F5b

City of Hiawatha

Engineering Department

101 Emmons St., Hiawatha Iowa, 52233-1697
PHONE (319) 393-1515 ext. 511 FAX (319) 393-1516

To: **Mayor and City Council** **Date:** **January 10, 2019**

From: John Bender PE, City Engineer

Re: **2018 Robins Road Rehabilitation Project**

Description: **Approval of Pay Application No. 2-Final Acceptance**

Report:

See attached partial payment No.2 (FINAL) to L.L. Pelling Inc. for the 2018 Robins Road Rehabilitation project. This payment is for all work completed and the project is substantially complete. The project is ready for final acceptance by the Council. The total cost of the project is $$229,179.68.

Recommendation:

Engineering recommends approval of Partial Payment No. 2 (FINAL) to L.L. Pelling Inc. in the amount of $ 0.00 at this time. After the 30 day waiting period, the final 5% retainage can be released providing no claims have been filed with the City Clerk. That amount to be released is $11,458.98.

If you need any further information, please let me know.

1

Release of Claims

(Iowa Guide 7c) Iowa Instruction 1942-A

RELEASE OF CLAIMS

CONTRACTOR, on behalf of itself, its subsidiaries, its affiliated entities, and each of their partners, respective shareholders, directors, officers, employees, agents, and attorneys and their predecessors, successors, and assigns (collectively "CONTRACTOR") hereby waives, releases and discharges OWNER, its officers, directors, employees and agents from and all actions, causes of action, claims and liabilities of any kind which in any manner arise from, relate to or are involved by CONTRACTOR's WORK on the PROJECT (2018 Robins Road Pavement Rehabilitation) as defined by the CONTRACT DOCUMENTS. The waived, released and discharged actions, causes of action, claims and liabilities shall be forever barred once CONTRACTOR accepts final payment.

CONTRACTOR: **(L.L. Pelling Company Inc.)**

By: DeWayne Heintz

Name: DeWayne Heintz
PRINT

Title: Project Manager

Date:___01/03/2019__

OWNER: **(CITY OF HIAWATHA, Iowa)**

By:_____

Name:__William Bennett_____
PRINT

Title:__Mayor_____

Date: _____

(4-7-97) SPN 508

Statement of Final Completion and Owner's Acceptance of the Work

Iowa Guide 34a

Iowa Instruction 1942-A

STATEMENT OF FINAL COMPLETION
AND
OWNER'S ACCEPTANCE OF THE WORK

PROJECT:

2018 Robins Road Rehabilitation

DESIGN ENGINEER /ARCHITECT:

Hall and Hall Engineers Inc.

OWNER:

City of Hiawatha, IOWA

CONTRACTOR:

L.L.Pelling Company Inc.,

DeWayne Heintz

I, the undersigned City Engineer do hereby state that:

1. The construction provided for pursuant to CONTRACT DOCUMENTS including all approved amendments and Change Orders, hereafter called the WORK between the OWNER and CONTRACTOR has been completed and to the best of my knowledge and belief, is in substantial compliance with the provisions of the CONTRACT DOCUMENTS.

2. The final payment authorized hereto and made a part hereof is a complete and accurate summary of the WORK performed in accordance with the CONTRACT DOCUMENTS.

3. The total cost of the WORK as completed is **$229,179.68**.

I recommend, under the provisions of the CONTRACT DOCUMENTS, that the WORK be accepted and that the final payment be made according to the contract documents.

City Engineer

By _____ Date 1/3/2019

The CONTRACTOR shall guarantee materials and equipment furnished and construction performed by providing a PERFORMANCE BOND which shall remain in full force and effect for a period of four years from date of acceptance by OWNER.

Accepted By CONTRACTOR

By DeWayne Heintz

Title _DeWayne Heintz, Project Manager

Date 01/03/2019

Accepted BY OWNER

By _____

Title William Bennett, Mayor

Date _____

(4-7-97) SPN 508

APPLICATION FOR PAYMENT
APPLICATION NO. 02

Project: 2018 ROBINS ROAD PAVEMENT REHABILITAION

HIAWATHA, LINN COUNTY , IOWA

Contractor: LL PELLING
3765 3RD AVE.
MARION, IOWA 52302

Owner: City of Hiawatha, Iowa

Original Contract Amount: $248,037.14

Revised Contract Amount: $229,179.68

Date: November 9, 2018

The Contractor noted above, in accordance with the provisions of the contract documents, hereby requests approval of this application for payment on the following estimates of contract work completed:

