

October 31, 2019

City of Oelwein
Attn: Mayor & City Council
20 2nd Avenue S.W.
Oelwein, Iowa 50662

RE: **Oelwein 2019 Seal Coat Improvements**
Engineering Recommendation for Completion
Fox Ref No. 1022-19A.600

Dear Mayor and City Council,

Blacktop Services (Contractor) has satisfactorily completed in general compliance with the terms, conditions, and stipulations of said Contract for the Oelwein 2019 Seal Coat Improvements, dated September 10, 2019. FOX has included the following for Council approval:

1. **Change Order No. 1** adjusts the estimated bid quantities based on as-built measurements. City Staff eliminated some seal coat streets, added some seal coat streets, extended some seal coat streets, and double seal coated some streets. In addition, more pavement patches and associated tonnage was required prior to seal coating. (See Change Order No. 1 for details).
2. **Progress Payment No. 1** releases all payment except the 5% retainage.
3. **Engineer's Statement of Final Completion**
4. **Progress Payment No. 2** assumes approval of Change Order 1 and release of 5% retainage after 30 days after acceptance of the project.

The Original Contract Price was \$169,047.78. There was one (1) change order totaling an increase of \$4,350.41 (2.5% of the bid). The total amount due to the Contractor for the fulfillment of said Contract is **\$173,398.19**. The final work was completed (seal coat installed) on October 19, 2019.

FOX Engineering recommends the Council accept the Certificate of Final Completion for the Oelwein 2019 Seal Coat Improvements.

If you find the documents to be acceptable, please sign three copies of each of the change order and progress payment documents. Please keep one copy for your records and distribute the others to Blacktop Service Company and FOX Engineering.

After acceptance of Final Completion by resolution of the City Council, the City shall hold Pay Request No. 2 for at least 30 days prior to payment to Blacktop Services Company.

It has been a pleasure working on this project. FOX Engineering appreciates the work and our continued partnership with The City of Oelwein.

Sincerely,
FOX Engineering Associates, Inc.

John Gade

John Gade, P.E.
Project Manager

*Enclosures: Change Order No. 1
Pay Application No. 1
Engineering Statement of Final Completion
Progress Payment No. 2*

CC: Blacktop Services Company

Date of Issuance: September 11, 2019	Effective Date: October 31, 2019
Owner: City of Oelwein	Owner's Contract No.:
Contractor: Blacktop Service Company	Contractor's Project No.:
Engineer: FOX Engineering	Engineer's Project No.: 1022-19A.660
Project: Oelwein 2019 Seal Coat Improvements	Contract Name:

The Contract is modified as follows upon execution of this Change Order:

1. *Bid item No. 7.01 – Bituminous Seal Coat, Single Pass, 3/8" Cover Aggregate:* This quantity is being changed from 33,498 SY to **33,579 SY which increased the bid item by \$231.66**. City Staff eliminated seal coat from certain roadway sections. In addition, the City has added double seal coat on certain roadway sections. See attachments for quantities:

- NE Seal Coat Area bid tabulations
- NW Seal Coat bid tabulations

2. *Bid Item No. 7.02 – Cold Patch Pavement:* The city will allow the Contractor to utilize Hot Mix Asphalt (HMA) in lieu of Cold Mix Patch. The revised depth of the proposed patches shall be 3 inches vs 4 inches. Field measures patches at a 3 inch depth is estimated to 150 tons of HMA per the plan quantities. The quantity is being changed from 150 tons (estimated) to **163.36 tons which increased the bid item by \$4,118.75**. The City Staff determined additional patching of pavement was necessary prior to sealcoating.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: <u>\$ 169,047.78</u>	Original Contract Times: Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>November 1, 2019</u>
[Increase] [Decrease] from previously approved Change Orders No. 0 to No. 0: <u>\$ 0.00</u>	[Increase] [Decrease] from previously approved Change Orders No. 0 to No. 0: Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>November 1, 2019</u>
Contract Price prior to this Change Order: <u>\$ 169,047.78</u>	Contract Times prior to this Change Order: Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>November 1, 2019</u>
Increase of this Change Order: <u>\$4,350.41</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>November 1, 2019</u>
Contract Price incorporating this Change Order: <u>\$ 173,398.19</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>November 1, 2019</u>

