



CITY OF LE SUEUR
REQUEST FOR COUNCIL ACTION

TO: Mayor and City Council

FROM: Cory Bienfang, City Engineer
Richard Kucera, Public Services Director

SUBJECT: Approve Resolution accepting work for the City of Le Sueur 5th St Extension Project and approve Final Payment

DATE: For the City Council Meeting of Monday, November 8, 2021

PURPOSE/ACTION REQUESTED

Approve attached resolution accepting work for the City of Le Sueur 5th St Extension Project and approve final payment in the amount of \$9,852.70.

SUMMARY

The punch list for the project has officially been completed and all documents required for completion of the project have been received.

Attached to this request is the final pay application (number 3), contractor certificate of final contract acceptance, and resolution accepting the work.

The 1-year correction period will begin upon City Council approval of the resolution accepting the work.

PURPOSE/ACTION REQUESTED

Staff recommends approval of the resolution accepting work for the City of Le Sueur 5th St Extension Project and approval of the final payment in the amount of \$9,852.70.

Contractor's Application for Payment

Owner: <u>City of Le Sueur</u>	Owner's Project No.: _____
Engineer: <u>Bolton & Menk, Inc.</u>	Engineer's Project No.: <u>M15.118637</u>
Contractor: <u>S.M. Hentges & Son, Inc.</u>	Other Project No.: _____
Project: <u>S. 5th Street Extension</u>	
Contract: _____	
Application No.: <u>3</u>	Application Date: <u>10/8/2021</u>
Application Period: From <u>6/26/2021</u> to <u>10/1/2021</u>	

1. Original Contract Price	\$	60,844.63
2. Net change by Change Orders	\$	-
3. Current Contract Price (Line 1 + Line 2)	\$	60,844.63
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$	75,657.53
5. Retainage		
a. _____ X \$ 75,657.53 Work Completed	\$	-
b. _____ X \$ - Stored Materials	\$	-
c. Total Retainage (Line 5.a + Line 5.b)	\$	-
6. Amount eligible to date (Line 4 - Line 5.c)	\$	75,657.53
7. Less previous payments (Line 6 from prior application)	\$	65,804.83
8. Amount due this application	\$	9,852.70
9. Balance to finish, including retainage (Line 3 - Line 4)	\$	(14,812.90)

Contractor's Certification on Final Payment

The undersigned Contractor certifies, to the best of its knowledge, the following:

(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 the Work covered by prior Applications for Payment;

(2) Title to 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 the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor: S.M. Hentges & Sons, Inc., 650 Quaker Avenue, Jordan, MN 55352

Signature: _____	Date: <u>10/8/2021</u>
Name: <u>Ryan Kniefel</u>	Title: <u>Project Manager</u>

<p>Recommended by Engineer</p> <p>By: <u><i>Cory L Bienfang</i></u></p> <p>Name: <u>Cory L. Bienfang, P.E.</u></p> <p>Title: <u>City Engineer</u></p> <p>Date: <u>10/8/2021</u></p>	<p>Approved by Owner</p> <p>By: _____</p> <p>Name: <u>Jasper Kruggel</u></p> <p>Title: <u>City Administrator</u></p> <p>Date: _____</p>
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Progress Estimate - Unit Price Work

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Engineer:	Bolton & Menk, Inc.	Engineer's Project No.:	M15.118637
Contractor:	S.M. Hentges & Son, Inc.	Other Project No.:	
Project:	S. 5th Street Extension		
Contract:			

Application No.: 3 Application Period: From 06/26/21 to 10/01/21 Application Date: 10/08/21

