



CITY of NOVI CITY COUNCIL

Agenda Item C
December 1, 2008

SUBJECT: Approval of the final balancing change order and final payment to Inland Waters Pollution Control, Inc. for the CMOM Phase III Manhole Rehabilitation project in the amount of \$13,084.50.

SUBMITTING DEPARTMENT: Engineering *KJA*

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION:

The city's consulting engineer for this project (OHM) administered this construction contract for rehabilitating sanitary sewer manholes in late 2007 and continuing into mid 2008. This project included the repair and rehabilitation of 123 sanitary sewer manholes using various rehabilitation methods within areas of the southeast quadrant of the city (Country Place, Carriage Hill and Meadowbrook Manor subdivisions) that are prone to groundwater infiltration and run-off inflow. The goal of the manhole rehabilitation project was to cost-effectively reduce the amount of water that inflows/infiltrates to the sanitary sewer system, thereby maximizing the available sewage capacity for new development and minimizing the cost to residents for sewage treatment and wet weather control facilities.

OHM has executed and submitted the attached documents verifying the final contract payment amount that is due to the construction contractor, Inland Waters Pollution Control, Inc. (OHM's Final Pay Estimate No. 3, and Final Balancing Change Order No. 2, attached).

The sanitary manhole rehabilitation work performed by the contractor was in substantial compliance with the plans and specifications, and final payment in the amount of \$13,084.50 is appropriate. In addition, the City Attorney has reviewed supporting documentation and found it to be in an acceptable form (Beth Kudla's October 21, 2008 letter, attached), with the exception of four administrative items that have since been addressed by the contractor.

The original contract was approved at the November 13, 2007 City Council meeting in the amount of \$204,480. The final payment brings the total in construction expenditures on this project to \$155,897. Change Order No. 2 reduced the contract price significantly because a more cost-effective method for sealing some of the manholes was used in lieu of what was originally proposed, resulting in savings of more than \$48,000 to the project budget.

RECOMMENDED ACTION: Approval of the final balancing change order and final payment to Inland Waters Pollution Control, Inc. for the CMOM Phase III Manhole Rehabilitation project in the amount of \$13,084.50.

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

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



September 24, 2008
City of Novi
45175 West Ten Mile Road
Novi, Michigan 48375

Attention: Mr. Rob Hayes, P. E.
City Engineer

Regarding: CMOM Phase III – Manhole Rehabilitation
OHM Job No. 0163-07-3001

Dear Mr. Hayes:

Enclosed herewith are Construction Estimate No. 3 (Final) and Change Order No. 2 for the above referenced project. We recommend approval of this Change Order. If you concur, please sign all three copies, retain one copy for your records, and return two copies to our office. Also included are the documents required for contract closeout. These documents include: 1) Contractor's Declaration; 2) Contractor's Affidavit; 3) Consent of Surety; 4) Sworn Statement; and 5) Full Unconditional Waiver's of Lien.

Inland Waters Pollution Control, Inc. has completed the work shown on the attached construction estimate for the period ending September 24, 2008.

Amount Due Contractor includes \$10,672.50 of Retainage Previously withheld.

We would recommend final payment to the Contractor in the amount of \$13,084.50.

Sincerely,
ORCHARD, HILTZ & McCLIMENT, INC.



Gary Smolinski
Construction Services Manager

cc: Curt Maring, Inland Waters Pollution Control, Inc.
Aaron Staup, Construction Engineering Coordinator
Robert Czachorski, OHM
Chris Donajkowski, OHM
File



CONSTRUCTION ESTIMATE

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

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

PROJECT: CMOM - Phase III - Manhole Rehabilitation - Novi

Job Numbers: 0163-07-3001

Estimate Number: 3 FINAL

OWNER: City of Novi
45175 W. Ten Mile Road
Novi, MI 48375
248-735-5606

CONTRACTOR: Inland Waters Pollution Control, Inc.
2021 S. Schaefer
Detroit, MI 48217
734-479-3205

Period End Date: 09/24/08
Contract Start Date: 12/17/07
Contract End Date: 04/18/08
Contract Duration: 123 days

