



David J. Machado, PE
Brad P. Patano, PE
Gerrod W. Kilpatrick, PE
Bradford A. Jones, AIA

YOUR PROJECT • OUR PRIORITY • NO EXCUSES

TRANSMITTAL

Attention:	<u>Mike Favre, Mayor</u>	From:	<u>Sarah Williams</u>
Company:	<u>City of Bay St. Louis</u>	Date:	<u>Monday, August 5, 2024</u>
Project Name:	<u>Court Street Community Center</u>	Project #:	<u>0317.23.002</u>
Re:	<u>Pay Application #01</u>	CC:	<u></u>

☐ Urgent

☒ For Review

☐ Please Comment

☐ Please Reply

☐ For Your Record

Comments:

Mr. Favre, we have reviewed the attached Pay Application No. 01 from David Rush Construction, LLC for the above
referenced project and we recommend payment in the amount of One Hundred Forty-Eight Thousand, Seven Hundred
Eighty-Four Dollars and Twenty-Five Cents (\$148,784.25).

COURT STREET COMMUNITY CENTER REPAIRS

Application and Certificate for Payment

TO OWNER:		PROJECT:	APPLICATION NO: 001	Distribution to:	
CITY OF BAY ST. LOUIS 688 HIGHWAY 90 ST. LOUIS, MS 39520		BAY COURT STREET COMMUNITY CENTER REPAIRS	PERIOD TO: 7/08/24 - 07/29/24	OWNER:	X
			CONTRACT FOR:	ENGINEER:	X
		VIA ENGINEER:	CONTRACT DATE: 6/28/2024	CONTRACTOR:	X
David Rush Construction, LLC 18391 Runnymede Rd. Pass Christian, MS 39571		MP DESIGN GROUP, PLLC 918 HOWARD AVENUE, SUITE F BILOXI, MS 39530	PROJECT NO.: 0317.23.002	FIELD:	
				OTHER:	

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the contract.
Continuation sheet is attached.

Original Contract Sum	\$951,400.00
Net change by change orders	\$0.00
Contract sum to date (Line 1 + 2)	\$951,400.00
Total completed and stored to date	\$156,615.00
Retainage	
5.0% of completed work =	\$7,830.75
5.0% of stored material =	\$0.00
Total retainage =	\$7,830.75
Total earned less retainage	\$148,784.25
Less previous certificates for payment	\$0.00
Current payment due	\$148,784.25
Balance to finish including retainage	\$802,615.75

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved previously by owner	-	
Total approved this month	-	
TOTALS	-	-
Net changes by change order		-

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 recieved from the Owner, and that current payment shown herein is now due.

CONTRACTOR: David Rush Construction

By: David Rush

Date: 07/29/24

State of: Mississippi

County of: Hancock

Subscribed and sworn to before me
this 29th day of July 2024

Notary Public:

Christa Carver

My commission expires: Nov. 8, 2027



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the contract documents, based on on-site observation and the data comprising this application, the Architect certifies to the Owner that to the best of the Architects 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..... \$ 148,784.25

OWNER:

By: Senk

Date: 08/05/2024

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

Attachment to Payment Application #001

APPLICATION AND CERTIFICATION 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 may apply.

