



ITEM REPORT UTILITIES COMMISSION

Agenda Date: 6/5/2024
Agenda Section: Information Only

Department Origination: Public Works

Agenda Item: Approve the J.R. Ferche, Inc. Partial Pay Estimate No. 4 in the amount of \$217,254.91 for the Whiskey Creek Stormwater Improvements Project, Municipal Project Number 200292

Approval Required: No Action Required

BACKGROUND

At the 9/5 City Council meeting, the council awarded the Whiskey Creek Stormwater Improvements Project contract to J.R. Ferche Inc. in the amount of \$959,085.95 and then approved Change Order No. 1, reducing the scope of the project, and reducing the contract amount by \$49,894.30 to \$909,191.65. Council also amended the 2023 Stormwater Enterprise Fund budget by increasing the original budget of \$225,000 by \$118,993.87 to cover the total City project costs of \$343,993.87.

At the 10/17 City Council meeting, the council approved Partial Pay Estimate No. 1 in the amount of \$180,567.92 as well as a change order increasing the contract amount by \$49,190.21 to a total of \$958,381.86.

At the 11/21 City Council meeting, the council approved Partial Pay Estimate No. 2 in the amount of \$243,303.08. Council also approved Change Order No. 3 increasing the contract amount by \$75,004.38 to a total of \$1,033,386.24, and an amendment to the HR Green contract for engineering services for an additional \$88,570.00 increasing the contract to a total of \$431,969.00. Council approved an amendment to the Stormwater Enterprise Fund in the amount of \$212,764.59 to cover the engineering amendment and change orders for construction.

At the 12/29 City Council meeting, the council approved Partial Pay Estimate No. 3 in the amount of \$580,716.47, amounting to a total of \$1,004,587.47 paid to the contractor to date. \$52,873.03 is being held in retainage. Council approved Change Order No. 4, increasing the contract amount by \$107,126.21 to a total of \$1,140,512.45. HR Green also provided an updated OPC for the Planting Plans of \$123,400, increasing the anticipated construction cost by \$73,400. Council approved an amendment to the Stormwater Enterprise Fund in the amount of \$180,720.09 to cover the change order and the increased estimated Planting Plan cost.

Construction on this project was paused for the winter at the end of November.

At the 3/19 City Council meeting, the council approved Change Order No. 5 increasing the contract amount by \$212,493.37 to a total of \$1,353,005.82, and an amendment to the HR Green contract for engineering services for an additional \$14,410.00 increasing the contract to a total of \$446,379.00. The 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. The City also required a bike and pedestrian easement on the east end of the project at an estimated cost of \$5,779.40. Council approved an amendment to the Stormwater Enterprise Fund in the amount of \$214,103.57 to cover the change order, engineering amendment, planting plan project cost change, and bike and pedestrian easement.

The BMP project work on riprapping of the pre-treatment basin took place the week of 4/22. The final grading of gravel was done the week of 4/29. The asphalt maintenance access road received its first lift on 5/14. The second and final lift is expected to be paved on 5/29. Site restoration should be wrapped up by 6/4.

Partial Pay Estimate No. 4 is presented in the amount of \$217,254.91. The payment includes the cost of unit price work completed during the fourth pay period to May 22, 2024.

This pay estimate includes the cost for fall seeding and for riprapping of the pre-treatment basin that were included in Change Order No. 5. The spring seeding and restoration costs in Change Order No. 5 have not yet been completed and its costs are not included in this change order.

FINANCIAL IMPLICATIONS

The contractor has earned \$1,286,149.87 to date which represents 95.0% of the revised contract value. In accordance with the agreement, 5% of the contract value (\$64,307.49) is being retained. Less previous payments by the City results in a payment this month of \$217,254.91.

STAFF RECOMMENDATIONS

Staff recommend making progress payment as outlined in Partial Pay Estimate 4.

COUNCIL ACTION REQUESTED

MOTION to approve the J.R. Ferche, Inc. Partial Pay Estimate No. 4 in the amount of \$217,254.91 for the Whiskey Creek Stormwater Improvements Project, Municipal Project Number 200292.