



CITY of NOVI CITY COUNCIL

Agenda Item J
September 27, 2010

SUBJECT: Approval of the Final Payment to Anglin Civil Constructors, Inc., for the Bishop and Taft Regional Stormwater Detention Basin Improvements project, in the amount of \$24,370.79.

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division *BTC*

CITY MANAGER APPROVAL: *[Signature]* *R24*

EXPENDITURE REQUIRED	\$24,370.79
AMOUNT BUDGETED	\$173,000 (Taft Basin) \$122,000 (Bishop Basin) Both projects offset by 50% grant match for eligible components up to \$202,500
LINE ITEM NUMBER	210-211.00-865.009 (Taft Basin) 210-211.00-865.132 (Bishop Basin)

BACKGROUND INFORMATION:

The City's consulting engineer for this project, Orchard, Hiltz & McCliment, Inc. (OHM), administered the construction contract for the Bishop and Taft Regional Stormwater Detention Basin Improvements project. OHM has executed and submitted the attached documents verifying the final contract payment amount that is due to the construction contractor, Anglin Civil Constructors, Inc., of Novi, MI. (Final Pay Estimate No. 5, attached).

The basin construction work performed by the contractor was in substantial compliance with the plans and specifications, and final payment in the amount of \$24,370.79 is appropriate. In addition, the City Attorney has reviewed supporting documentation and found it to be in an acceptable form (Beth Kudla's September 13, 2010 letter, attached). The original contract was approved at the August 11, 2008 City Council meeting in the amount of \$382,977.15.

There were three (3) change orders associated with the project resulting in a net increase of \$6,079.23 to the contract. The first change order was administratively approved by the City Engineer on August 13, 2009 for a net increase of \$13,394.28 in the contract price to remove and replace a 30-foot section of existing 54-inch outlet pipe which demonstrated early evidence of failure when exposed in the field. The second change order was approved by City Council on October 12, 2009 for a net increase of \$33,544.45 in the contract price. This change order was the result of additional work to improve staff's ability to maintain the Bishop Basin following construction of the new outlet structure. The additional work will provide an access drive for equipment and staff to inspect the outlet structure, perform maintenance tasks, clear debris when necessary and the completed installation of additional sidewalk to close a sidewalk gap at the site. The third change order resulted in a net decrease of \$40,859.50 to balance existing and additional work items. The total work performed, including approved change orders, results in a final contract price of \$389,056.38.

RECOMMENDED ACTION: Approval of the Final Payment to Anglin Civil Constructors, Inc., for the Bishop and Taft Regional Stormwater Detention Basin Improvements project, in the amount of \$24,370.79.

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Gatt				
Council Member Crawford				
Council Member Fischer				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				

September 13, 2010

30903 Northwestern Highway
P.O. Box 3040
Farmington Hills, MI 48333-3040
Tel: 248-851-9500
Fax: 248-851-2158
www.secretwardle.com

Elizabeth M. Kudla
Direct: 248-539-2846
bkudla@secretwardle.com

Suzanne Moreno, Finance Department
City of Novi
45175 West Ten Mile Road
Novi, Michigan 48375

Re: **Bishop and Taft Regional Stormwater Detention Basin Improvements**
Jack Anglin Civil Contractors, LTD – Closing Documents
Our File No. 55142 NOV

Dear Ms. Moreno:

We have received and reviewed the following closing documents for the Bishop and Taft Regional Stormwater Detention Basin Improvements Project:

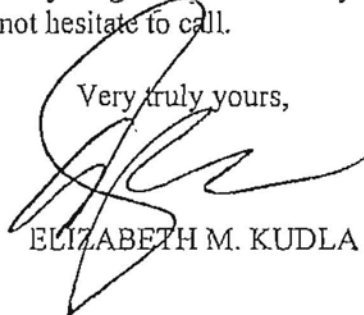
- Final Pay Estimate
- Change Order No. 3
- Contractor's Affidavit
- Contractor's Sworn Statement
- Consent of Surety
- Waivers of Lien
- Maintenance and Guarantee Bond

Subject to approval of the Final Pay Estimate by City staff, the closing documents appear to be in order.