APPLICATION NO: 001
 APPLICATION DATE: 7/29/2024
 PERIOD TO: 7/08/24 - 07/29/24

A	B	C	D	E	F	G		H	I
Item #	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)	BALANCE TO FINISH (C-G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD					
1	Site Mobilization	80,000.00	-	80,000.00	-	80,000.00	100.00%	-	4,000.00
2	Taxes	33,300.00	-	5,515.00	-	5,515.00	16.56%	27,785.00	275.75
3	Temporary Fence	5,000.00	-	5,000.00	-	5,000.00	100.00%	-	250.00
4	Clean Up	5,000.00	-	-	-	-	0.00%	5,000.00	-
	DEMOLITION								
	First Floor								
5	Remove vehicle barrier cable	3,500.00	-	-	-	-	0.00%	3,500.00	-
6	Remove all IPE wood tread	3,500.00	-	1,750.00	-	1,750.00	50.00%	1,750.00	87.50
7	Remove all curtain wall caps and demo perimeter sealant in its entirety	3,000.00	-	-	-	-	0.00%	3,000.00	-
8	Remove all doors. Demo hinges and thresholds.	500.00	-	-	-	-	0.00%	500.00	-
9	Demo broken glass panel in SR 101.	500.00	-	-	-	-	0.00%	500.00	-
	Second Floor								
10	Remove vehicle barrier cable	5,500.00	-	-	-	-	0.00%	5,500.00	-
11	Remove all IPE wood tread	3,500.00	-	1,750.00	-	1,750.00	50.00%	1,750.00	87.50
12	Remove all curtain wall caps and demo perimeter sealant in its entirety	3,000.00	-	-	-	-	0.00%	3,000.00	-
13	Remove all doors. Demo hinges and thresholds.	500.00	-	-	-	-	0.00%	500.00	-
14	Remove exterior wood decking	4,500.00	-	4,500.00	-	4,500.00	100.00%	-	225.00
15	Demo construction joint sealant	800.00	-	-	-	-	0.00%	800.00	-
16	Remove solar panel	9,000.00	-	9,000.00	-	9,000.00	100.00%	-	450.00

Continuation Sheet 2

APPLICATION NO: 001

APPLICATION DATE: 7/29/2024

APPLICATION AND CERTIFICATION 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 may apply.

PERIOD TO: 7/08/24 - 07/29/24

A	B	C	D	E	F	G		H	I
Item #	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	%(G/C)	BALANCE TO FINISH (C-G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD					
	Third Floor								
17	Remove all IPE wood tread	4,000.00	-	2,000.00	-	2,000.00	50.00%	2,000.00	100.00
18	Remove all curtain wall caps and demo perimeter sealant in its entirety	3,000.00	-	-	-	-	0.00%	3,000.00	-
19	Remove all doors. Demo hinges and thresholds.	3,000.00	-	-	-	-	0.00%	3,000.00	-
20	Remove all pedestrian guardrail cables	5,600.00	-	5,600.00	-	5,600.00	100.00%	-	280.00
21	Demo wood decking and sleepers in its entirety.	10,500.00		10,500.00	-	10,500.00	100.00%	-	525.00
22	Demo exterior wood decking	3,500.00	-	3,500.00	-	3,500.00	100.00%	-	175.00
									-
	Roofing							-	-
23	Demo steel shade tubing	15,000.00	-	7,500.00	-	7,500.00	50.00%	7,500.00	375.00
24	Demo standing seam metal roof panel	7,500.00	-	-	-	-	0.00%	7,500.00	-

APPLICATION NO:	001
APPLICATION DATE:	7/29/2024
PERIOD TO:	7/08/24 - 07/29/24

[illegible]

Continuation Sheet 4

APPLICATION AND CERTIFICATION 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 may apply.