A	B	C	D	E	F	G	H	I	J	K	L
Bid Item No.	Description	Contract Information				Work Completed		Materials Currently Stored (not in G) (\$)	Work Completed and Materials Stored to Date (H + I) (\$)	% of Value of Item (J / F) (%)	Balance to Finish (F - J) (\$)
		Item Quantity	Units	Unit Price (\$)	Value of Bid Item (C X E) (\$)	Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) (\$)				
Original Contract											
1	MOBILIZATION	1.00	LUMP SUM	8,000.00	8,000.00	1.00	8,000.00		8,000.00	100%	-
2	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	55.00	LIN FT	1.80	99.00	55.00	99.00		99.00	100%	-
3	REMOVE CURB AND GUTTER	42.00	LIN FT	1.35	56.70	33.00	44.55		44.55	79%	12.15
4	REMOVE BITUMINOUS PAVEMENT	205.00	SQ YD	3.10	635.50	205.00	635.50		635.50	100%	-
5	GEOTEXTILE FABRIC TYPE 5	619.00	SQ YD	1.70	1,052.30	721.00	1,225.70		1,225.70	116%	(173.40)
6	EXCAVATION - COMMON (CV)	356.00	CU YD	12.00	4,272.00	356.00	4,272.00		4,272.00	100%	-
7	SELECT GRANULAR EMBANKMENT (CV)	207.00	CU YD	16.00	3,312.00	207.00	3,312.00		3,312.00	100%	-
8	COMMON EMBANKMENT (CV)	95.00	CU YD	13.00	1,235.00	139.00	1,807.00		1,807.00	146%	(572.00)
9	SUBGRADE EXCAVATION	186.00	CU YD	11.00	2,046.00	206.00	2,266.00		2,266.00	111%	(220.00)
10	STABILIZING AGGREGATE	186.00	CU YD	37.00	6,882.00	328.50	12,154.50		12,154.50	177%	(5,272.50)
11	GEOGRID	619.00	SQ YD	3.42	2,116.98	721.00	2,465.82		2,465.82	116%	(348.84)
12	COMMON LABORERS	-	HOUR	120.00	-	19.00	2,280.00		2,280.00		(2,280.00)
13	CRAWLER MOUNTED BACKHOE	-	HOUR	290.00	-	4.00	1,160.00		1,160.00		(1,160.00)
14	DOZER	4.00	HOUR	230.00	920.00	17.50	4,025.00		4,025.00	438%	(3,105.00)
15	10 CU YD TRUCK	4.00	HOUR	110.00	440.00	10.00	1,100.00		1,100.00	250%	(660.00)
16	VAC TRUCK	-	HOUR	252.00	-	2.00	504.00		504.00		(504.00)
17	AGGREGATE BASE (CV) CLASS 5	150.00	CU YD	36.00	5,400.00	170.00	6,120.00		6,120.00	113%	(720.00)
18	TYPE SP 9.5 WEARING COURSE MIXTURE (4,C)	48.00	TON	89.00	4,272.00	54.76	4,873.64		4,873.64	114%	(601.64)
19	TYPE SP 12.5 NON WEARING COURSE MIXTURE (4,B)	79.00	TON	69.00	5,451.00	84.48	5,829.12		5,829.12	107%	(378.12)
20	4" CONCRETE WALK	530.00	SQ FT	5.80	3,074.00	525.00	3,045.00		3,045.00	99%	29.00
21	6" CONCRETE WALK	68.00	SQ FT	13.00	884.00	76.00	988.00		988.00	112%	(104.00)
22	TRUNCATED DOMES	10.00	SQ FT	48.00	480.00	10.00	480.00		480.00	100%	-
23	B612 CURB AND GUTTER	292.00	LIN FT	20.00	5,840.00	296.00	5,920.00		5,920.00	101%	(80.00)
24	COMMERCIAL SIGN	1.00	LUMP SUM	3,000.00	3,000.00	-	-		-		3,000.00
25	SEDIMENT CONTROL LOG TYPE COMPOST	200.00	LIN FT	2.40	480.00	200.00	480.00		480.00	100%	-
26	SUBSOILING	0.20	ACRE	87.00	17.40	0.50	43.50		43.50	250%	(26.10)
27	SOIL BED PREPARATION	0.20	ACRE	200.00	40.00	0.50	100.00		100.00	250%	(60.00)
28	FERTILIZER TYPE 3	24.00	POUND	0.60	14.40	159.00	95.40		95.40	663%	(81.00)
29	EROSION CONTROL BLANKETS CATEGORY 3N	569.00	SQ YD	1.25	711.25	1,432.00	1,790.00		1,790.00	252%	(1,078.75)
30	SEEDING	0.20	ACRE	87.00	17.40	0.50	43.50		43.50	250%	(26.10)
31	SEED MIXTURE 25-151	29.00	POUND	3.30	95.70	151.00	498.30		498.30	521%	(402.60)
		-	-	-	-		-		-		-
Original Contract Totals					\$ 60,844.63		\$ 75,657.53	\$ -	\$ 75,657.53	124%	\$ (14,812.90)

