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CITY of NOVI CITY COUNCIL

Agenda Item G
February 22, 2010

SUBJECT: Approval of the Final Balancing Change Order and Final Payment to A & M Construction, for the Meadowbrook Commons Detention Pond Excavation project in the amount of \$15,796.76.

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

CITY MANAGER APPROVAL *[Signature]* *RJA*

EXPENDITURE REQUIRED	\$66,004.70
AMOUNT BUDGETED	\$60,000
APPROPRIATION REQUIRED	\$6,004.70
LINE ITEM NUMBER	594-000.00-136.000

BACKGROUND INFORMATION:

The City's consulting engineer for this project, Spalding DeDecker Associates, Inc. (SDA), administered the construction contract for the Meadowbrook Commons Detention Pond Excavation project. SDA has executed and submitted the attached documents verifying the final contract payment amount that is due to the construction contractor, A & M Construction, of Washington, MI (SDA's Final Pay Estimate No. 3 and Balancing Change Order No. 2, attached).

The work performed by the contractor was in substantial compliance with the plans and specifications, and final payment in the amount of \$15,796.76 is appropriate. In addition, the City Attorney has reviewed supporting documentation and found it to be in an acceptable form (Beth Kudla's January 26, 2010 letter also attached). The original contract was approved at the September 22, 2008 City Council meeting in the amount of \$53,496.00.

There were two (2) change orders associated with the project resulting in a net increase of \$12,508.70. The first change order resulted in an increase of \$6,162.74 in contract price for several items of work initiated by the City. The additional scope included additional sediment removal and basin reshaping; additional rip-rap stone near outlet; labor and equipment costs associated with locating the end section and pipe; demolition of an existing storm structure; and removal of several contract items no longer required to complete the project. The final balancing change order in the amount \$6,345.96 (attached) is recommended to balance, reconcile and pay for additional items of work associated with restoration and erosion protection for the additional outlets found during construction. The total work performed and with approved change orders on this project result in a final contract price of \$66,004.70.

RECOMMENDED ACTION: Approval of the Final Balancing Change Order and Final Payment to A & M Construction, for the Meadowbrook Commons Detention Pond Excavation project in the amount of \$15,796.76.

	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				

January 26, 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
ekudla@secretwardle.com

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

Re: **Meadowbrook Commons Detention Basin Excavation**
A & M Construction Co., LLC – Closing Documents
Our File No. 55142 NOV

Dear Ms. Moreno:

We have received and reviewed the following closing documents for the Meadowbrook Detention Basin Excavation Project:

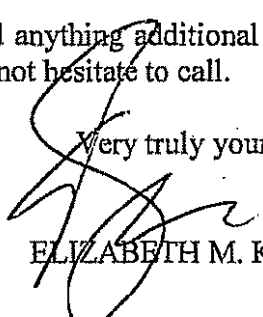
- Final Pay Estimate and Engineer's Certificate No. 3
- Change Order No. 2
- Contractor's Sworn Statement
- Consent of Surety
- Waivers of Lien
- Maintenance and Guarantee Bond Rider

Subject to approval of the Final Pay Estimate No. 3 by the City's Public Services Director, the closing documents appear to be in order.

As previously discussed, the contractor will provide you with a final waiver of lien when the final payment is picked-up.

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)
Rob Hayes, DPS Director (w/Enclosures)
Brian Coburn, Senior Civil Engineer (w/Enclosures)
Aaron Staup, Construction Engineering Coordinator (w/Enclosures)
Ted Meadows, Spalding DeDecker (w/Enclosures)
Thomas R. Schultz, Esquire (w/Enclosures)

CITY OF NOVI
MEADOWBROOK COMMONS DETENTION POND EXCAVATION
SDA JOB No. NV07-018

ENGINEER'S PAYMENT CERTIFICATE No. 3 - FINAL
 OF WORK PERFORMED THROUGH OCTOBER 29, 2009

CONTRACTOR:

A & M Construction Co., LLC

12387 31 Mile Road

Phone: (586) 336-9330

Washington, MI 48094

Fax: (586) 336-9334

Original Contract Amount: \$53,486.40

Adjusted Contract Amount: \$66,004.70

Final Completion Date: May 2, 2009

Adjusted Completion Date: N/A

ITEM No	DESCRIPTION	CONT QTY	UNIT	PREVIOUS QTY EARNED	QTY THIS PERIOD	TOTAL QTY TO DATE	UNIT PRICE	PREVIOUS AMT. EARNED	EARNED THIS PERIOD	TOTAL EARNED AMT. TO DATE	CONTRACT AMOUNT
1	Bonds, Insurance and Initial Set-Up	1	LS	1		1	\$ 1,500.00	\$ 1,500.00	\$ -	\$ 1,500.00	\$ 1,500.00
2	Audio / Visual DVD Coverage	1	LS	1		1	\$ 1,300.00	\$ 1,300.00	\$ -	\$ 1,300.00	\$ 1,300.00
3	Detention Basin Dewatering	1	LS	1		1	\$ 3,100.00	\$ 3,100.00	\$ -	\$ 3,100.00	\$ 3,100.00
4	Temp. Mud Tracking Control	1	Ea	1		1	\$ 540.00	\$ 540.00	\$ -	\$ 540.00	\$ 540.00
5	Sediment Rem. And Basin Reshaping	810	Cyd	810		810	\$ 8.74	\$ 7,079.40	\$ -	\$ 7,079.40	\$ 7,079.40
6	Temp. Sediment Structure Rem., 8" DI Pipe	1	Ea	1		1	\$ 1,680.00	\$ 1,680.00	\$ -	\$ 1,680.00	\$ 1,680.00
7	RCP, 30" Culvert	16	Lft	14		14	\$ 128.50	\$ 1,799.00	\$ -	\$ 1,799.00	\$ 2,056.00
8	RCP, 30" End Section w/ Bar Screen	1	Ea				\$ 1,843.00	\$ -	\$ -	\$ -	\$ 1,843.00
9	Slide Gate (Waterman A-9) Install	1	LS	1		1	\$ 1,600.00	\$ 1,600.00	\$ -	\$ 1,600.00	\$ 1,600.00
10	Manhole, 5 Ft. Overflow	1	Ea	1		1	\$ 3,750.00	\$ 3,750.00	\$ -	\$ 3,750.00	\$ 3,750.00
11	Rip Rap, Stone (8"- 15")	485	Sft	485		485	\$ 4.76	\$ 2,308.60	\$ -	\$ 2,308.60	\$ 2,308.60
12	Roof Drain Collection System	1	LS	1		1	\$ 2,800.00	\$ 2,800.00	\$ -	\$ 2,800.00	\$ 2,800.00
13	Boulder Retaining Wall, Rebuild	250	Lft	250		250	\$ 67.00	\$ 16,750.00	\$ -	\$ 16,750.00	\$ 16,750.00
14	Tree, Remove and Replace	4	Ea				\$ 500.00	\$ -	\$ -	\$ -	\$ 2,000.00
15	Silt Fence	370	Lft	370		370	\$ 2.70	\$ 999.00	\$ -	\$ 999.00	\$ 999.00
16	Low Point Inlet Filter	2	Ea	2		2	\$ 27.00	\$ 54.00	\$ -	\$ 54.00	\$ 54.00
17	Detention Basin Seed Mix	1200	Syd				\$ 1.98	\$ -	\$ -	\$ -	\$ 2,376.00
18	Topsoil, 3" and Hydro-Seed	500	Syd		500	500	\$ 3.52	\$ -	\$ 1,760.00	\$ 1,760.00	\$ 1,760.00
Change Order No. 1											
5-1	Sediment Removal and Basin Reshaping	640	CYD	640		640	\$ 8.74	\$ 5,593.60	\$ -	\$ 5,593.60	\$ 5,593.60
7-1	RCP, 30" Culvert	-2	LFT				\$ 128.50	\$ -	\$ -	\$ -	\$ (257.00)
8-1	RCP, 30" End Section w/ Bar Screen	-1	EA				\$ 1,843.00	\$ -	\$ -	\$ -	\$ (1,843.00)
11-1	Rip Rap, Stone (8"- 15")	139	SFT	139		139	\$ 4.76	\$ 661.64	\$ -	\$ 661.64	\$ 661.64
14-1	Tree, Remove and replace	-4	EA				\$ 500.00	\$ -	\$ -	\$ -	\$ (2,000.00)
19-1	Temporary Mulch Blanket	1200	SYD		1070	1070	\$ 2.20	\$ -	\$ 2,354.00	\$ 2,354.00	\$ 2,640.00
20-1	Bar Grate, 15-inch	1	EA	1		1	\$ 300.00	\$ 300.00	\$ -	\$ 300.00	\$ 300.00
21-1	Labor and machine time associated w/ locating and cleaning 15-inch end section and 8-inch edge drain	1	LSUM	1		1	\$ 247.50	\$ 247.50	\$ -	\$ 247.50	\$ 247.50
22-1	Demolition of existing buried 5 feet dia by 7 feet storm structure	1	LSUM	1		1	\$ 820.00	\$ 820.00	\$ -	\$ 820.00	\$ 820.00
Change Order No. 2											
17-2	Detention Basin Seed Mix	-1200	Syd				\$ 1.98	\$ -	\$ -	\$ -	\$ (2,376.00)
18-2	Topsoil, 3" and Hydro-Seed	1873	Syd		1873	1873	\$ 3.52	\$ -	\$ 6,592.96	\$ 6,592.96	\$ 6,592.96
19-2	Temporary Mulch Blanket	-130	Syd				\$ 2.20	\$ -	\$ -	\$ -	\$ (286.00)
23-2	Rip Rap, Cobblestone	1	LS		1	1	\$ 2,415.00	\$ -	\$ 2,415.00	\$ 2,415.00	\$ 2,415.00
TOTALS								\$ 52,882.74	\$ 13,121.96	\$ 66,004.70	\$ 66,004.70
								LESS RETAINAGE (Not to exceed)	\$ 2,674.80		
								TOTAL AMOUNT RECOMMENDED:	\$ 66,004.70		
								LESS PREVIOUS AMOUNT RECOMMENDED:	\$ 50,207.94		
								NET THIS CERTIFICATE:	\$ 15,796.76		