APPLICATION NO: 001
 APPLICATION DATE: 7/29/2024
 PERIOD TO: 7/08/24 - 07/29/24

A	B	C	D	E	F	G		H	I
Item #	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	%(G/C)	BALANCE TO FINISH (C-G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD					
	Third Floor							-	
39	Repair all galvanized and carbon steel surfaces	148,000.00	-	-	-	-	0.00%	148,000.00	-
40	Reinstall cable handrail	3,500.00	-	-	-	-	0.00%	3,500.00	-
41	Reinstall doors removed	5,000.00	-	-	-	-	0.00%	5,000.00	-
42	Reinstall curtain wall cap and sealant	5,000.00	-	-	-	-	0.00%	5,000.00	-
43	Reinstall IPE wood decking	4,500.00	-	-	-	-	0.00%	4,500.00	-
44	Install new treads	4,500.00	-	-	-	-	0.00%	4,500.00	-
45	Install 2" bonded topping concrete	30,000.00	-	-	-	-	0.00%	30,000.00	-
	Roofing								
44	Build new overhang	22,000.00	-	-	-	-	0.00%	22,000.00	-
45	Install standing seam metal roof	25,000.00	-	-	-	-	0.00%	25,000.00	-
	Alternates #1								
46	Replancing louvers at A/C	15,000.00	-	-	-	-	0.00%	15,000.00	-
	Alternate #2								
47	Replace damaged glazing	23,000.00	-	-	-	-	0.00%	23,000.00	-
	Alternate #4								
48	Replacing all handrails with aluminum	153,400.00	-	-	-	-	0.00%	153,400.00	-
49	Contingency Allowance	100,000.00	-	-	-	-	0.00%	100,000.00	-
50		-	-	-	-	-		-	-
51		-	-	-	-	-		-	-
52		-	-	-	-	-		-	-
53		-	-	-	-	-		-	-
54		-	-	-	-	-		-	-
55		-	-	-	-	-		-	-
	TOTAL	\$ 951,400.00	\$ -	\$ 156,615.00	\$ -	\$ 156,615.00	16.46%	\$ 794,785.00	\$ 7,830.75



David Rush Construction, LLC
18391 Runnymede Rd
Pass Christian, MS 39571
Phone: (228) 255-1286 Fax: (228) 255-8842

CONTRACTOR'S AFFIDAVIT OF PAYMENT OF DEBTS AND CLAIMS

PROJECT NAME & NUMBER:COURT STREET COMMUNITY CENTER REPAIRS

OWNER

City of Bay St. Louis
688 Highway 90
Bay St. Louis, MS 39520

ENGINEER

MP Design Group, PLLC
918 Howard Avenue, Suite F
Biloxi MS 39530

CONTRACTOR

David Rush Construction
18391 Runnymede Road,
Pass Christian, MS 39571

The undersigned hereby certified that, except as listed below, payment has been made in full and all obligations have otherwise been satisfied for all materials and equipment furnished, for all work, labor, and services performed, and for all known indebtedness and claims against the Contractor for damages arising in any manner in connection with the performance of the contract referenced above for which the Owner, or Owner's property might in any way be held responsible or encumbered.

EXCEPTIONS:

List exceptions on an attached sheet.

SUPPORTING DOCUMENTS ATTACHED HERETO:

1. Consent of Surety to Final Payment
2. Contractor's Release of Waiver of Liens, conditional upon receipt of final payment
3. Contractor's Affidavit of Release of Liens

Executed this 29th July 2024.

Signature of Contractor

David Rush - Managing Member

Printed Name and Title

STATE OF: Mississippi

COUNTY OF: Hancock

The above named, David Rush, appeared before me this July 29th of 2024, and executed the foregoing document as by our act and deed.

Notary Public:

My Commission Expires: Nov. 8, 2027





David Rush Construction, LLC
18391 Runnymede Rd
Pass Christian, MS 39571
Phone: (228) 255-1286 Fax: (228) 255-8842

CONTRACTOR'S AFFIDAVIT OF RELEASE OF LIENS

PROJECT NAME & NUMBER: COURT STREET COMMUNITY CENTER REPAIRS

OWNER

City of Bay St. Louis
688 Highway 90
Bay St. Louis, MS 39520

ENGINEER

MP Design Group, PLLC
918 Howard Avenue, Suite F
Biloxi MS 39530

CONTRACTOR

David Rush Construction
18391 Runnymede Road,
Pass Christian, MS 39571

The undersigned hereby certifies that to the best of the undersigned's knowledge, information and belief, except as listed below, the Releases or Waivers of Lien attached hereto include the Contractor, all Subcontractors, all suppliers of materials and equipment, and all performers of Work, labor or services who have or may have liens or encumbrances or the right to assert liens or encumbrances against any property of the Owner arising in any manner out of the performance of the Contract referenced above.

