

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 contractor that has been working on the Division B portion (the water tower) of the City's North Industrial Park and Utility Infrastructure project has submitted their thirteenth 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 the U.S. Economic Development Administration to request reimbursement from the EDA Grant awarded to the City for this project.

Recommendation Based upon our project engineers review and approval of the enclosed application for payment we recommend that the City Commission approve Resolution 2015-144 thereby authorizing the \$110,925.00 payment to Maguire Iron, Inc. which represents the balance of the contract including a \$5,000.00 change order adding two additional Clare logos to the top of the water tower and also the performance retainage from all prior pay applications.

Attachments

1. Maguire Iron, Inc. - Contractor's Application for Payment Number Thirteen.
2. City of Clare Resolution 2015-144.

Contractor's Application for Payment No.

13 - Final

Application Period: 11/01/2015 to 11/30/2015		Application Date: 11/30/2015	
To (Owner): City of Clare 202 W. 5th St., Clare, MI 48617-4508	From (Contractor): Maguire Iron, Inc. PO Box 1446, Sioux Falls, SD 57101	Via (Engineer): Gourdie-Fraser, Inc 123 W. Front St., Traverse City, MI 4968	
Project: Division B - Elevated Water Storage Tank Clare Industrial Park North		Contract:	
Owner's Contract No.: EDA Award Number: 06-79-05874		Contractor's Project No.:	
		Engineer's Project No.: 13388	

Change Order Summary

Approved Change Orders			1. ORIGINAL CONTRACT PRICE..... \$ 1,444,000.00	
Number	Additions	Deductions	2. Net change by Change Orders..... \$ 5,000.00	
1	\$5,000.00		3. Current Contract Price (Line 1 ± 2)..... \$ 1,449,000.00	
			4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate)..... \$ 1,449,000.00	
			5. RETAINAGE:	
			a. 0.0% X <u>\$1,449,000.00</u> Work Completed..... \$ -	
			b. 0.0% X _____ Stored Material..... \$ -	
			c. Total Retainage (Line 5a + Line 5b)..... \$ -	
			6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)..... \$ 1,449,000.00	
			7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ 1,338,075.00	
			8. AMOUNT DUE THIS APPLICATION..... \$ 110,925.00	
			9. BALANCE TO FINISH, PLUS RETAINAGE (Column G on Progress Estimate + Line 5 above)..... \$ -	
TOTALS	\$5,000.00			
NET CHANGE BY CHANGE ORDERS	\$5,000.00			

Contractor's Certification

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.

Payment of: \$ One hundred ten thousand nine hundred twenty five dollars and zero cents
(Line 8 or other - attach explanation of the other amount)

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

Payment of: \$ One hundred ten thousand nine hundred twenty five dollars and zero cents
(Line 8 or other - attach explanation of the other amount)

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

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

By: _____ Date: _____

Progress Estimate - Unit Price Work

Contractor's Application

For (Contract): Division B - Elevated Water Storage Tank							Clare Industrial Park North				Application Number: 13 - Final	
Application Period: 11/01/2015 to 11/30/2015							Application Date: 11/30/15					
A			B	C	D	E	F		G			
Bid Item No.	Item	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)		
	Description											
1	Foundation	1	\$195,000.00	\$195,000.00	1	\$195,000.00		\$195,000.00	100.0%			
2	Fabricated Materials	1	\$400,000.00	\$400,000.00	1	\$400,000.00		\$400,000.00	100.0%			
3	Construction of Tank	1	\$621,824.00	\$621,824.00	1	\$621,824.00		\$621,824.00	100.0%			
4	Electrical and Controls	1	\$29,000.00	\$29,000.00	1	\$29,000.00		\$29,000.00	100.0%			
5	Obstruction Lighting	1	\$1,500.00	\$1,500.00	1	\$1,500.00		\$1,500.00	100.0%			
6	Field Painting	1	\$140,000.00	\$140,000.00	1	\$140,000.00		\$140,000.00	100.0%			
7	Access Road	1	\$5,000.00	\$5,000.00	1	\$5,000.00		\$5,000.00	100.0%			
8	Drainage Piping	84	\$14.00	\$1,176.00	84	\$1,176.00		\$1,176.00	100.0%			
9	Connect to Existing Drain Pipe	1	\$500.00	\$500.00	1	\$500.00		\$500.00	100.0%			
10	Water Main, 12"	112	\$250.00	\$28,000.00	112	\$28,000.00		\$28,000.00	100.0%			
11	Fire Hydrant Assembly	1	\$5,000.00	\$5,000.00	1	\$5,000.00		\$5,000.00	100.0%			
12	Connect to Existing Water Main	1	\$1,000.00	\$1,000.00	1	\$1,000.00		\$1,000.00	100.0%			
13	Site Restoration	1	\$15,000.00	\$15,000.00	1	\$15,000.00		\$15,000.00	100.0%			
14	Site Electrical Allowance	1	\$1,000.00	\$1,000.00	1	\$1,000.00		\$1,000.00	100.0%			
Change Order #1 - Final												
15	Add a third Clare Logo to the Tank	1	\$5,000.00	\$5,000.00	1	\$5,000.00		\$5,000.00	100.0%			
Totals				\$1,449,000.00		\$1,449,000.00		\$1,449,000.00	100.0%			