Original Contract Work Completed		$ 248,037.14
Materials Stored On Site		$ -

Change Orders:

Change Order No.	Date Approved	Amount
1	December 5th, 2018	$ (18,857.46)
		$ -
Total Change In Contract Amount from Change Orders		($18,857.46)

Total Change Order Work Completed		($18,857.46)
Total Complete and Stored to Date		$ 229,179.68
Retainage	5%	$ 11,458.98
Total Complete and Stored to Date Less Retainage		$ 217,720.69
Less Previous Payments		$ 217,720.69
Current Payment Due		$ (0.00)

Distribution: Owner _____ Engineer ___x__ Contractor __x___ Other _____

CONTRACTOR'S CERTIFICATION:

The undersigned Contractor certifies, to the best of the Contractor's knowledge, that the above information and estimated values of completed work covered on this Application for Payment have been completed in accordance with the provisions of the Contract Documents, that all amounts have been paid by the Contractor for work for which previous Applications for Payment have been made and payments received from the Owner, and that the current payment billing requested is now due.

Contractor's Authorized Representative:

By: _____ Date: 12/11/18

ENGINEER'S/ARCHITECT'S RECOMMENDATION:

In accordance with the provisions of the Contract Documents and based on the Engineer's/Architect's on-site observations of the work included in this Application for Payment and based on the Engineer's/Architect's review of this Application for Payment including the accompanying supporting data, and to the best of the Engineer's knowledge, information and belief, the work included in this Application for Payment is completed substantially in conformance with the Contract Documents and payment by the Owner is hereby recommended.

Engineer's/Architect's Authorized Representative:

By: _____ Date: 1/3/2019

CITY OF HIAWATHA PAYMENT RECOMMENDATION:

Payment to the Contractor is hereby recommended based on the Application for Payment submitted by the Contractor and the Engineer's/Architect's recommendation.

City of Hiawatha Authorized Representative:

By: _____ Date: _____

ATTACHMENTS REQUIRED:

1. Line Item Schedule of Contract Values Summary, Amounts Completed This Period, and Amounts Completed To Date. Recommend use of AIA Document G703.
2. Line Item Schedule of Contract Materials Stored and Values (if applicable).

ACCOUNTING USE ONLY:

_____-_____-_____ $_____
_____-_____-_____ $_____
_____-_____-_____ $_____
_____-_____-_____ $_____
_____-_____-_____ $_____
_____-_____-_____ $_____

APPLICATION FOR PAYMENT
APPLICATION NO. 02

Project: 2018 ROBINS ROAD PAVEMENT REHABILITATION
HIAWATHA, LINN COUNTY , IOWA
Contractor: LL PELLING
Engineer: HALL & HALL ENGINEERS
Revised Contract Amount: $248,037.14
Date: October 11, 2018