EXCEPTIONS:

List exceptions on an attached sheet.

SUPPORTING DOCUMENTS ATTACHED HERETO:

1. Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
2. Separate Releases or Waivers of Liens from Subcontractors, and material and equipment suppliers to the extent required by the Owner, accompanied by a list thereof.

Executed this 29th July 2024.

Signature of Contractor

David Rush - Managing Member

Printed Name and Title

STATE OF: Mississippi

COUNTY OF: Hancock

The above named, David Rush, appeared before me this July 29th of 2024, and executed the foregoing document as by our act and deed.

Notary Public:

My Commission Expires:

Nov. 8, 2027





David Rush Construction, LLC
18391 Runnymede Rd
Pass Christian, MS 39571
Phone: (228) 255-1286 Fax: (228) 255-8842

CONTRACTOR'S PARTIAL RELEASE OF LIENS

PROJECT NAME & NUMBER: COURT STREET COMMUNITY CENTER REPAIRS

OWNER

City of Bay St. Louis
688 Highway 90
Bay St. Louis, MS 39520

ENGINEER

MP Design Group, PLLC
918 Howard Avenue, Suite F
Biloxi MS 39530

CONTRACTOR

David Rush Construction
18391 Runnymede Road,
Pass Christian, MS 39571

Upon receipt and in consideration of the payment of \$148,784.25. Contractor warrants that all subcontractors, suppliers of materials, equipment, and labor have been or will be properly paid and that no may be placed on the owners property by the contractor, subcontractors, vendors, or suppliers for any material or equipment invoices for which payment has been made.

EXCEPTIONS:

List exceptions on an attached sheet.

SUPPORTING DOCUMENTS ATTACHED HERETO:

1. Consent of Surety to Final Payment
2. Contractor's Release of Waiver of Liens, conditional upon receipt of final payment
3. Contractor's Affidavit of Release of Liens

Executed this 29th July 2024.

Signature of Contractor

David Rush - Managing Member

Printed Name and Title

STATE OF: Mississippi

COUNTY OF: Hancock

The above named, David Rush, appeared before me this July 29th of 2024, and executed the foregoing document as by our act and deed.

Notary Public:

My Commission Expires: Nov. 8, 2027





David Rush Construction, LLC
18391 Runnymede Rd
Pass Christian, MS 39571
Phone: (228) 255-1286 Fax: (228) 255-8842

CONTRACTOR'S AFFIDAVIT CERTIFYING PAYMENT TO ALL SUBCONTRACTORS

PROJECT NAME & NUMBER: COURT STREET COMMUNITY CENTER REPAIRS

OWNER

City of Bay St. Louis
688 Highway 90
Bay St. Louis, MS 39520

ENGINEER

MP Design Group, PLLC
918 Howard Avenue, Suite F
Biloxi MS 39530

CONTRACTOR

David Rush Construction
18391 Runnymede Road,
Pass Christian, MS 39571

I acknowledge that, pursuant to Miss. Code ann. § 31-5-25 and H. B. 1562, laws of 2002, I am required to submit monthly certification indicating payments to subcontractors on prior payments requests. I, the undersigned contractor, do hereby certify that I have paid the following amounts to subcontractors for work which has been performed and incorporated into previous application for payment which were issued, and payment received from the owner on the project listed below. I understand that this document must be submitted monthly after the submittal, approval, and payment of pay application for payment #1.

SUBCONTRACTOR : ROBERT SMITH GLASS, INC.

AMOUNT: \$0.00

SUBCONTRACTOR :

AMOUNT: \$

SUBCONTRACTOR :

AMOUNT: \$

Executed this 29th July 2024.

Signature of Contractor

David Rush - Managing Member

Printed Name and Title

STATE OF: Mississippi

COUNTY OF: Hancock

The above named, David Rush, appeared before me this July 29th of 2024, and executed the foregoing document as by our act and deed.