STATUS: On Schedule

*Retainage: Lump Sum

Original Contract Amount:	\$204,480.00	A) Changes due to CO No. 1 :	\$8,970.00	Earnings this Period:	\$2,412.00
Change Orders:	-\$48,583.00	B) Changes due to CO No. 2 :	\$-57,553.00	Earnings to Date:	\$155,897.00
Current Contract Amount:	\$155,897.00		\$-48,583.00	Less Retainage: Lump Sum	\$0.00
				Net Earned:	\$155,897.00
				Deductions:	-
				Balance:	\$155,897.00
				Previous Estimates:	\$142,812.50
				Amount Due Contractor:	\$13,084.50

Amount Due Contractor includes \$10,672.50 of retainage previously held.

Prepared By:

Gary Smolinski, Client Services Manager, Orchard, Hiltz & McCliment, Inc.

Date:

9/24/08

Recommended By:

Aaron J Staup, Construction Engineer, City of Novi

Date:

Approved By:

Rob Hayes, PE, City Engineer, City of Novi

Date:

10/9/08

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. \$10,000.00	1.00 Ls	1.00	\$5,150.00	-	-	1.00	\$5,150.00
2	Audio Video Survey	1.00 Ls	1.00	\$6,500.00	-	-	1.00	\$6,500.00
3	Method #1 - Remove and Replace Lid	14.00 Ea	4.00 (B)	\$286.00	-	-	4.00	\$1,144.00
4	Method #2 (Vegetation/Gravel) - Remove and Reset Frame	19.00 Ea	8.00 (B)	\$242.00	-	-	8.00	\$1,936.00
5	Method #3 (Pavement) - Rem. and Reset Frame	6.00 Ea	1.00 (B)	\$700.00	-	-	1.00	\$700.00
6	Method #4 (Vegetation/Gravel) - Remove and Replace Frame	8.00 Ea	3.00 (B)	\$370.00	-	-	3.00	\$1,110.00
7	Method #5 (Pavement) - Remove and Replace Frame	6.00 Ea	1.00 (B)	\$810.00	-	-	1.00	\$810.00
8	Method #6 (Vegetation/Gravel) - Replace Adj Rings (<2 ft)	49.00 Ea	52.00 (B)	\$600.00	-	-	52.00	\$31,200.00
9	Method #7 (Vegetation/Gravel) - Replace Adj Rings (>2 ft)	7.00 Ea	7.00	\$900.00	-	-	7.00	\$6,300.00
10	Method #8 (Pavement) - Replace Adj Rings (<2 ft)	13.00 Ea	20.00 (B)	\$1,050.00	-	-	20.00	\$21,000.00
11	Method #9 (Pavement) - Replace Adj Rings (>2 ft)	5.00 Ea	1.00 (B)	\$1,650.00	-	-	1.00	\$1,650.00
12	Method #10 - Apply cementitious coating, Calcium Aluminate	51.00 Ft	38.50 (B)	\$210.00	11.00	\$2,310.00	38.50	\$8,085.00
13	Method #11 - Seal Leak(s) with Injectable Polyurethane Grout	72.00 Ea	77.00 (B)	\$350.00	-	-	77.00	\$26,950.00
14	Method #12 - Heat Shrinkable Manhole Wrap	97.00 Ea	19.00 (B)	\$594.00	-	-	19.00	\$11,286.00
15	Method #13 - Adjust Elevation (<2 ft)	6.00 Ea	21.00 (B)	\$880.00	-	-	21.00	\$18,480.00
16	Remove and Replace Concrete Pavement	15.00 Syd	2.00 (B)	\$170.00	0.60	\$102.00	2.00	\$340.00
17	Remove and Replace Asphalt Pavement	175.00 Syd	69.30 (B)	\$60.00	-	-	69.30	\$4,158.00
18	Remove and Replace Sidewalk Pavement	275.00 Sft	473.00 (B)	\$10.00	-	-	473.00	\$4,730.00
Additional Items to the Contract								
19	Remove and Replace Manhole Chimneys	0.00 Ea	1.00 (AB)	\$4,290.00	-	-	1.00	\$4,290.00
20	Bolt Manhole Frame and Cover to Precast Concrete Manhole	0.00 Ea	1.00 (AB)	\$78.00	-	-	1.00	\$78.00
Division A Sub-Total:						\$2,412.00		\$155,897.00



