



CITY of NOVI CITY COUNCIL

**Agenda Item B
January 6, 2014**

SUBJECT: Approval of the final payment to Envision Builders Inc. for the DPS Mezzanine Lift Project in the amount of \$2,110.69.

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

CITY MANAGER APPROVAL: *[Signature]*

EXPENDITURE REQUIRED	\$ 2,110.69
AMOUNT BUDGETED	\$159,679.00
LINE ITEM NUMBER	101-442.00-976.000

BACKGROUND INFORMATION:

The purchase and construction of a mezzanine lift was included in the FY 2012-13 budget to provide ADA-compliant access to the under-utilized space in the mezzanine area at the Field Services Complex, which encompasses approximately 4,076 square feet. The scope of the project included construction of masonry walls to serve as a shaft, rerouting of existing HVAC and electrical systems, and installation of a concrete pad on which the lift is installed. The addition of the ADA-compliant lift allows staff the ability to safely move large parts up and down from the parts storage area of the mezzanine, and provides required access needed for the future potential build-out and renovation of the mezzanine.

The construction contract was awarded for this project at the February 25, 2013 City Council meeting to Envision Builders, Inc. in the amount of \$41,850.

Engineering staff verified the final contract payment amount of \$42,213.67 that is due the contractor (Final Pay Estimate, attached). There was one change order in the amount of \$363.67 approved for the project for additional work that was necessary to complete the project.

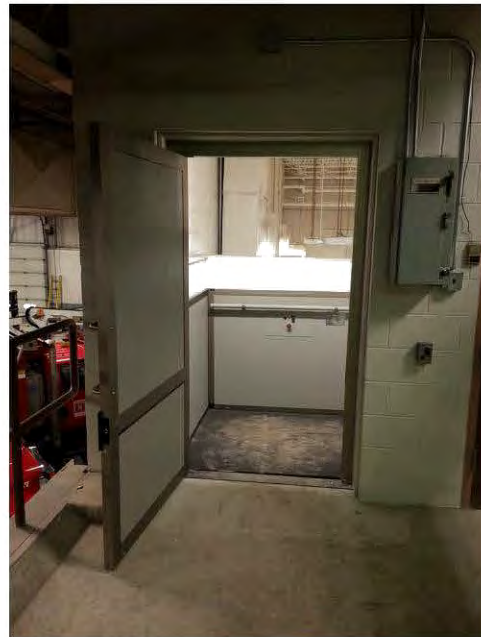
The project has been completed is acceptable for use.

RECOMMENDED ACTION: Approval of the final payment to Envision Builders Inc. for the DPS Mezzanine Lift Project in the amount of \$2,110.69.

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

	1	2	Y	N
Council Member Markham				
Council Member Mutch				
Council Member Wrobel				

PHOTOS OF COMPLETED PROJECT





CITY OF NOVI

26300 Lee BeGole Dr.
 Novi, Michigan 48375
 Tel: (248) 347-0454
 Fax: (248) 735-5659

APPLICATION FOR FINAL PAYMENT

PROJECT: Novi Field Services - Lift Addition **NOVI PROJECT NO.:** JC13-0088 **PAYMENT NO.:** FINAL
OWNER: City of Novi **ENGINEER:** OHM **CONTRACTOR:** Envision Builders
 45175 W. Ten Mile Road 34000 Plymouth Rd 28036 Oakland Oaks Ct.
 Novi, Michigan 48375 Livonia, Mi 48150 Wixom, Mi 48393

CONTRACT AMOUNT **FINAL COMPLETION DATE** **DATES OF ESTIMATE**
ORIGINAL: \$41,850.00 **ORIGINAL:** 07/22/13 **FROM:** 02/07/13
REVISED: \$42,213.67 **REVISED:** 11/20/13 **TO:** 07/22/13

SECTION 1.