CITY OF NOVI
MEADOWBROOK COMMONS DETENTION POND EXCAVATION
SDA Job No. NV07-018

SPALDING DeDECKER ASSOCIATES, INC.
905 SOUTH BOULEVARD EAST
ROCHESTER HILLS, MI 48307


WE HEREBY CERTIFY THAT THIS AMOUNT
OF WORK HAS BEEN COMPLETED


TED MEADOWS, CONSTRUCTION MANAGER

DATE: 1/25/10

CITY OF NOVI
45175 W. TEN MILE ROAD
NOVI, MI 48375

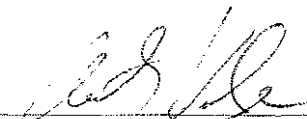
APPROVED FOR PAYMENT:


ROB HAYES, PE, CITY OF NOVI ENGINEER
BRIAN O'BURN

DATE: 2/1/10

A & M CONSTRUCTION CO., LLC
12387 31 MILE ROAD
WASHINGTON, MI 48093

ACCEPTED FOR PAYMENT:


ANTHONY VOLPE, A & M CONSTRUCTION

DATE: 1/19/10

CITY OF NOVI
 MEADOWBROOK COMMONS DETENTION POND
 PROJECT No. NV07-018
 CONTRACT CHANGE ORDER No. 2 - FINAL BALANCING

Owner: City of Novi
 45175 West Ten Mile Road
 Novi, MI 48375
 Phone: (248) 347-0454
 Fax: (248) 735-5683

Contractor: A & M Construction
 12387 31 Mile Road
 Washington, MI 48095
 Phone: (586) 336-9330
 Fax: (586) 336-9334

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 Upon execution by the Owner's representative, the following changes in the Contract Documents will be authorized.

Item No.	Description of Item	Quantity	Unit	Unit Price	Decrease in Contract Price	Increase in Contract Price
17-2	Detention Basin Seed Mix	-1200	SYD	\$ 1.98	\$ (2,376.00)	
18-2	Topsoil, 3" and Hydro-Seed	1873	SYD	\$ 3.52		\$ 6,592.96
19-2	Temporary Mulch Blanket	-130	SYD	\$ 2.20	\$ (286.00)	
23-2	Rip Rap, Cobblestone	1	LS	\$ 2,415.00		\$ 2,415.00
Total Decrease / Increase in Contract Amount					\$ (2,662.00)	\$ 9,007.96
Net Increase in Contract Amount						\$ 6,345.96
Previously Adjusted Contract Amount						\$ 59,658.74
Adjusted Contract Amount to Date						\$ 66,004.70

The time provided for completion of the Contract is unchanged.

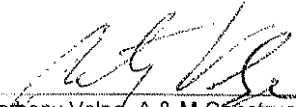
This document shall become an Amendment to the Contract and all provisions of the Contract will apply hereto.

Item No.	Justification
17-2	Item was deleted for permanent stabilization of site
18-2	Additional quantity for final field measure
19-2	Amount not used for temporary stabilization
23-2	Additional Riprap for end sections and edge drain

Prepared by
 Spalding DeDecker Associates, Inc
 11/18/2009

A & M Construction
12387 31 Mile Road
Washington, MI 48095

Accepted by
Contractor:




Anthony Volpe, A & M Construction

Date: 1/19/10

Spalding DeDecker Associates, Inc.
905 South Boulevard East
Rochester Hills, MI 48307

Recommended by
Engineer:

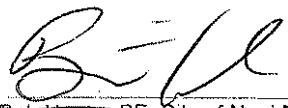


Ted Meadows, Construction Manager

Date: 1/23/10

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

Approved by
Owner:



Rob Hayes, PE, City of Novi Engineer
Brian Laburk

Date: 2/1/10

Prepared by
Spalding DeDecker Associates, Inc.
11/18/2009