Notary Public:

My Commission Expires: Nov. 8, 2027



COURT STREET COMMUNITY CENTER REPAIRS

Project No: 0317.23.002

Contingency Tracking Report Log

Date: July 29, 2024

ALLOWANCES	Original Amounts	Costs	Balances
1			
2			
3			

Total Allowance Amount in Contract:

\$100,000.00

Total Allowance Money Spent to Date:

\$ -

Total Allowance Money Remaining:

\$100,000.00

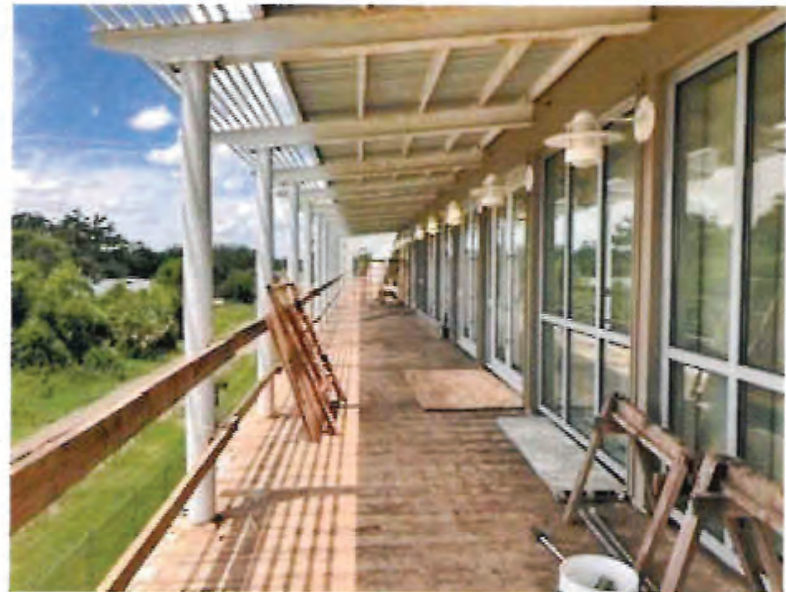
David Rush Construction, LLC
18391 Runnymede Rd.
Pass Christian, MS 39571
Office (228) 255-1286

(Green line)

Page 1 of 1

CONSTRUCTION PHOTOS

AS OF JULY 29, 2024







David Rush Construction, LLC
18391 Runnymede Rd
Pass Christian, MS 39571
Phone: (228) 255-1286 Fax: (228) 255-8842

July 15, 2024

CITY OF BAY ST. LOUIS
688 Highway 90
Bay St. Louis, MS 39520

MP DESIGN GROUP, PLLC
918 Howard Avenue, Suite F
Biloxi, MS 39530

PROJ.: 0317.23.002 Court St. Community Center Repairs

RE: Pre-Construction Meeting Minutes

Meeting Venue:

Bay St. Louis City Hall

Attendees:

Mike Favre (Mayor)
Mike Reso
Gerrod Kilpatrick
Matt Garcia
Ronnie Vanney
Ricky Ladner
Tim Rush
Marinel Huff

Facilitator:

Gerrod Kilpatrick

- I. The meeting started at 1:06 P.M.
- II. Introductions were made.
- III. AGENDA

A. Contract:

- 1. Copies of signed contract documents were given to the Contractor and City Mayor.
- 2. Project Description: Repair work to the existing community center and parking garage at 122 Court St., Bay St. Louis, MS.
- 3. Contract Amount:
 - Base Bid* - \$951,400.00
 - Alternate 1* - Replacing Glazing Panels - \$15,000.00
 - Alternate 2* - Replace HVAC Wood Louvers with Aluminum - \$23,000.00
 - Alternate 4* - Replace existing railings and replace with aluminum railings - \$153,400.00.
- 4. General Contingency Allowance of \$100,000 (included on the base bid)
- 5. Unit Pricing provided by Contractor:
 - a. 2x6 IPE Decking, fasteners, and Installation: \$20 LF
 - b. L1- 1/2x5x1/4 Galvanized Steel Angle and Installation - \$60 LF
- 6. Time of Completion: November 29, 2024
- 7. Liquidated Damages: \$500/day



B. Building Permit:

Ricky will get it approved once he has the plans.