COST OF COMPLETED WORK TO DATE

Item No.	Description of Item	Unit	CONTRACT ITEMS (Original)			CONTRACT ITEMS (Revised)			THIS PERIOD			TOTAL TO DATE		
			Quantity	Cost/Unit	Total Amt	Quantity	Cost/Unit	Total Amt	Quantity	Amount	%	Quantity	Amount	%
0	Constr. Inspection "Crew Day"	CD	0.00	\$ 640.00		0.00	\$ 640.00	\$ -				0.00		
1	Bonds / Insurance / Mobilization	LS	1.00	\$ 2,987.00	\$ 2,987.00	1.00	\$ 2,987.00	\$ 2,987.00				1.00	\$ 2,987.00	100%
2	Saw Cut / Flat Work / Masonry	LS	1.00	\$ 8,401.00	\$ 8,401.00	1.00	\$ 8,401.00	\$ 8,401.00				1.00	\$ 8,401.00	100%
3	Carpentry / Drywall / Paint	LS	1.00	\$ 2,462.00	\$ 2,462.00	1.00	\$ 2,462.00	\$ 2,462.00				1.00	\$ 2,462.00	100%
4	Lift	LS	1.00	\$ 21,800.00	\$ 21,800.00	1.00	\$ 21,800.00	\$ 21,800.00				1.00	\$ 21,800.00	100%
5	HVAC	LS	1.00	\$ 4,000.00	\$ 4,000.00	1.00	\$ 4,000.00	\$ 4,000.00				1.00	\$ 4,000.00	100%
6	Electrical	LS	1.00	\$ 2,200.00	\$ 2,200.00	1.00	\$ 2,200.00	\$ 2,200.00				1.00	\$ 2,200.00	100%
7			0.00			0.00	\$ -	\$ -				0.00		
8			0.00			0.00	\$ -	\$ -				0.00		
9			0.00			0.00	\$ -	\$ -				0.00		
10			0.00			0.00	\$ -	\$ -				0.00		
11			0.00			0.00	\$ -	\$ -				0.00		
12			0.00			0.00	\$ -	\$ -				0.00		
13			0.00			0.00	\$ -	\$ -				0.00		
14			0.00			0.00	\$ -	\$ -				0.00		
15			0.00			0.00	\$ -	\$ -				0.00		
16			0.00			0.00	\$ -	\$ -				0.00		
17			0.00			0.00	\$ -	\$ -				0.00		
18			0.00			0.00	\$ -	\$ -				0.00		
19			0.00			0.00	\$ -	\$ -				0.00		
20			0.00			0.00	\$ -	\$ -				0.00		
21			0.00			0.00	\$ -	\$ -				0.00		
22			0.00			0.00	\$ -	\$ -				0.00		
23			0.00			0.00	\$ -	\$ -				0.00		
24			0.00			0.00	\$ -	\$ -				0.00		

TOTAL THIS SHEET \$ 41,850.00 \$ 41,850.00 \$ - \$ 41,850.00 100%



CITY OF NOVI

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 Novi, Michigan 48375
 Tel: (248) 347-0454
 Fax: (248) 735-5659

Section 2.

APPLICATION FOR FINAL PAYMENT

PROJECT: Novi Field Services - Lift Addition NOVI PROJECT NO.: JC13-0088 PAYMENT NO.: FINAL

Original Contract Amount:	\$	41,850.00
Change Orders:	\$	363.67
Adjusted Contract Amount to Date:	\$	42,213.67
Total Cost of Work Performed to Date:	\$	42,213.67
MINUS Retainage:	<input type="text" value="0%"/> \$	-
MINUS Inspection "Crew Days":	To Date <input type="text" value="0.00"/> \$	-
	This Pay <input type="text" value="0.00"/> \$	-
Net Amt. Earned of Contract and Extra Work to Date:	\$	42,213.67
MINUS L.D.'s:	# of days over = <input type="text"/>	\$ -
	\$ amount/day = <input type="text" value="\$0"/>	\$ -
Subtotal:	\$	42,213.67
ADD Incentive "Crew Days", if under:	\$	-
Subtotal:	\$	42,213.67
MINUS Amount of Previous Payments:	\$	40,102.98
1 \$	2,688.30	
2 \$	15,300.00	
3 \$	11,188.80	
4 \$	10,925.88	
5 \$	-	
6 \$	-	
7 \$	-	
8 \$	-	
9 \$	-	
10 \$	-	

BALANCE DUE THIS PAYMENT: \$ **2,110.69**

CHANGE ORDERS

No. CO#1	Date	\$	Amount
	March 21, 2013	\$	363.67
	January 0, 1900	\$	-
	January 0, 1900	\$	-
	January 0, 1900	\$	-
	January 0, 1900	\$	-
	January 0, 1900	\$	-
	January 0, 1900	\$	-
	January 0, 1900	\$	-
	January 0, 1900	\$	-
	January 0, 1900	\$	-
	January 0, 1900	\$	-
	January 0, 1900	\$	-
	January 0, 1900	\$	-
	January 0, 1900	\$	-
	January 0, 1900	\$	-
TOTAL:		\$	363.67

Inspection "Crew Days" Allowed per Contract:	0.00
Additional "Crew Days" per Change Orders:	0.00
Total Inspection "Crew Days" Allowed:	0.00
Inspection "Crew Days" Used to Date:	0.00
Inspection "Crew Days" Remaining:	0.00



CITY OF NOVI

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Section 3.


