



Report to Village Board

Item Name: Discussion and Possible Action: Approval of Liquidated Damages for Ellis Construction

Meeting Date: March 10, 2025

Referring Body: Utility Committee

Committee Contact:

Staff Contact: Greg Ulman

Report Prepared by: Greg Ulman

AGENDA ITEM: Discussion and Possible Action: Approval of Liquidated Damages for Ellis Construction

OBJECTIVE(S): To approve the liquidated damages placed on Ellis Construction for \$20,510.04

HISTORY/BACKGROUND: A construction extension was granted to Ellis Construction in the summer of 2024 by the Utility Committee with a completion date of November 8, 2024. It was determined by the Utility Committee at the November 12, 2024 meeting starting that day and going through the date of the in-service date that the Village would impose of liquidated damages of the interest compiled during that timeframe of our DNR loan, as well as any additional expenses related to the delay. The in-service date for the plant was January 22, 2025, which puts 71 days of interest owed by Ellis Construction at a rate of \$134.13 per day. The total interest accrued during that time totals **\$9,523.54**. Because of the delay the engineering firm had to make special trips to the plant and extra work came from this as well. The engineering firm Becher-Hoppe had additional expenses of **\$10,986.50**, which we will add to the liquidated damages as well. That brings the total to **\$20,510.04** that we will deduct from our final payment to Ellis Construction. Once the contractor finishes 100% of the project and Village signs off on a total project completion form, we will receive the final invoice and will deduct this total amount from the invoice. The Utility Committee recommended this action to be taken to the Village Board on March 4, 2025.

PROPOSAL: To approve the liquidated damages for the amount of \$20,510.04

RECOMMENDED ACTION: To approve the liquidated damages for the amount of \$20,510.04 for Ellis Construction.