Stored Material Summary

Contractor's Application

For (Contract):				Division B - Elevated Water Storage Tank		Clare Industrial Park North		Application Number:		13 - Final	
Application Period:				11/01/2015 to 11/30/2015				Application Date: 11/30/15			
A		B	C		D		E	Subtotal Amount Completed and Stored to Date (D + E)	F		G
Bid Item No.	Supplier Invoice No.	Submittal No. (with Spec Sec No.)	Storage Location	Description of Materials or Equipment Stored	Stored Previously		Amount Stored this Month (\$)		Incorporated in Work		Materials Remaining in Storage (\$) (D + E - F)
					Date Placed into Storage (Mth/Year)	Amount (\$)		Date (Month/Year)	Amount (\$)		
2			Contractor's Facility	3/4 x 96 P/W x 377 P/L x A36 HR Plate	4/2015	\$7,352.07		\$7,352.07	5/2015	\$7,352.07	
2			Contractor's Facility	3/4 x 96 P/W x 377 P/L x A36 HR Plate	4/2015	\$22,056.20		\$22,056.20	5/2015	\$22,056.20	
2			Contractor's Facility	5/8 x 96 P/W x 310 and 11/16 x 96 P/W x 204 A36 HR Plate	4/2015	\$17,368.59		\$17,368.59	5/2015	\$17,368.59	
2			Contractor's Facility	7/8 x 96 x 260 and 11/16 x 96 x 290 A36 HR Plate	4/2015	\$16,282.75		\$16,282.75	5/2015	\$16,282.75	
2			Contractor's Facility	5/8 x 96 x 336 and 5/8 x 96 x 308 A36 HR Plate	4/2015	\$20,703.45		\$20,703.45	5/2015	\$20,703.45	
2			Contractor's Facility	7/8 x 96 x 260 A36 HR Plate	4/2015	\$2,957.64		\$2,957.64	5/2015	\$2,957.64	
2			Contractor's Facility	7/16 NOM x 72 PW x 288 PL A36 x TR/CL HR	4/2015	\$3,184.09		\$3,184.09	5/2015	\$3,184.09	
2			Contractor's Facility	1/4 x 72 x 224 PL x A36 HR Plate	4/2015	\$10,377.26		\$10,377.26	5/2015	\$10,377.26	
2			Contractor's Facility	1/4 x 72 x 224 PL and 7/16 NOM x 72 PW x 288 PL A36	4/2015	\$16,509.90		\$16,509.90	5/2015	\$16,509.90	
2			Contractor's Facility	7/8, 1/4, 1/2, 1-1/2 A36 Plate	4/2015	\$13,104.40		\$13,104.40	5/2015	\$13,104.40	
2			Contractor's Facility	3/8 x 96 A36 Plate	4/2015	\$5,950.49		\$5,950.49	5/2015	\$5,950.49	
2			Contractor's Facility	1/4 x 84 A36 Plate	4/2015	\$9,736.46		\$9,736.46	5/2015	\$9,736.46	
2			Contractor's Facility	Steel Fabrication and Delivery	03/2015 04/2015	\$170,000.00		\$170,000.00	5/2015	\$170,000.00	
				Totals		\$315,583.30		\$315,583.30		\$315,583.30	

RESOLUTION 2015-144

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, Maguire Iron, Inc. was awarded the contract to complete Division B of the project which includes a 500,000 gallon elevated water storage tank, foundation and all related water main connections; and

WHEREAS, the City has received the thirteenth and final contractor's application for payment for this division of the project from Maguire Iron; 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 requires 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 thirteenth and final contractor application for payment from Maguire Iron, Inc. in the amount of \$110,925.00; 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 the Economic Development Administration for reimbursement from the EDA Grant awarded to the City 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, City Clerk