APPLICATION FOR FINAL PAYMENT

PROJECT: Novi Field Services - Lift Addition NOVI PROJECT NO.: JC13-0088 PAYMENT NO.: FINAL

The undersigned CONTRACTOR certifies that: (1) Any previous progress payments received from OWNER on amount of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by prior Applications for Payment; (2) title to all Work, materials, and equipment incorporated in said Work of otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all liens, claims, security interest, and encumbrances (except such as are covered by Bond acceptable to OWNER indemnifying OWNER against any such lien, claim security interest, or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective as that term is defined in the Contract Documents.

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

CITY OF NOVI



By: Matthew Preisz, Construction Technician

Dated: 12/09/13



By: Rob Hayes, Director of Public Services/City Engineer

Dated: 12/9/13

Envision Builders
Contractor Company

Date: 9-Dec-13

See attached AIA 702 pay app for original
Contractor Authorized Signature

By: Harold Oliver - President
Print Name

OHM Advisors
Consultant Firm

Date: 9-Dec-2013

See attached AIA 702 pay app for original
Consultant Authorized Signature

By: Wayde Hoppe - Senior Architect
Print Name



ARCHITECTS. ENGINEERS. PLANNERS.

December 9, 2013

Mr. Matt Preisz
City of Novi
Field Services Complex
26300 Lee Begole Drive
Novi, MI 48375

RE: Field Services Building, Lift Addition

Dear Matt:

Please find attached a copy of the approved final application for payment. Please note that OHM does not warrant that the contractor, Envision Construction, has completed all aspects of the requirements of the contract. However, to the best of our knowledge, it appears that Envision has fulfilled their obligations and therefore we are releasing this application as approved. Should you have any questions, please contact me.

Sincerely,
OHM Advisors
Wayde C. Hoppe, R.A.
Senior Architect, NCARB, LEED AP

Encl: Application for Payment Number 5
cc: Harold Oliver, Envision Construction

APPLICATION AND CERTIFICATE FOR PAYMENT (AIA 702)

To: Owner:
 City of Novi
 45175 W. 10 Mile Road
 Novi, MI 48375

Project:
 Novi Field Services - Lift Addition
 Project # 0163-12-0160
 NOVI PO # 000093882

Requisition No. 5-Final ✓
 (Subs Pay App.No.)
Period To: 11/14/2013 ✓

From: Contractor
 ENVISION BUILDERS INC.
 28036 Oakland Oaks Ct.
 Wixom, MI 48393

Architect:
 OHM
 34000 Plymouth Road
 Livonia, MI 48150

Project No.: 0163-12-0160 ✓
 Novi PO # 000093882 ✓
Contract Date: 03/05/13 ✓

CONTRACTORS APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet, is attached.
 The present status of the account for this Contract is as follows:

AUTHORIZATION TO AWARD		
Approved from previous month	Additions	Deducts
	0.00	0.00
CO #1	363.67	
Totals	363.67	0.00
Net changes to date	363.67 ✓	

- | | | |
|---|----|--------------------|
| 1. ORIGINAL CONTRACT (Column C) | \$ | <u>41,850.00</u> ✓ |
| 2. CHANGE ORDER / AUTHORIZATION | \$ | <u>363.67</u> ✓ |
| 3. CONTRACT SUM TO DATE | \$ | <u>42,213.67</u> ✓ |
| 4. TOTAL COMPLETED & STORED TO DATE (Column G) | \$ | <u>42,213.67</u> ✓ |
| 5. RETAINAGE (Column I) | \$ | <u>0.00</u> ✓ |
| 6. TOTAL EARNED LESS RETAINAGE | \$ | <u>42,213.67</u> ✓ |
| 7. LESS PREVIOUS CERTIFICATES FOR PAYM.S (Line 6 from previous application) | | <u>40,102.98</u> ✓ |
| 8. CURRENT PAYMENT DUE | \$ | <u>2,110.69</u> ✓ |
| 9. BALANCE TO FINISH PLUS RETAINAGE (Line 3 less line 4 plus line 6) | \$ | <u>0.00</u> ✓ |

The undersigned Contractor certifies that to the best of his 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 him 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.