Item	Item Description	Units	Bid Quantities	Bid Prices		SEPT. 2018		To Date		
				Unit Price	Total	Quantity	Amount	Quantity	Amount	% Complete
1	BELOW GRADE EXCAVATION (CORE OUT)	CY	241.00	$35.00	$8,435.00	0.00	$0.00	0.00	$0.00	0.00%
2	SUBGRADE PREPARATION	SY	6,308.00	$1.81	$11,417.48	6308.00	$11,417.48	6,308.00	$11,417.48	100.00%
3	HMA PAVEMENT, STD. TRAFFIC, BASE COURSE, 3/4 IN. MIX	TON	783.00	$73.58	$57,613.14	859.38	$63,233.18	859.38	$63,233.18	109.75%
4	HMA PAVEMENT, STD. TRAFFIC, SURF. COURSE, 1/2 IN. MIX	TON	724.00	$75.32	$54,531.68	659.33	$49,660.74	659.33	$49,660.74	91.07%
5	DRIVEWAY, GRANULAR	TON	6.00	$25.00	$150.00	5.80	$145.00	5.80	$145.00	96.67%
6	MILLING, 3 INCH	SY	5,959.00	$3.70	$22,048.30	6121.11	$22,648.11	6,121.11	$22,648.11	102.72%
7	PAVEMENT REMOVAL, SPECIAL	SY	539.00	$7.95	$4,285.05	539.00	$4,285.05	539.00	$4,285.05	100.00%
8	FULL DEPTH RECLAMATION, 6 INCH	SY	5,785.00	$5.45	$31,528.25	5939.00	$32,367.55	5,939.00	$32,367.55	102.66%
9	CHEMICAL STABILIZATION AGENTS, CEMENT	TON	76.00	$148.24	$11,266.24	76.18	$11,292.92	76.18	$11,292.92	100.24%
10	INTERLAYER FOR CEMENT STABLIZED BASE, CLASS A CRUSHED STONE, 1 INCH	SY	5,785.00	$2.00	$11,570.00	0.00	$0.00	0.00	$0.00	0.00%
11	PAINTED PAVEMENT MARKINGS, SOLVENT / WATERBORNE	STA	71.00	$52.00	$3,692.00	66.90	$3,478.80	66.90	$3,478.80	94.23%
12	TRAFFIC CONTROL	LS	1.00	$9,500.00	$9,500.00	1.00	$9,500.00	1.00	$9,500.00	100.00%
13	MOBILIZATION	LS	1.00	$15,250.00	$15,250.00	1.00	$15,250.00	1.00	$15,250.00	100.00%
14	GRANULAR SHOULDERS, TYPE B	TON	150.00	$45.00	$6,750.00	131.13	$5,900.85	131.13	$5,900.85	87.42%
	COMPUTED TOTAL BID (ITEMS 1 THROUGH 14) =			$248,037.14		$229,179.68		$229,179.68		92.40%

MATERIALS STORED ON SITE

ITEM	DESCRIPTION	UNITS	QUANTITY	PRICE PER UNIT	TOTAL
				TOTAL MATERIALS STORED ON SITE	$0.00

CHANGE ORDERS

NO.	Description	Unit	Total Quantity	Unit Price	Total	This Period Quantity	This Period Amount	To Date Quantity	To Date Amount	% Complete
					$0.00	0.00	$0.00	0.00	$0.00	#DIV/0!
	CHANGE ORDER NO. 01 - 1		TOTALS	$0.00		$0.00		$0.00		#DIV/0!

REVISED CONTRACT TOTAL AFTER ALL C.O. (IF ANY)	$248,037.14	$229,179.68	ORIGINAL CONTRACT WORK COMPLETED
		$0.00	MATERIALS STORED ON SITE
		$0.00	TOTAL CHANGE ORDER WORK COMPLETED
		$229,179.68	TOTAL
	5.00%	$11,458.98	RETAINAGE
		$217,720.69	TOTAL LESS RETAINAGE
		$217,720.69	LESS PREVIOUS PAYMENTS
		$0.00	CURRENT PAYMENT DUE

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702 | Invoice #: 21423 |

TO OWNER: Hiawatha, City of
101 Emmons Street
Hiawatha, IA 52233

PROJECT: 53229 Robins Road- Hiawtha

APPLICATION NO: 3
PERIOD TO: 11/30/2018
PROJECT NOS: 4089-18-02
PURCHASE ORDER:

Distribution to:
☐ OWNER
☐ ARCHITECT
☐ CONTRACTOR
☐
☐

FROM CONTRACTOR:
L.L. Pelling Co., Inc.
P.O. Box 230
North Liberty, IA 52317

VIA ARCHITECT: Hall and Hall Engineers

CONTRACT DATE: 9/17/2018

CONTRACT FOR: Robins Road- Hiawatha

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. **ORIGINAL CONTACT SUM**		$248,037.14
2. **Net change by Change Orders**		-$18,857.46
3. **CONTRACT SUM TO DATE** (Line 1 + 2)		$229,179.68
4. **TOTAL COMPLETED & STORED TO DATE** (Column G on G703)		$229,179.68
5. **RETAINAGE:**		
a. 0 % of Completed Work (Column D + E on G703)	$0.00	
b. 00 % of Stored Material (Column F on G703)	$0.00	
Total Retainage (Line 5a + 5b or Total in Column I of G703)		$0.00
6. **TOTAL EARNED LESS RETAINAGE** (Line 4 less Line 5 Total)		$229,179.67
7. **LESS PREVIOUS CERTIFICATES FOR PAYMENT** (Line 6 from prior Certificate)		$217,720.69
8. **CURRENT PAYMENT DUE**		$11,458.98
9. **BALANCE TO FINISH, PLUS RETAINAGE** (Line 3 less Line 6)	$0.00	

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		18857.46
Total approved this Month		$0.00
TOTALS	$0.00	$18,857.46
NET CHANGES by Change Order	($18,857.46)	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: LL Pelling

By: DeWayne Heintz Date: 12/13/2018
DeWayne Heintz- Estimator

State of: Iowa
County of: Johnson
Subscribed and sworn to before me this 13th day of December, 2018.