The Contractor's Affidavit is in the form of a final unconditional waiver of lien.

Please let us know if you need anything additional or if you have any questions regarding the above, please do not hesitate to call.

Very truly yours,



ELIZABETH M. KUDLA

EMK

Enclosures

cc: Clay Pearson, City Manager (w/Enclosures)
Kathy Smith-Roy, Finance Director (w/Enclosures)
Aaron Staup, Construction Engineering Coordinator (w/Enclosures)
Thomas R. Schultz, Esquire (w/Enclosures)

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September 14, 2010

City of Novi
45175 West Ten Mile Road
Novi, Michigan 48375

Attention: Mr. Brian Coburn, PE
City Engineer

Regarding: Novi Taft and Bishop Regional Basins
OHM Job No. 0163-08-0010

Dear Mr. Hayes:

Enclosed herewith are Construction Estimate No. 5 and a Contractor's Declaration for the referenced project.

Anglin Civil Constructors, Ltd. has completed the work shown on the attached construction estimate for the period ending June 30, 2010.

We recommend payment to the Contractor in the amount of \$24,370.79.

Sincerely,
ORCHARD, HILTZ & McCLIMENT, INC.

A handwritten signature in black ink, appearing to read "Ron Cavallaro FOR".

Ronald Cavallaro, P.E.
VP Operations, Orchard, Hiltz & McCliment, Inc.

cc: Joe Felan, Anglin Civil Constructors
Aaron Staup, City of Novi
Tim Kuhns, OHM
File

ORCHARD, HILTZ & McCLIMENT, INC.
34000 Plymouth Road
Livonia, MI 48150

CONSTRUCTION ESTIMATE

OHM

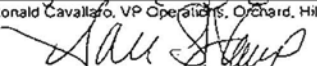

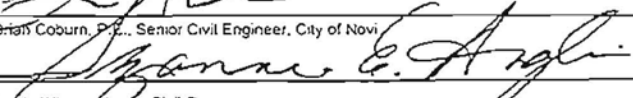
p: (734) 522-6711
f: (734) 522-6427
w: ohm-advisors.com

PROJECT: Novi Taft and Bishop Regional Basins Job Numbers: 0163-08-0010 Estimate Number: 5 FINAL
OWNER: City of Novi CONTRACTOR: Anglin Civil Constructors, Ltd. Period End Date: 08/31/2010 00:00:00
45175 W. Ten Mile Road 42750 Grand River Ave. Estimate Status: Approved
248-735-5606 248-380-7860 Contract Start Date: 09/22/2008
Novi, MI 48375 Novi, MI 48375 Contract End Date: 12/01/2008
STATUS: On Schedule Print Date: 09/08/2010 10:45:06

*Retainage: Lump Sum

Original Contract Amount:	\$382,977.15	A) Changes due to CO No. 1 :	\$13,394.28	Earnings this Period:	\$2,875.00
Change Orders:	\$6,079.23	B) Changes due to CO No. 2 :	\$33,544.45	Earnings to Date:	\$389,056.38
Current Contract Amount:	\$389,056.38	C) Changes due to CO No. 3 :	(\$40,859.50)	Previous Retainage:	\$21,495.79
			\$6,079.23	Retainage this Estimate:	(\$21,495.79)
				Less Total Retained to Date (Lump Sum):	\$0.00
				Net Earned:	\$389,056.38
				Previous Estimates:	\$364,685.59
				Amount Due Contractor:	\$24,370.79

Amount Due Contractor includes \$21,495.79 of retainage previously held.

