valve & Box, 12"	11	\$2,530.00	\$27,830.00	11	\$27,830.00		\$27,830.00	100.0%	
4	Fire Hydrant Assembly	13	\$4,400.00	\$57,200.00	13	\$57,200.00		\$57,200.00	100.0%	
5	Blow Off Assembly, 12"	1	\$1,210.00	\$1,210.00	1	\$1,210.00		\$1,210.00	100.0%	
6	Water Service Leads, 2"	7	\$3,300.00	\$23,100.00	7	\$23,100.00		\$23,100.00	100.0%	
7	Fire Service Leads, 8"	7	\$4,400.00	\$30,800.00	7	\$30,800.00		\$30,800.00	100.0%	
8	Connect to Existing Water	1	\$1,650.00	\$1,650.00	1	\$1,650.00		\$1,650.00	100.0%	
9	Booster Station Improvement	1		\$31,350.00	1	\$31,350.00		\$31,350.00	100.0%	
	a. Demolition		\$6,050.00							
	b. Pressure Reducing Valve		\$5,500.00							
	c. New Piping		\$19,800.00							
10	Sanitary Sewer, 8" (Within Industrial Park)	2,714	\$44.00	\$119,416.00	2,714	\$119,416.00		\$119,416.00	100.0%	
11	Sanitary Sewer, 8" SDR 26	1,022	\$45.10	\$46,092.20	1,022	\$46,092.20		\$46,092.20	100.0%	
12	Sanitary Sewer, 8", (Outside of Industrial Park)	1,576	\$51.70	\$81,479.20	1,576	\$81,479.20		\$81,479.20	100.0%	
13	Sanitary Sewer, 10", HDPE Directional Drilled	337	\$115.50	\$38,923.50	337	\$38,923.50		\$38,923.50	100.0%	
14	Bore & Jack, 16" Steel Casing	205	\$286.00	\$58,630.00	205	\$58,630.00		\$58,630.00	100.0%	
15	Sanitary Sewer Lead, 6"	100	\$37.40	\$3,740.00	100	\$3,740.00		\$3,740.00	100.0%	
16	Wye Assembly, 8x6	9	\$275.00	\$2,475.00	9	\$2,475.00		\$2,475.00	100.0%	
17	Manholes, 4' diameter	22	\$2,970.00	\$65,340.00	22	\$65,340.00		\$65,340.00	100.0%	
18	Shelf Deep Sewer Excavation	1	\$11,000.00	\$11,000.00	1	\$11,000.00		\$11,000.00	100.0%	
19	Connect to Existing Sewer	1	\$2,530.00	\$2,530.00	1	\$2,530.00		\$2,530.00	100.0%	
20	IPP Manholes	8	\$2,970.00	\$23,760.00	8	\$23,760.00		\$23,760.00	100.0%	
21	Decommission Existing Lift Station #5	1	\$7,700.00	\$7,700.00	1	\$7,700.00		\$7,700.00	100.0%	
22	Force Main, 6"	8,450	\$25.30	\$213,785.00	8,450	\$213,785.00		\$213,785.00	100.0%	
23	Force Main, 8", Directional Drilled	238	\$96.80	\$23,038.40	238	\$23,038.40		\$23,038.40	100.0%	
24	Air Release Structure	5	\$4,620.00	\$23,100.00	5	\$23,100.00		\$23,100.00	100.0%	
25	Clean-out Assembly	10	\$2,970.00	\$29,700.00	10	\$29,700.00		\$29,700.00	100.0%	
26	Connect to Existing Manhole	1	\$2,530.00	\$2,530.00	1	\$2,530.00		\$2,530.00	100.0%	

Progress Estimate - Unit Price Work

Contractor's Application

For (Contract): Division A - Water, Sewer & Infrastructure - Clare Industrial Park North Application Number: 11 - Final

