

## NOTICE OF ACCEPTABILITY OF WORK

Owner:	City of Baxter	Owner's Project No.:	200292
Engineer:	HR Green, Inc.	Engineer's Project No.:	200292.02
Contractor:	J.R. Ferche, Inc.	Contractor's Project No.:	NA
Project:	Whiskey Creek Stormwater Improvements		
Contract Name:	Whiskey Creek Stormwater Improvements		
Notice Date:	7/30/24	Effective Date of the Construction Contract:	9/7/2023

The Engineer hereby gives notice to the Owner and Contractor that Engineer recommends final payment to Contractor, and that the Work furnished and performed by Contractor under the Construction Contract is acceptable, expressly subject to the provisions of the Construction Contract's Contract Documents ("Contract Documents") and of the Agreement between Owner and Engineer for Professional Services dated February 15<sup>th</sup>, 2022 ("Owner-Engineer Agreement"). This Notice of Acceptability of Work (Notice) is made expressly subject to the following terms and conditions to which all who receive and rely on said Notice agree:

1. This Notice has been prepared with the skill and care ordinarily used by members of the engineering profession practicing under similar conditions at the same time and in the same locality.
2. This Notice reflects and is an expression of the Engineer's professional opinion.
3. This Notice has been prepared to the best of Engineer's knowledge, information, and belief as of the Notice Date.
4. This Notice is based entirely on and expressly limited by the scope of services Engineer has been employed by Owner to perform or furnish during construction of the Project (including observation of the Contractor's Work) under the Owner-Engineer Agreement, and applies only to facts that are within Engineer's knowledge or could reasonably have been ascertained by Engineer as a result of carrying out the responsibilities specifically assigned to Engineer under such Owner-Engineer Agreement.
5. This Notice is not a guarantee or warranty of Contractor's performance under the Construction Contract, an acceptance of Work that is not in accordance with the Contract Documents, including but not limited to defective Work discovered after final inspection, nor an assumption of responsibility for any failure of Contractor to furnish and perform the Work thereunder in accordance with the Contract Documents, or to otherwise comply with the Contract Documents or the terms of any special guarantees specified therein.
6. This Notice does not relieve Contractor of any surviving obligations under the Construction Contract, and is subject to Owner's reservations of rights with respect to completion and final payment.

This notice is contingent upon the completion of the remaining punch list items as updated by the Contractor (attached):

3 – Repair pavement gouges on Golf Course Drive

7 – Remove sand pile & stabilize and vegetate soils

Engineer

By (*signature*): Bridget Osborn

Name (*printed*): Bridget Osborn

Title: Project Manager

City of Baxter, MN  
Preliminary Project Punch List  
**Whiskey Creek Stormwater Facility Project**

Project: Whiskey Creek Stormwater Facility Project

Date: 3/21/24

*updated 7-26-24*

Project Number: 200292.02

General Contractor: J.R. Ferche, Inc.

Item No.	Area	Description (general description of work to be completed)	Responsible Party	Ref. Spec/ Detail	Completed
1	Entire Site	Pave access road	J.R. Ferche, Inc.	C102, C109-C111	6.11.24
2	Golf Course Drive Entrance	Replace curb and gutter at the access road entrance off Golf Course Drive	J.R. Ferche, Inc.	C102	6.11.24
3	Golf Course Drive Entrance	Repair pavement gouges on Golf Course Drive	J.R. Ferche, Inc.	<i>Scheduled for 7-31-24</i>	
4	Entire Site	Place topsoil after pavement	J.R. Ferche, Inc.	C106, C107	6.11.24
5	Entire Site	Tidy up washouts	J.R. Ferche, Inc.	C200	<i>Done</i>
6	Entire Site	Stabilize placed topsoil and any other areas that need it (washouts, etc.)	J.R. Ferche, Inc.	C200	<i>Done</i>
7	Stockpile Location	Remove sand pile & stabilize and vegetate soils	J.R. Ferche, Inc.	<i>TBD</i>	
8	Stockpile Location	Remove logs/downed trees	J.R. Ferche, Inc.	<i>Done</i>	
9	Stockpile Location	Remove stockpiled RC pipes	City of Baxter		
10	Stockpile Location	Remove Topsoil & stabilize and vegetate soils	City of Baxter		
11	Golf Course Drive Entrance	Place construction entrance/exit prior to hauling sand	J.R. Ferche, Inc.	C200, C602	6.11.24 Pratt's
12	Entire Site	Maintain temporary BMPs (SWPPP requirements prior to transferring the NPDES permit)	J.R. Ferche, Inc.	C603	<i>Done</i>
13	Entire Site	Remove synthetic BMPs (SWPPP requirements prior to transferring the NPDES permit)	J.R. Ferche, Inc.	C603	<i>Done</i>
14	Entire Site	Remove sediment from basins (SWPPP requirements prior to transferring the NPDES permit)	J.R. Ferche, Inc.	C603	<i>Done</i>
15	Entire Site	Clean pipes/culverts (SWPPP requirements prior to transferring the NPDES permit)	J.R. Ferche, Inc.	C603	<i>Done</i>
16	<del>East Wetland</del>	<del>Provide 4:1 side slopes for the dredged wetland north of 72" outlet pipe</del>	<del>J.R. Ferche, Inc.</del>		
17	Riprap forebay	Place silt fence at top of riprap	J.R. Ferche, Inc.	<i>Done</i>	
18	Riprap forebay	Place temporary seeding	J.R. Ferche, Inc.	<i>Done</i>	
19		Transfer Construction Stormwater Permit to MNL	J.R. Ferche, Inc.	<i>Done</i>	
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