Prepared By:  Date: 9/15/2010
Ronald Cavallaro, VP Operations, Orchard, Hiltz & McCliment, Inc.
Recommended By:  Date: 9/15/10
Aaron J. Slaup, Construction Engineer, City of Novi
Approved By:  Date: 9/15/10
Brian Coburn, P.E., Senior Civil Engineer, City of Novi
Acknowledged by Contractor:  Date: 9-14-2010
Lynda Wharry, Anglin Civil Constructors

Item No.	Description	Original Bid Quantity	Authorized Quantity	Unit Price	Period Quantity	Period Amount	Quantity to Date	Total Amount to Date	
Division A: Division A									
1	Mobilization, max. \$15,000 / \$7,500 Taft, \$7,500 Bishop	1.00	Ls	1.00	\$15,000.00	-	-	1.00	\$15,000.00
2	Audio Video Survey/ \$905.62 Taft, \$905.63 Bishop	1.00	Ls	1.00	\$1,811.25	-	-	1.00	\$1,811.25
3	Soil Erosion and Sedimentation Control / \$1,725 Taft, \$1,725 Bishop	1.00	Ls	1.00	\$3,450.00	-	-	1.00	\$3,450.00
4	Traffic Maintenance and Control / \$5,750 Bishop	1.00	Ls	1.00	\$5,750.00	-	-	1.00	\$5,750.00
5	Remove Storm Sewer, 42" diameter / \$2,300 Bishop	100.00	Ft	50.00 (C)	\$46.00	-	-	50.00	\$2,300.00
6	Remove Outlet Control Structure / \$2,875 Bishop	2.00	Ea	2.00	\$2,875.00	-	-	2.00	\$5,750.00
7	Taft Basin Earthwork / \$26,335 Taft	1.00	Ls	1.00	\$26,335.00	-	-	1.00	\$26,335.00
8	Bishop Basin Earthwork / \$60,592 Bishop	1.00	Ls	1.00	\$60,592.00	-	-	1.00	\$60,592.00
9	Maintain Stream Flow / \$5,625 Taft, \$5,625 Bishop	2.00	Ea	2.00	\$11,250.00	-	-	2.00	\$22,500.00
10	42" C76, Class IV Storm Sewer / \$5,083 Bishop	35.00	Ft	26.00 (C)	\$195.50	-	-	26.00	\$5,083.00
11	Salvage and Reinstall Culvert End Section, Concrete 2 / \$2,875 Taft	1.00	Ea	1.00	\$2,875.00	-	-	1.00	\$2,875.00
12	6' x 6' Outlet Control Structure @ Bishop Basin / \$19,608 Bishop	1.00	Ea	1.00	\$19,608.00	-	-	1.00	\$19,608.00
13	Outlet Structure Modifications @ Taft Basin / \$5,750 Taft	1.00	Ea	1.00	\$5,750.00	0.50	\$2,875.00	1.00	\$5,750.00
14	6' Diameter Storm Manhole / \$4,600 Bishop	1.00	Ea	1.00	\$4,600.00	-	-	1.00	\$4,600.00
15	Turf Paver Access Drive / \$9,200 Bishop	500.00	Sft	500.00	\$18.40	-	-	500.00	\$9,200.00
16	Concrete Sidewalk, 6" / \$15,192 Bishop	2,400.00	Sft	2,400.00	\$6.33	-	-	2,400.00	\$15,192.00
17	Deciduous Tree / \$7,590 Taft	12.00	Ea	12.00	\$632.50	-	-	12.00	\$7,590.00
18	Bareroot Shrub, 24-36 inch / \$1,545.60 Taft, \$289.80 Bishop	190.00	Ea	190.00	\$9.66	-	-	190.00	\$1,835.40
19	Plant Plug / \$5,034.00 Taft, \$862.00 Bishop	1,600.00	Ea	1,600.00	\$4.31	-	-	1,600.00	\$6,896.00
20	Habitat Structures, Whole Tree / \$5,750 Bishop	2.00	Ea	2.00	\$2,875.00	-	-	2.00	\$5,750.00
21	Taft Basin Restoration & Seeding / \$8,970 Taft	1.00	Ls	1.00	\$8,970.00	-	-	1.00	\$8,970.00
22	Bishop Basin Restoration & Seeding / \$2,530 Bishop	1.00	Ls	1.00	\$2,530.00	-	-	1.00	\$2,530.00
23	Taft Basin Embankment Heavy Rip Rap / \$92,000 Taft	3,500.00	Syd	2,500.00 (C)	\$36.80	-	-	2,500.00	\$92,000.00
24	Project Cleanup, \$5,000 minimum / \$2,875 Taft, \$2,875 Bishop	1.00	Ls	1.00	\$5,750.00	-	-	1.00	\$5,750.00
25	Materials Testing Allowance / \$5,000 Bishop	1.00	Ls	1.00	\$5,000.00	-	-	1.00	\$5,000.00
Additional Items to the Contract									
26	Remove and Replace 54" CMP / \$12,145 Bishop	0.00	Ls	1.00 (A)	\$12,145.84	-	-	1.00	\$12,145.84
27	42" CMP Restock Charge / \$529 Bishop	0.00	Ls	1.00 (A)	\$529.00	-	-	1.00	\$529.00
28	42" RCP Restock / \$719.44 Bishop	0.00	Ls	1.00 (A)	\$719.44	-	-	1.00	\$719.44
29	Relocate Sidewalk / \$6,557.50 Bishop	0.00	Ls	1.00 (B)	\$6,557.50	-	-	1.00	\$6,557.50
30	Sheet Pile Wall, Access Roads / \$18,714.95 Bishop	0.00	Ls	1.00 (B)	\$18,714.95	-	-	1.00	\$18,714.95
31	Weir Plate Reconstruction / \$8,272.00 Bishop	0.00	Ls	1.00 (B)	\$8,272.00	-	-	1.00	\$8,272.00
						Division A Sub-Total:	\$2,875.00	\$389,056.38	
						Retainage:	\$(21,495.79)		