RECOMMENDED:

ACCEPTED:

ACCEPTED:

By: 
Engineer (if required)

By: _____
Owner (Authorized

By: _____
Contractor (Authorized

Title: PROS MANAGER

Title: _____

Title: _____

Date: 10.31.2019

Date: _____

Date: _____

NE SEALCOAT AREA

REF NO.	STREET LOCATION	SEAL COAT LIMITS	NOTE	PATCH SIZE	PATCH AREA (SY)	SEAL COAT SIZE (ft x ft)	LIGHT TRAFFIC SEAL COAT AREA (SY)	DOUBLE SEAL COAT AREA (SY)	NOTE TO CITY
1	3rd Ave NE	9th St Intersection	Patch	3' x 3'	1.0				
2	4th Ave NE	6th St NE to 9th St NE	Patch & Sealcoat			22 x 1,400	3,422.2	3,422.2	
3	8th St NE	3rd Ave NE to 4th Ave NE	Patch & Sealcoat			25 x 280	777.8	777.8	
4	7th St NE	3rd Ave NE to 4th Ave NE	Patch & Sealcoat			20 x 280	622.2	622.2	
5	6th St NE	6th Ave Intersection	Patch	15' x 25'	41.7				
6	6th Ave NE	North of 6th St NE	Patch & Sealcoat	20' x 45'	100.0				
7	7th Ave NE	House No. 625-707	Patch & Sealcoat			32 x 250	888.9		
8	3rd St NE	2nd Ave NE to 4th Ave NE	Patch & Sealcoat			30 x 600	2,000.0		
9	5th St NE	Fredrick (10 Block) to 1st Ave NE	Patch & Sealcoat			30 x 310	1,033.3		
10	5th St NE	2nd Ave NE to 4th Ave NE	Patch & Sealcoat	10' x 30'	33.3	30 x 270	900.0		
11	3rd Ave NE	4th St NE to Lincoln DR	Patch & Sealcoat			20 x 670	1,488.9		
12	4th Ave NE	5th St NE to Lincoln DR	Patch & Sealcoat			20 x 350	777.8		
13	6th Ave NE	1st St to 2nd St	Grade & Sealcoat			20 x 500	1,111.1	1,111.1	
14	2nd St NE	500 block - south side middle of block	Patch	5' x 30'	16.7				
15	6th St NE	8th Ave NE west to corporate limits	Patch & Sealcoat			22 x 370	904.4	904.4	Additional 70-ft x 22-ft Seal Coat
TOTALS:					31.2		13,926.7	6,837.8	

NW SEALCOAT AREA

REF NO.	STREET LOCATION	SEAL COAT LIMITS	NOTE	PATCH SIZE	PATCH AREA (SY)	SEAL COAT SIZE (ft x ft)	LIGHT TRAFFIC SEAL COAT AREA (SY)	DOUBLE SEAL COAT AREA (SY)	NOTE TO CITY
1	2nd St NW	6th Ave NW to 8th Ave NW	Patch & Sealcoat			25 x 704	1,955.6	1,955.6	
2	10th Ave NW	West Charles to 2nd St NW	Patch & Sealcoat			25 x 925	2,569.4		Remove from Project
3	11th Ave NW	West Charles to 2nd St NW	Patch & Sealcoat			15 x 925	1,541.7		
4	12th Ave NW	West Charles to 2nd St NW	Patch & Sealcoat			25 x 925	2,569.4		Remove from Project
5	1st St NW	5th Ave NW to 8th Ave NW	Patch & Sealcoat			25 x 1,263	3,508.3		
6	4th St NW	Intersection of 4th Ave NW	Patch	3' x 20'	6.7				
7	4th St NW	Intersection of 4th Ave NW	Patch	4' x 4'	1.8				
8	4th St NW	Intersection of 4th Ave NW	Patch	4' x 4'	1.8				
9	4th St NW	Fredrick to 1st Ave NW	Patch & Sealcoat			25 x 560	1,617.8		
10	6th St NW	200 Block	Patch & Sealcoat	2 tons		32 x 320	1,137.8		
11	1st Ave NW	7th St NW Intersection	Patch	30' x 30'	100.0				
TOTALS:					17.9		8,143.3	1,955.6	