CHANGE ORDER

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

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

Date: 07/29/2008

Change Order Number: 2

Job Numbers: 0163-07-3001

PROJECT: CMOM - Phase III - Manhole Rehabilitation - Novi

OWNER: City of Novi
45175 W. Ten Mile Road
Novi, MI 48375
248-735-5606

CONTRACTOR: Inland Waters Pollution Control, Inc.
2021 S. Schaefer
Detroit, MI 48217
734-479-3205

NOTE: Change Oder Number 2

TO THE CONTRACTOR:

You are hereby directed to comply with the changes to the contract documents.
This change order reflects work completed or anticipated. Documentation supporting these changes are on file with the City's Engineer.

ORCHARD, HILTZ & McCLIMENT, INC.
34000 Plymouth Road
Livonia, Michigan 48150 Phone (734) 522-6711

CURRENT PROJECT PLANS AND SPECIFICATIONS WIL BE ADHERED TO UNLESS SPECIFICALLY CHANGED BY THIS CHANGE ORDER DOCUMENT.

The changes addressed by this Change Order hereby increase the contract duration by 0 days.

Table with contract amount details: THE CONTRACT AMOUNT SHALL BE CHANGED BY THE SUM OF: \$-57,553.00; Original Contract Amount: \$204,480.00; Contract Amount Including Previous Change Orders: \$213,450.00; Amount of this Change Order: \$-57,553.00; REVISED CONTRACT AMOUNT: 155,897.00

Accepted By: [Signature]
Inland Waters Pollution Control, Inc.

Date: 8-27-08

Prepared By: [Signature]
Gary Smolinski, Client Services Manager, Orchard, Hiltz & McCliment, Inc.

Date: 9-10-08

Recommended By: [Signature]
Aaron J Släup, Construction Engineer, City of Novi

Date: 9/25/08

Approved By: [Signature]
Rob Hayes, PE, City Engineer, City of Novi

Date: 9/25/08

Item No.	Description	Previous Authorized Quantity		Increased Quantity	New Authorized Quantity	Unit Price	Total Increase
THE FOLLOWING ITEMS AND OR CONTRACT UNIT PRICES SHALL BE ADDED TO THE CONTRACT AMOUNT							
Division A:Division A							
8	Method #6 (Vegetation/Gravel) - Replace Adj Rings (<2 ft) FFM	49.00	Ea	3.00	52.00	\$600.00	\$1,800.00
10	Method #8 (Pavement) - Replace Adj Rings (<2 ft) FFM	13.00	Ea	7.00	20.00	\$1,050.00	\$7,350.00
13	Method #11 - Seal Leak(s) with Injectable Polyurethane Grout FFM	72.00	Ea	5.00	77.00	\$350.00	\$1,750.00
15	Method #13 - Adjust Elevation (<2 ft) FFM	6.00	Ea	15.00	21.00	\$880.00	\$13,200.00
18	Remove and Replace Sidewalk Pavement FFM	275.00	Sft	198.00	473.00	\$10.00	\$1,980.00
SUB-TOTAL INCREASES DIVISION A:							\$26,080.00