AIA® Document G702™ - 1992

Application and Certificate for Payment

TO OWNER: City of Novi 45175 W. Ten Mile Novi, MI 48375	PROJECT: Bishop & Taft Stormwater Basin	APPLICATION NO: 005 Final	Distribution to
FROM Anglin Civil Constructors, Ltd.	VIA Orchard, Hiltz & McCliment, Inc.	PERIOD TO: July 27, 2010	OWNER:
CONTRACTOR: 42750 Grand River Ave. Novi, MI 48375	ARCHITECT: 34000 Plymouth Road Livonia, MI 48150	CONTRACT FOR:	ARCHITECT:
		CONTRACT DATE:	CONTRACTOR:
		PROJECT NOS: / 29271 /	FIELD:
			OTHER:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM	\$	382,977.15
2. NET CHANGE BY CHANGE ORDERS	\$	6,079.23
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$	389,056.38
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$	389,056.38
5. RETAINAGE:		
a. 0 % of Completed Work (Column D + E on G703)	\$	0.00
b. 0 % of Stored Material (Column F on G703)	\$	0.00
Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$	0.00
6. TOTAL EARNED LESS RETAINAGE	\$	389,056.38
(Line 4 Less Line 5 Total)		
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$	364,685.59
(Line 6 from prior Certificate)		
8. CURRENT PAYMENT DUE	\$	24,370.79
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	0.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$ 46,938.73	\$ 0.00
Total approved this Month	\$ 0.00	\$ 40,859.50
TOTALS	\$ 46,938.73	\$ 40,859.50
NET CHANGES by Change Order	\$	6,079.23

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

CONTRACTOR: _____
By: _____ Date: July 27, 2010
State of Michigan

County of: Oakland

Subscribed and sworn to before me this 27 day of July 2010

Notary Public: _____

My Commission expires: 7-11-2011

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's 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 \$ 24,370.79
(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amounts certified.)

ARCHITECT:

By: _____ Date: _____

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



AIA[®] Document G703[™] - 1992

Continuation Sheet

AIA Document, G702[™]-1992, Application and Certification for Payment, or G736[™]-2009, Project Application and Project Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached.
 In tabulations below, amounts are in US dollars.
 Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 005
 APPLICATION DATE: 07/27/2010
 PERIOD TO: 07/27/2010
 ARCHITECT'S PROJECT NO:

