



ITEM REPORT UTILITIES COMMISSION

Agenda Date: 12/4/2024
Agenda Section: Business Item

Department Origination: Public Works

Agenda Item: Approve the MNL, Inc. Partial Pay Estimate No. 2 in the amount of \$6,270.00 for the Whiskey Creek Stormwater Improvements Project, Municipal Project Number 200292

Approval Required: Simple Majority Vote

BACKGROUND

At the 3/19 City Council meeting, Council accepted the lowest submitted revised quote for the Planting Plan project, submitted by MNL at a value of \$119,342.30. A 10% contingency was added to this number (+ \$11,934.23), and the SWCD pledged an additional \$2,000 towards the project. The total Planting Plan project cost after these changes was \$5,876.53 above the previously budgeted funds. Council approved an amendment to the Stormwater Enterprise Fund that included funds for this budget increase.

Change Order No. 1 was approved at the August 8th, 2024 City Council Meeting. Consultation between the City, SWCD, MNL and HR Green resulted in a change from seeding near the water's edge requiring basin dewatering to the installation of plugs under the normal water level. The dewatering line item was removed, and a line item for installation of shoreline and aquatic plants has been added. MNL was also directed to remove the silt fence at the water's edge installed during the construction project to create space for the seeding and stabilization work. This line item has also been added. Erosion control blanket was substituted for hydraulic mulch matrix in the turf grass areas, and the Hydraulic Mulch Matrix line item has been removed. These changes resulted in no net change to the contract amount.

Construction work began the week of 6/24/24. The work was split into two mobilizations-one for seeding and blanket placement, and one for plug placement. The second mobilization was completed the week of 7/22/24. Weeding events have taken place as part of the first year of warranty services.

At the 8/8/24 City Council meeting, the council approved Partial Pay Estimate No. 1 in the amount of \$86,504.86 for the seeding and planting of the site. \$4,552.89 was held in retainage.

Partial Pay Estimate No. 2 is presented in the amount of \$6,270.00. The payment includes the cost of unit price work completed from July 26, 2024 to October 8, 2024.

This pay estimate includes 1 year of warranty work. The plantings will be monitored over the course of the 3-year warranty period and a portion of the remaining budget may be used for additional plantings to reinforce any locations that may be struggling. The contractor will provide warranty services for three years following completion of the project.

The project is currently tracking under budget, but it will require maintenance for the next two years. The remaining budget may be spent on replacement plantings if the need arises. The contingency of \$11,934.23 is budgeted for and is not anticipated to be spent.

FINANCIAL IMPLICATIONS

The contractor has earned \$97,657.75 to date which represents 81.8% of the contract value. In accordance with the agreement, 5% of the contract value (\$4,882.89) is being retained. Less previous payments by the City results in a payment this month of \$6,270.00.

STAFF RECOMMENDATIONS

Staff recommend making progress payment as outlined in Partial Pay Estimate No. 2.

COUNCIL ACTION REQUESTED

MOTION to approve the MNL, Inc. Partial Pay Estimate No. 2 in the amount of \$6,270.00 for the Whiskey Creek Stormwater Improvements Project, Municipal Project Number 200292.