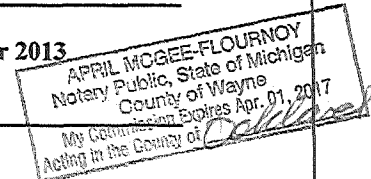
State of: MICHIGAN Harold Oliver

Subscribed and sworn to before me this 14th day of November 2013

CONTRACTOR: 
 By: _____

Date: 11/14/13

Notary Public: 



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that the work has progressed to the point indicated; that to the best of his knowledge, information and belief, the quality of the work is in accordance with the Contract Documents; and that the Contract is entitled to payment of the AMOUNT CERTIFIED

AMOUNT CERTIFIED \$ 2,110.69
 (Attach explanation if amount certified differs from the amount applied for.)
Architect:
 By: WAYNE C. TORRE Date: 12/9/13

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

CONTINUATION SHEET

AIA DOCUMENT G703

AIA Document G703 APPLICATION AND CERTIFICATE FOR PAYMENT, containing contractor's signed Certification is attached.

APPLICATION NUMBER 5
 APPLICATION DATE 11/14/2013
 PERIOD FROM 9/01/2013-11/14/2013

In tabulation below, amounts are stated to the nearest dollar

Use Column I on Contracts where variable retainage for line items may apply

ENVISION BUILDERS INC.

ARCHITECT'S PROJECT NC Novi PO # 000093882

A ITEM AREA NO.	B DESCRIPTION OF WORK (List description of scope/area of work)	C SCHEDULED VALUE	D			E		F	G		H BALANCE TO FINISH (C-G)	I RETAINAGE
			PREVIOUS APPLICATION	WORK COMPLETED		WORK THIS PERIOD	Stored Materials (Not in D or E)		TOTAL COMPLETED AND STORED TO DATE (D+E+F)	%		
				THIS APPLICATION								
	Bonds, Ins, Mob	2987.00 ✓	2987.00 ✓	0.00			2987.00	100.00	0.00	0.00		
	Saw Cut/Flat Work/Masonry	8401.00 ✓	8401.00 ✓	0.00			8401.00	100.00	0.00	0.00		
	Carpentry/Drywall/Paint	2462.00 ✓	2462.00 ✓	0.00			2462.00	100.00	0.00	0.00		
	Lift	21800.00 ✓	21800.00 ✓	0.00			21800.00	100.00	0.00	0.00		
	HVAC	4000.00 ✓	4000.00 ✓	0.00			4000.00	100.00	0.00	0.00		
	Electrical	2200.00 ✓	2200.00 ✓	0.00			2200.00	100.00	0.00	0.00		
	CO # 1	363.67 ✓	363.67 ✓	0.00			363.67	100.00	0.00	0.00		
	GRAND TOTAL	42213.67 ✓	42213.67 ✓	0.00		0.00	42213.67	1.00	0.00	0.00		

SWORN STATEMENT

(Under the Construction Lien Act of 1980)

1273

STATE OF: Michigan
 County of: Oakland

PROJECT NO. Novl PO # 000093882
 INVOICE NO. 5-Final
 DATE 11/14/2013

I, Harold Oliver being duly sworn, deposes and says:

Envision Builders, Inc (company), is the contractor for an improvement to the following described real property in OAKLAND County, Michigan Sate and described as follows: (Insert legal description of name of project/Notice of Commencement)

Novi Services Complex-Lift Addition

That the following is a statement of each subcontractor and supplier and laborer, for which laborer the payment of wages or fringe benefits and withholdings is due but unpaid, with whom the contractor has contracted for performance under the contract with the owner or lessee therefor, and that the amounts due to the persons as of the date hereof are correctly and fully set forth opposite their names, as follows:

PO NO.	LIST SUBCONTRACTOR'S	CONTRACT AMOUNT	AMOUNT ALREADY PAID	AMOUNT CURRENTLY OWING	BALANCE TO COMPLETE
1	Farmington Insurance ✓	586.00	586.00	0.00	0.00
2	Michigan Accessibili ✓	21800.00	21800.00	0.00	0.00
3	Harper Mechanical ✓	3000.00	3000.00	0.00	0.00
4	RJ Spangenburg ✓	4665.00	4665.00	0.00	0.00
5	Plugs to Panels ✓	1200.00	1200.00	0.00	0.00
6	Envision ✓	10962.67	8851.98	2110.69	0.00
7					
8					
9					
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26					
27					
28					
29					
30					
31					
32					
	TOTALS	42213.67	40102.98	2110.69	0.00

**CONSENT OF
SURETY COMPANY
TO FINAL PAYMENT**

(SIMILAR TO AIA DOCUMENT G707)

OWNER
ARCHITECT
CONTRACTOR
SURETY
OTHER

PROJECT: MCN-2123602, Novi Field Services Complex -
(name, address) Lift Addition

TO (Owner)

City of Novi
26300 Lee Begole
Novi, Michigan 48375

ARCHITECT'S PROJECT NO:

CONTRACT FOR: Remodeling

CONTRACT DATE: February 26, 2013

CONTRACTOR: Envision Builders, Inc.