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	E WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)		H BALANCE TO FINISH (C-G)	I RETAINAGE (IF VARIABLE RATE)
			D FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD		% (G ÷ C)			
1	Mobilization	15,000.00	15,000.00	0.00	0.00	15,000.00	100.00 %	0.00	0.00
2	Audio Video Survey	1,811.25	1,811.25	0.00	0.00	1,811.25	100.00 %	0.00	0.00
3	Soil Erosion & Sedimentation Control	3,450.00	3,450.00	0.00	0.00	3,450.00	100.00 %	0.00	0.00
4	Traffic Maintenance & Control	5,750.00	5,750.00	0.00	0.00	5,750.00	100.00 %	0.00	0.00
5	Remove Storm Sewer, 42" diam.	4,600.00	2,300.00	0.00	0.00	2,300.00	50.00 %	2,300.00	0.00
6	Remove Outlet Control Structure	5,750.00	5,750.00	0.00	0.00	5,750.00	100.00 %	0.00	0.00
7	Taft Basin Earthwork	26,335.00	26,335.00	0.00	0.00	26,335.00	100.00 %	0.00	0.00
8	Bishop Basin Earthwork	60,592.00	60,592.00	0.00	0.00	60,592.00	100.00 %	0.00	0.00
9	Maintain Stream Flow	22,500.00	22,500.00	0.00	0.00	22,500.00	100.00 %	0.00	0.00
10	42" C76, Class IV Storm Sewer	6,842.50	5,083.00	0.00	0.00	5,083.00	74.29 %	1,759.50	0.00
11	Salvage & Reinstall Culvert End Section, Concrete 24"	2,875.00	2,875.00	0.00	0.00	2,875.00	100.00 %	0.00	0.00
12	6'X6' Outlet Control Structure @ Bishop Basin	19,608.00	19,608.00	0.00	0.00	19,608.00	100.00 %	0.00	0.00

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User Notes:

(18849; 1448)

NO. 475 P. 3

IONIA OFFICE

AUG. 9. 2010 10:33AM

ITEM NO.	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					
13	Outlet Structure Modifications @ Taft Basin	5,750.00	2,875.00	2,875.00	0.00	5,750.00	100.00 %	0.00	0.00
14	6" Diam. Storm Manhole	4,600.00	4,600.00	0.00	0.00	4,600.00	100.00 %	0.00	0.00
15	Turf Paver Access Drive	9,200.00	9,200.00	0.00	0.00	9,200.00	100.00 %	0.00	0.00
16	Concrete Sidewalk, 6"	15,192.00	15,192.00	0.00	0.00	15,192.00	100.00 %	0.00	0.00
17	Deciduous Tree	7,590.00	7,590.00	0.00	0.00	7,590.00	100.00 %	0.00	0.00
18	Bareroot Shrub, 24-36"	1,835.40	1,835.40	0.00	0.00	1,835.40	100.00 %	0.00	0.00
19	Plant Plug	6,896.00	6,896.00	0.00	0.00	6,896.00	100.00 %	0.00	0.00
20	Habitat Structures, Whole Tree	5,750.00	5,750.00	0.00	0.00	5,750.00	100.00 %	0.00	0.00
21	Taft Basin Restoration & Seeding	8,970.00	8,970.00	0.00	0.00	8,970.00	100.00 %	0.00	0.00
22	Bishop Basin Restoration & Seeding	2,530.00	2,530.00	0.00	0.00	2,530.00	100.00 %	0.00	0.00
23	Taft Basin Embankment Heavy Rip Rap	128,800.00	92,000.00	0.00	0.00	92,000.00	71.43 %	36,800.00	0.00
24	Project Cleanup	5,750.00	5,750.00	0.00	0.00	5,750.00	100.00 %	0.00	0.00
25	Materials Testing Allowance	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %	0.00	0.00
	Change Order #1	13,394.28	13,394.28	0.00	0.00	13,394.28	100.00 %	0.00	0.00
	Change Order #2	33,544.45	33,544.45	0.00	0.00	33,544.45	100.00 %	0.00	0.00
	Change Order #3	-40,859.50	0.00	0.00	0.00	0.00	0.00 %	-40,859.50	0.00
	GRAND TOTAL	\$389,056.38	\$386,181.38	\$2,875.00	\$0.00	\$389,056.38	100.00 %	\$0.00	\$0.00

MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

City of Novi



0 275 550 1,100 1,650 2,200
Feet

Bishop and Taft Basin Location Map