Contractor's Application for Payment No. 1

Application Period:		Application Date:
To (Owner): City of Oelwein	From (Contractor): Blacktop Service Company	Via (Engineer): FOX Engineering
Project: Oelwein 2019 Seal Coat Improvements	Contract:	
Owner's Contract No.:	Contractor's Project No.:	Engineer's Project No.: 1022-19A

**Application For Payment
Change Order Summary**

Approved Change Orders				
Number	Additions	Deductions		
Change Order No 1	\$4,350.41		1. ORIGINAL CONTRACT PRICE	\$ <u>\$169,047.78</u>
			2. Net change by Change Orders	\$ <u>\$4,350.41</u>
			3. Current Contract Price (Line 1 ± 2)	\$ <u>\$173,398.19</u>
			4. TOTAL COMPLETED AND STORED TO DATE	
			(Column F total on Progress Estimates).....	\$ <u>\$173,398.19</u>
			5. RETAINAGE:	
			a. 5% X <u>\$173,398.19</u> Work Completed.....	\$ <u>\$8,669.91</u>
			b. X _____ Stored Material.....	\$ _____
			c. Total Retainage (Line 5.a + Line 5.b).....	\$ <u>\$8,669.91</u>
			6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c)	\$ <u>\$164,728.28</u>
			7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	\$ _____
			8. AMOUNT DUE THIS APPLICATION	\$ <u>\$164,728.28</u>
			9. BALANCE TO FINISH, PLUS RETAINAGE	
			(Column G total on Progress Estimates + Line 5.c above).....	\$ <u>\$4,319.50</u>
TOTALS	\$4,350.41			
NET CHANGE BY CHANGE ORDERS	\$4,350.41			

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

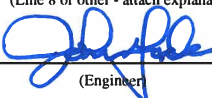
(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and

(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature

By: _____ Date: _____

Payment of: \$ \$164,728.28
(Line 8 or other - attach explanation of the other amount)

is recommended by:  10.31.2019
(Engineer) (Date)

Payment of: \$ \$164,728.28
(Line 8 or other - attach explanation of the other amount)

is approved by: _____
(Owner) (Date)

Approved by: _____
Funding or Financing Entity (if applicable) (Date)

Engineer's Statement of Completion

Project: Oelwein 2019 Seal Coat Improvements	Date of Contract: 9/10/2019
Owner: City of Oelwein	Owner's Contract No.:
Engineer: FOX Engineering	Engineer's Project No.: 1022-19A
Contractor: Blacktop Services Company	

I hereby state that the construction of **Oelwein 2019 Seal Coat Improvements** by a Contract dated September 10, 2019 has been satisfactorily completed in general compliance with the terms, conditions, and stipulations of said Contract.

The work was completed on October 19, 2019. The Contract completion date is November 1, 2019.

I further state that the total amount due to the Contractor for the fulfillment of said Contract is **\$173,398.19**.

The derivation of this total amount is the Original Contract Price of \$169,047.78 plus one change order to adjust final bid quantities in the amount of \$4,350.41 for a total project cost of \$173,398.19.

Ninety-five percent (95%) of the total amount due to the Contractor should be paid after the acceptance of the construction by resolution of the City Council. The remaining five percent (5%) shall then be paid no sooner than thirty (30) days following formal acceptance of the construction by the City Council provided that no unpaid claims exist in connection with this Contract. The Contractor will receive interest on any unpaid balance at the maximum legal rate from and after thirty (30) days following acceptance of the project by the City Council.

Signed:

FOX Engineering Associates

By: 

Iowa Registration No.: 16015

Date: 10.31.2019

FOX PN: 1022-19A.600

Accepted by:

Owner: _____

Resolution: _____

Date: _____

Signed: _____

Title: _____

Attest: _____

Distribution:

- Engineer
- Contractor
- Owner