C. Work Constraints and Owner Special Requirements:

1. No obstruction of public roadways, sidewalks or other pathways is allowed.
2. No weapons of any kind and no tobacco products allowed.
3. Coordinate utility outages with Architect of Record seven (7) days prior.
4. Job site access
 - DRC has taken necessary measures to ensure the security of the job site. The gate is locked after working hours and access is strictly limited to the contractor and authorized workers.
5. The city has plans to replace the flooring on the 3rd floor of the building. It is recommended that the installation of the doors be completed prior to the commencement of the flooring work. To ensure a smooth workflow and prevent any overlap, MP will be coordinating with DRC.
6. It is suggested that, if feasible, the garage area be made available for parking during the Cruise on the Coast week, likely to be from October 5th to 12th. However, safety should be a priority.

D. Inspections:

A 48-hour advance notice to Engineer of Record is required

E. Administrative Requirements

1. Schedule of Values – A copy was already sent to MP
2. Construction Schedule – A copy was already sent to MP
3. List of Subcontractors – A copy was already sent to MP
4. Submittal Schedule -A copy was already sent to MP
5. Submittals – Request for product submittals have already been sent to subcontractors and suppliers.
6. All paperwork will be done through Procore.
 - RFIs, Submittals, and Transmittals will be sent and approved through Procore.



F. Pay Applications:

- Pay Applications can be sent through Procore or emailed to Sarah.
- A draft pay app should be submitted prior to sending the final notarized pay app.
- Pay Applications need to be submitted to MP no later than the 3rd of each month, although earlier submissions are encouraged. Typically, MP takes about 2-3 days to approve these applications. Once the Pay Application is approved by MP, they can be forwarded to the city for inclusion in their meeting docket. The city holds meetings on the 1st Tuesday after the first Monday of the month, and again on the 3rd Tuesday. Timely submission will ensure the pay application is reviewed in the upcoming meeting.
- The Monthly Pay App Package must include:
 - Transmittal Letter
 - Application for Payment
 - Affidavit of Payment of Debts and Claims
 - Affidavit of Release of Liens
 - Affidavit of Partial Release of Liens
 - Affidavit Certifying Payment To All Subcontractors
 - Contingency Tracking Report Log
 - Updated Project Schedule
 - Current Construction Photos
 - Stored Material (Info & Photos)
 - Monthly OAC Meeting Minutes
- Online meeting with Sarah for Procore Orientation.

G. OAC Progress Meeting

- The venue will be the job site.
- The contractor is responsible for scheduling, coordinating, and running the meeting.
- The contractor is responsible for setting the agenda, taking down the minutes, and sending them out within 2 calendar days.
- The updated progress Schedule and Contingency Tracking Report are to be presented during these meetings.
- As built drawings will be verified monthly.



H. Questions:

1. David talked with the electrician that works for the city. He said that the solar panels have been cut off for some time now. Does the City want to use the contingency allowance to replace the broken panels and get the system back working again? Or does the city want to leave the panels down?

Answer: The city wants to leave the panels down.

2. Our subcontractor for the glazing panels is asking what the requirements are for stored materials.

Answer: Glazing Panels – Engineer advised for the materials either to be stored off site or on site. (They can cover the cost)

I. Meeting adjourned: 1:43 P.M.

Court St. Community Center Repairs

Contingency Tracking Report Log

Job No: 0317.23.002

Date: Monday, August 5, 2024

Prepared By: MP Design Group

ALLOWANCES	ORIGINAL AMOUNTS	COSTS	BALANCES
1.	\$100,000.00		
2.			
3.			
Total Allowance Amount In Contract	\$100,000.00		
Total Allowance Money Spent to Date		\$0.00	
Total Allowance Money Remaining			\$100,000.00