Application Period: 11/01/15 thru 12/10/2015 Application Date: 12/10/15

A		B	C	D	E	F				
Bid Item No.	Item Description	Bid Item Quantity	Unit Price	Bid Item Value (\$)	Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F / B)	Balance to Finish (B - F)
27	Sanitary Sewer Lift Station	1		\$315,920.00	1	\$315,920.00		\$315,920.00	100.0%	
	a. Installation/Package Lift Station		\$265,100.00							
	b. Site Electrical		\$12,100.00							
	c. Access Driveway		\$2,420.00							
	d. Landscaping		\$2,200.00							
	e. Generator		\$30,800.00							
	f. Restroration		\$3,300.00							
	g. Site Electrical and Gas Allowance	1	\$5,000.00	\$5,000.00	1	\$5,000.00		\$5,000.00	100.0%	
28	Storm Sewer, 12"	1,447	\$38.50	\$55,709.50	1,447	\$55,709.50		\$55,709.50	100.0%	
29	Storm Sewer, 15"	1,023	\$40.70	\$41,636.10	1,023	\$41,636.10		\$41,636.10	100.0%	
30	Storm Sewer End Section	2	\$880.00	\$1,760.00	2	\$1,760.00		\$1,760.00	100.0%	
31	Storm Sewer, Catch Basin, 4'	13	\$2,420.00	\$31,460.00	13	\$31,460.00		\$31,460.00	100.0%	
32	Storm Sewer, Catch Basin, 2'	2	\$1,760.00	\$3,520.00	2	\$3,520.00		\$3,520.00	100.0%	
33	Rip Rap	80	\$44.00	\$3,520.00	80	\$3,520.00		\$3,520.00	100.0%	
34	Stormwater Basin	1	\$11,000.00	\$11,000.00	1	\$11,000.00		\$11,000.00	100.0%	
35	Machine Grading	1	\$135,300.00	\$135,300.00	1	\$135,300.00		\$135,300.00	100.0%	
36	Silt Fence	300	\$2.20	\$660.00	300	\$660.00		\$660.00	100.0%	
37	Clearing & Grubbing	1	\$50,600.00	\$50,600.00	1	\$50,600.00		\$50,600.00	100.0%	
38	Street Lighting	8	\$5,500.00	\$44,000.00	8	\$44,000.00		\$44,000.00	100.0%	
39	Conduit, 4" diameter	600	\$17.60	\$10,560.00	600	\$10,560.00		\$10,560.00	100.0%	
40	Concrete Curb	2,859	\$14.30	\$40,883.70	2,859	\$40,883.70		\$40,883.70	100.0%	
41	Bituminous Level Course	417	\$82.50	\$34,402.50	417	\$34,402.50		\$34,402.50	100.0%	
42	Bituminous Wear Course	359	\$110.00	\$39,490.00	359	\$39,490.00		\$39,490.00	100.0%	
43	Aggregate Base Gravel, 22A	4,239	\$5.50	\$23,314.50	4,239	\$23,314.50		\$23,314.50	100.0%	
44	Striping	1	\$5,500.00	\$5,500.00	1	\$5,500.00		\$5,500.00	100.0%	
45	Trees	2	\$495.00	\$990.00	2	\$990.00		\$990.00	100.0%	
46	Subbase, 15"	175	\$14.30	\$2,502.50	175	\$2,502.50		\$2,502.50	100.0%	
47	Underdrain, 6"	680	\$6.60	\$4,488.00	680	\$4,488.00		\$4,488.00	100.0%	
48	Road Patching	67.00	\$45.10	\$3,021.70	67.00	\$3,021.70		\$3,021.70	100.0%	
49	Restoration	1	\$85,800.00	\$85,800.00	1	\$85,800.00		\$85,800.00	100.0%	
50	Add 1 Relocated Hydrant @ Consumers Energy Driveway @ \$3,300/LS	1	\$3,300.00	\$3,300.00	1	\$3,300.00		\$3,300.00	100.0%	
51	Add 64 LF of 24" RCP @ \$100/LF	1	\$100.00	\$6,400.00	1	\$6,400.00		\$6,400.00	100.0%	
52	Add 6 EA of 24" End Sections @ \$960/EA	1	\$960.00	\$5,820.00	1	\$5,820.00		\$5,820.00	100.0%	
53	Add 1 Extra Manhole at Existing Tie-in Location @ \$7,348.50/LS	1	\$7,348.50	\$7,348.50	1	\$7,348.50		\$7,348.50	100.0%	
54	Delete 8 Manholes @ \$1,162.00/EA	(8)	\$1,162.00	(\$9,296.00)	(8)	(\$9,296.00)		(\$9,296.00)	100.0%	
55	Add 1 Concrete Mailbox Access within the Park @ \$15,200/EA	1	\$15,200.00	\$15,200.00	1	\$15,200.00		\$15,200.00	100.0%	
Totals				\$2,258,089.10		\$2,258,089.10		\$2,258,089.10	100.0%	

RESOLUTION 2015-143

A RESOLUTION OF THE CLARE CITY COMMISSION APPROVING AN APPLICATION FOR PAYMENT FOR THE CITY'S NORTH INDUSTRIAL PARK AND INFRASTRUCTURE CAPITAL IMPROVEMENT PROJECT.

WHEREAS, the City of Clare, Counties of Clare and Isabella, State of Michigan (the "City") has undertaken a capital improvement project to construct a new North Industrial Park and to extend public utilities to provide service to the property; and

WHEREAS, this capital improvement project is being funded by a \$2.6 million Grant from the United States Economic Development Administration, water and sewer bonds and capital improvement bonds purchased by the United States Department of Agriculture Rural Development and existing City funds; and

WHEREAS, Dunigan Brothers, Inc. was awarded the contract to complete the Division A portion of the project which includes water and sewer mains; a sewage collection and lift station; roadways and general infrastructure; and

WHEREAS, the City has received the eleventh and final contractor's application for payment for this division of the project; and

WHEREAS, the City's project engineer Gourdie-Fraser has reviewed the request for payment and has verified that all indicated work has been satisfactorily completed, that all included purchases have been made and that all required documentation has been accurately and thoroughly completed; and

WHEREAS, the EDA and Rural Development both require formal approval by resolution of the contractor's request for payment by the Clare City Commission.

NOW THEREFORE BE IT RESOLVED THAT the Clare City Commission hereby approves the eleventh and final contractor application for payment from Dunigan Brothers, Inc. in the amount of \$109,436.28; and

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Clare City Commission hereby directs the City's Treasurer and Finance Director to submit the contractor's application for payment to both the Economic Development Administration for reimbursement from the EDA Grant awarded to the City for this project and also to USDA Rural Development for funds to be disbursed from the bonds issued for this project.

ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INsofar AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION BE AND THE SAME ARE HEREBY RESCINDED.

The Resolution was introduced by Commissioner _____ and supported by Commissioner _____. The Resolution declared adopted by the following roll call vote:

YEAS:

NAYS:

ABSENT:

Resolution approved for adoption on this 21st day of December 2015.

Diane Lyon, Clare City Clerk