CONTRACTOR CERTIFICATE OF FINAL CONTRACT ACCEPTANCE

Rev. Dec 2010

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Project Name – S 5 th St Extension	
Project Location – Le Sueur, MN	
Local Agency – City of Le Sueur	Local Project No. M15.118637
Contractor – S.M. Hentges & Sons	Contract No. N/A
Total Value of Work for Voucher # 3	Original Contract Amount \$ 60,844.63
	Final Contract Amount \$ 75,657.53

The undersigned contractor does hereby certify that he/she has performed and completed all the work described in accordance with and pursuant to the terms of this contract, and does hereby accept the final voucher as being correct, full and completed and does make claim for final payment on this contract in accordance with the final voucher. Additionally, the contractor agrees to provide a one-year correction period according to Section 15.08 of the EJCDC Standard General Conditions of the Construction Contract commencing on the date of final payment.

Contractor Signatures:

By: [Signature]

Date: 10/12/2021

And: _____

Date: _____

And: _____

Date: _____

Notarization is at the discretion of the Local Agency:

STATE OF MINNESOTA, County of Scott

On this 12th day of October, 2021, before me personally appeared

(Individual Acknowledgement)

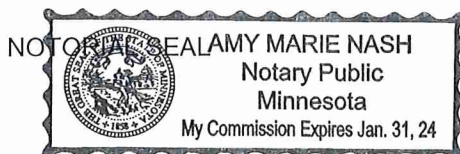
_____ to me known to be the person who executed the foregoing acceptance and acknowledge that _____ executed the same as _____ free act and deed.

(Corporate Acknowledgement)

Ryan Kniefel and _____, to me personally known, who, being each by me duly sworn each did say that they are respectively the Project Manager and _____ of S.M. Hentges & Sons Corporation named in the foregoing instrument, and that the seal affixed to said instrument is the Corporate seal of said Corporation and the said instrument was signed and sealed in behalf of said Corporation by authority of it's _____ and said _____ and _____ acknowledged said instrument to be the free act and deed of said Corporation.

Signature: [Signature]

My Commission Expires: 1/31/2024



CONTRACTOR CERTIFICATE OF FINAL CONTRACT ACCEPTANCE

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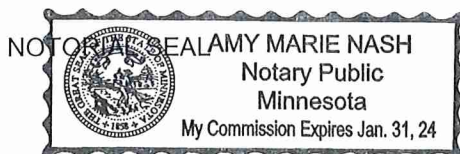
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Signature: _____

My Commission Expires: 1/31/2024



CITY OF LE SUEUR, MINNESOTA
CITY COUNCIL RESOLUTION **R2021-041**
ACCEPTING WORK FOR THE CITY OF LE SUEUR 5TH ST EXTENSION PROJECT

WHEREAS, pursuant to a written quote signed with the City on March 11, 2021, S.M. Hentges & Sons, Inc. of 650 Quaker Avenue, Jordan, MN 55352 has satisfactorily completed improvements named City of Le Sueur 5th St Extension Project, the improvements to construct grading, aggregate base, bituminous pavement, concrete curb and gutter and other appurtenant construction in accordance with such contract.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:

The City of Le Sueur recognizes:

1. The work completed under said contract is hereby accepted and approved.
2. That the city clerk and mayor are hereby directed to issue a proper order for the final payment on such contract, in exchange for the contractor's receipt evidencing payment in full.

PASSED by the City Council of the City of Le Sueur on this 8th day of November 2021.

ATTEST

Mayor

City Clerk

VOTE: ___ KIRBY ___ KROGMANN ___ LOOSE
___ HUNTINGTON ___ SCHLUETER ___ SULLIVAN ___ SWANBERG