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the (here insert name and address of Surety Company)

Old Republic Insurance Company

445 S. Moorland Rd. Ste. 200, Brookfield, WI 53005

, SURETY COMPANY,

on bond of (here insert name and address of Contractor)

Envision Builders, Inc.

28036 Oakland Oaks Court, Wixom, MI 48393

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that the final payment to the Contractor shall not relieve the Surety Company of any of its obligations to (here insert name and address of Owner)

City of Novi

26300 Lee Begole, Novi, Michigan 48375

, OWNER,

as set forth in the said Surety Company's bond.

IN WITNESS WHEREOF,

The Surety Company has hereunto set its hand this 27th day of November, 2013.

Old Republic Insurance Company
Surety Company

Signature of Authorized Representative
Barry W. Berman

Attorney In Fact
Title

Attest:

Judy Sparks

(Seal):

That the contractor has not procured material from, or subcontracted with any person other than those set forth on the reverse side and owes no money for the improvement other than the sums set forth on the reverse side.

Deponent further says that he or she makes the foregoing statement as the (Contractor (SUBCONTRACTOR) or as controller of the (contractor) (SUBCONTRACTOR) for the purpose of representing to the owner or lessee of the described on the reverse side premises and his or her agent that the property described on the reverse side is free from claims of construction liens, or the possibility of construction liens, except for claims of construction liens by laborers which may be provided pursuant to section 109 of the construction lien act, Act No. 497 of the Public Acts of 1980, as amended, being section 570.1109 of the Michigan Compiled Laws.

WARNING TO OWNER: AN OWNER OR LESSEE OF THE PROPERTY DESCRIBED ON THE REVERSE SIDE MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF A SUBCONTRACTOR, SUPPLIER OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING OR A LABORER WHO MAY PROVIDE A NOTICE OF FURNISHING PURSUANT TO SECTION 109 OF THE CONSTRUCTION LIEN ACT TO THE DESIGNEE OR TO THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.



SIGNATURE OF COMPANY OFFICIAL

WARNING TO DEPONENT: A PERSON, WHO WITH INTENT TO DEFRAUD, GIVES A FALSE SWORN STATEMENT IS SUBJECT TO CRIMINAL PENALTIES AS PROVIDED IN SECTION 110 OF THE CONSTRUCTION LIEN ACT, ACT NO. 497 OF THE PUBLIC ACTS OF 1980, AS AMENDED BEING SECTION 580.1110 OF THE MICHIGAN COMPILED LAWS.

Subscribed and sworn before me this

14th day of November 2013

APRIL MCGEE-FLOURNOY
Notary Public, State of Michigan
County of Wayne
My Commission Expires Apr. 01, 2017
Acting in the County of Oakland


Notary Public
County, Michigan

(State). My commission expires 4/1/2017

1. A sworn statement in the preceding form must be provided before any contractor subcontractor can file a complaint, cross-clamor counter-claim to enforce a construction lien.
2. An owner or lessee may withhold payment to a contractor or subcontractor who has not provided a sworn statement. An owner or lessee may withhold from a contractor or subcontractor who has provided a sworn statement the amount sufficient to pay all sums shown on the statements owing subcontractors, claimants who have provided Notices of Furnishing pursuant to the Construction Lien Act of 1980.
3. An owner or lessee may rely on a Sworn Statement to avoid a lien claim unless the lien claimant has provided the owner or lessee with a Notice of Furnishing pursuant to the Construction Lien Act 1980.
4. If the contract provides for payments by the owner to the general contractor, in any, in the normal course of construction, but the owner elects to pay lien claimant directly the first time the owner elects to make payment directly to a lien claimant he or she shall provide at least 5 business days notice to the general contractor of the intention to make direct payment. Subsequent direct disbursements to lien claimant need not be preceded by the 5-day notice provided in this section unless the owner first returns to the practice of paying all sums to the general contractor.