Notary Public: Melinda S Steele
My Commission expires: 11/24/2021

MELINDA S STEELE
Commission Number 793367
My Commission Expires
11/24/2021
NOTARIAL SEAL IOWA

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Archtect certifies to the Owner that to the best of the Architect's knowledge, information and belief, the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED $11,458.98

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:
By: Date: 1/02/2019

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

AIA DOCUMENT G703 (Instructions on reverse side)

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification, is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 3
APPLICATION DATE: 30-Nov-18
PERIOD TO: 11/01 - 11/30
ARCHITECT'S PROJECT NO: 4089-18-02

A	B	C	D	E	F	G		H	I
			WORK COMPLETED						
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD	MATERIALS PRESENTLY STORED (NOT D OR E)	TOTAL COMPLETED AND STORED (D+E+F)	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE 5%
10	Below Grade Excavation	8,435.00	0.00	0.00	0	0.00	0.00%	0.00	0
20	Subgrade Prep	11,417.48	11,417.48	0.00	0	11,417.48	100.00%	0.00	570.874
30	HMA Base 3/4" ST	57,613.14	63,233.18	0.00	0	63,233.18	109.75%	0.00	3161.659
40	HMA Surface 1/2" ST	54,531.68	49,660.74	0.00	0	49,660.74	91.07%	0.00	2483.037
50	Driveway, Granular	150.00	145.00	0.00	0	145.00	96.67%	0.00	7.25
60	Milling 3"	22,048.30	22,648.11	0.00	0	22,648.11	102.72%	0.00	1132.4055
70	Pavement Removal	4,285.05	4,285.05	0.00	0	4,285.05	100.00%	0.00	214.2525
80	Full Depth Reclamation	31,528.25	32,367.55	0.00	0	32,367.55	102.66%	0.00	1618.3775
90	Chemical Stabilizing Additive, Cement	11,266.24	11,292.92	0.00	0	11,292.92	100.24%	0.00	564.646
100	Stone Interlayer	11,570.00	0.00	0.00	0	0.00	0.00%	0.00	0
110	Painted Pavement Markings	3,692.00	3,478.80	0.00	0	3,478.80	94.23%	0.00	173.94
120	Traffic Control	9,500.00	9,500.00	0.00	0	9,500.00	100.00%	0.00	475
130	Mobilization	15,250.00	15,250.00	0.00	0	15,250.00	100.00%	0.00	762.5
140	Granular Shoulder	6,750.00	5,900.85	0.00	0	5,900.85	87.42%	0.00	295.0425

RESOLUTION NO. 19-
City Council

RESOLUTION APPROVING (FINAL) PAY ESTIMATE #2
2018 Robins Road Pavement Rehabilitation Project

WHEREAS, the City Council of the City of Hiawatha, Iowa, has contracted for the 2018 Robins Road Pavement Rehabilitation Project with L.L. Pelling, Inc., and

WHEREAS, 2018 Robins Road Pavement Rehabilitation Project with L.L. Pelling, Inc. has been completed and to the best of our knowledge and belief, is in substantial compliance with the provisions of the contract documents and,

WHEREAS, the application for (Final) Pay Estimate #2 (two) in the amount of $11,458.98 has been received in the Clerk's Office, and

WHEREAS, the City Engineer has certified that said project has been completed in compliance with the plans and specifications and recommended payment of the (Final) Pay Estimate #2, and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA hereby accepting the 2018 Robins Road Pavement Rehabilitation Project, constructed by L.L. Pelling, Inc., and approving application for (Final) Pay Estimate #2 and directing City Clerk to make payment to L.L. Pelling, Inc., in the amount of $0.00 immediately. Five (5) percent retainage in the amount of $11,458.98 will be released after thirty (30) days has elapsed from the date of acceptance if no claims against the project are filed.

AYES:
NAYS:

PASSED AND APPROVED this 16th day of January, 2019.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kari Graber, Deputy City Clerk