THE FOLLOWING ITEMS AND OR CONTRACT UNIT PRICES SHALL BE DECREASED TO THE CONTRACT AMOUNT
 Division A:Division A

3	Method #1 - Remove and Replace Lid FFM	14.00	Ea	-10.00	4.00	\$286.00	\$-2,860.00
4	Method #2 (Vegetation/Gravel) - Remove and Reset Frame FFM	19.00	Ea	-11.00	8.00	\$242.00	\$-2,662.00
5	Method #3 (Pavement) - Rem. and Reset Frame FFM	6.00	Ea	-5.00	1.00	\$700.00	\$-3,500.00
6	Method #4 (Vegetation/Gravel) - Remove and Replace Frame FFM	8.00	Ea	-5.00	3.00	\$370.00	\$-1,850.00
7	Method #5 (Pavement) - Remove and Replace Frame FFM	6.00	Ea	-5.00	1.00	\$810.00	\$-4,050.00
11	Method #9 (Pavement) - Replace Adj Rings (>2 ft) FFM	5.00	Ea	-4.00	1.00	\$1,650.00	\$-6,600.00
12	Method #10 - Apply cementitious coating, Calcium Aluminate FFM	51.00	Ft	-12.50	38.50	\$210.00	\$-2,625.00
14	Method #12 - Heat Shrinkable Manhole Wrap FFM	97.00	Ea	-78.00	19.00	\$594.00	\$-46,332.00
16	Remove and Replace Concrete Pavement FFM	15.00	Syd	-13.00	2.00	\$170.00	\$-2,210.00
17	Remove and Replace Asphalt Pavement FFM	175.00	Syd	-105.70	69.30	\$60.00	\$-6,342.00
19	Remove and Replace Manhole Chimneys FFM	2.00	Ea	-1.00	1.00	\$4,290.00	\$-4,290.00
20	Bolt Manhole Frame and Cover to Precast Concrete Manhole FFM	5.00	Ea	-4.00	1.00	\$78.00	\$-312.00
SUB-TOTAL DECREASES DIVISION A:							\$-83,633.00

Item No.	Description	Previous Authorized Quantity	Increased Quantity	New Authorized Quantity	Unit Price	Total Increase
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CONTRACTOR'S DECLARATION

I HEREBY DECLARE THAT I HAVE NOT, during the period

DECEMBER 17th, 2007 to SEPTEMBER, 2008 A.D., 20 08 performed any work, furnished any material, sustained any loss, damage or delay for any reason, including soil conditions encountered or created, or otherwise done anything for which I shall ask, demand, sue for or claim compensation from «o» or his agents, in addition to the regular items set forth in the Contract numbered 0163-07-3001 and dated DECEMBER A.D., 20 08 for the Agreement executed between myself and the OWNER, and in the Change Orders for work issued by the OWNER in writing as provided thereunder, except as I hereby make claim for additional compensation and/or extension of time, as set forth on the itemized statement attached hereto.

There (is) (is not) an itemized statement attached.

Date: 9-9-08

By: Curt Marino
Title: PROJECT MANAGER



October 21, 2008

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: CMOM Phase III – Manhole Rehabilitation
Doetsch Environmental Services, Inc. – *Closing Documents*
Our File No. 55142 NOV**

Dear Ms. Moreno:

We have received and reviewed the following closing documents you have provided for the CMOM Phase III Manhole Rehabilitation Contract:

- Final Pay Estimate No. 3
- Change Order No. 2
- Contractor's Declaration
- Contractor's Affidavit
- Partial Unconditional Waiver of Lien

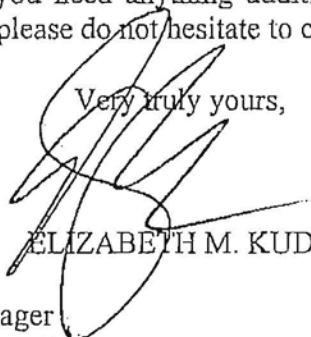
It appears that the City Engineer has reviewed and confirmed the accuracy of Change Order No. 2 and Final Pay Estimate No. 3. The documents appear to be generally in order with the following exceptions:

1. The name of the signatory of the Declaration, Affidavit, and Waiver of Lien should be printed below his or her signature.
2. A Maintenance and Guarantee Bond should be provided in the final contract amount.
3. The Consent of Surety to final payment should be provided.
4. The Full Unconditional Waiver of Lien should be provided prior to final payment. The Partial Unconditional Waiver is not acceptable.

Suzanne Moreno, Finance Department
October 21, 2008
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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,

A handwritten signature in black ink, appearing to read 'Elizabeth M. Kudla', written over the typed name below.

ELIZABETH M. KUDLA

EMK

cc: Clay Pearson, City Manager
Kathy Smith-Roy, Finance Director
Thomas R. Schultz, Esquire

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