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CITY of NOVI CITY COUNCIL

Agenda Item E
February 2, 2009

SUBJECT: Approval of the final balancing change order and final payment to Star Contracting, Inc. for the SAD 170 3A Sanitary Sewer Project (located on the north side of Eight Mile Road east of Garfield Road in Section 32) in the amount of \$24,879.53.

SUBMITTING DEPARTMENT: Engineering *RA*

CITY MANAGER APPROVAL: *[Signature]*

BACKGROUND INFORMATION:

Special Assessment District (SAD) 170 was established to extend sanitary sewer service to Tuscany Reserve, Maybury Park Estates and Singh's yet to be developed parcel west of Garfield Road (see attached map). The final phase of the SAD was Phase 3A, which included the construction of a sanitary sewage lift station and force main piping along the north side of Eight Mile Road just east of Garfield Road. The city's consulting engineer for this project (Spalding, DeDecker & Associates) administered a construction contract for Phase 3A work.

Spalding DeDecker has executed and submitted the attached documents verifying the final contract payment amount that is due to the construction contractor, Star Contracting, Inc. (Spalding's Final Pay Estimate No. 5, and Final Balancing Change Order No. 4, attached).

According to Spalding, the sanitary sewer work performed by the contractor was in substantial compliance with the plans and specifications, and final payment in the amount of \$24,879.53 is appropriate. In addition, the City Attorney has reviewed supporting documentation and found it to be in an acceptable form (Beth Kudla's January 9, 2009 letter, attached).

The original contract was approved at the April 16, 2007 City Council meeting in the amount of \$342,790.71. The final payment brings the total in construction expenditures on this project to \$298,009.80. Major change orders were deductive in nature to exclude the electrical and mechanical components from the lift station because it will not be in service for some time due to the low demand for residential development. Taking this approach negates the need and cost for city Water & Sewer staff to maintain and exercise equipment not in use. A total of \$56,475 will be held in an escrow account until future procurement and installation of these components is warranted by development.

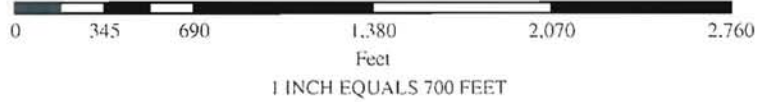
RECOMMENDED ACTION: Approval of the final balancing change order and final payment to Star Contracting, Inc. for the SAD 170 3A Sanitary Sewer Project (located on the north side of Eight Mile Road east of Garfield Road in Section 32) in the amount of \$24,879.53.

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

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



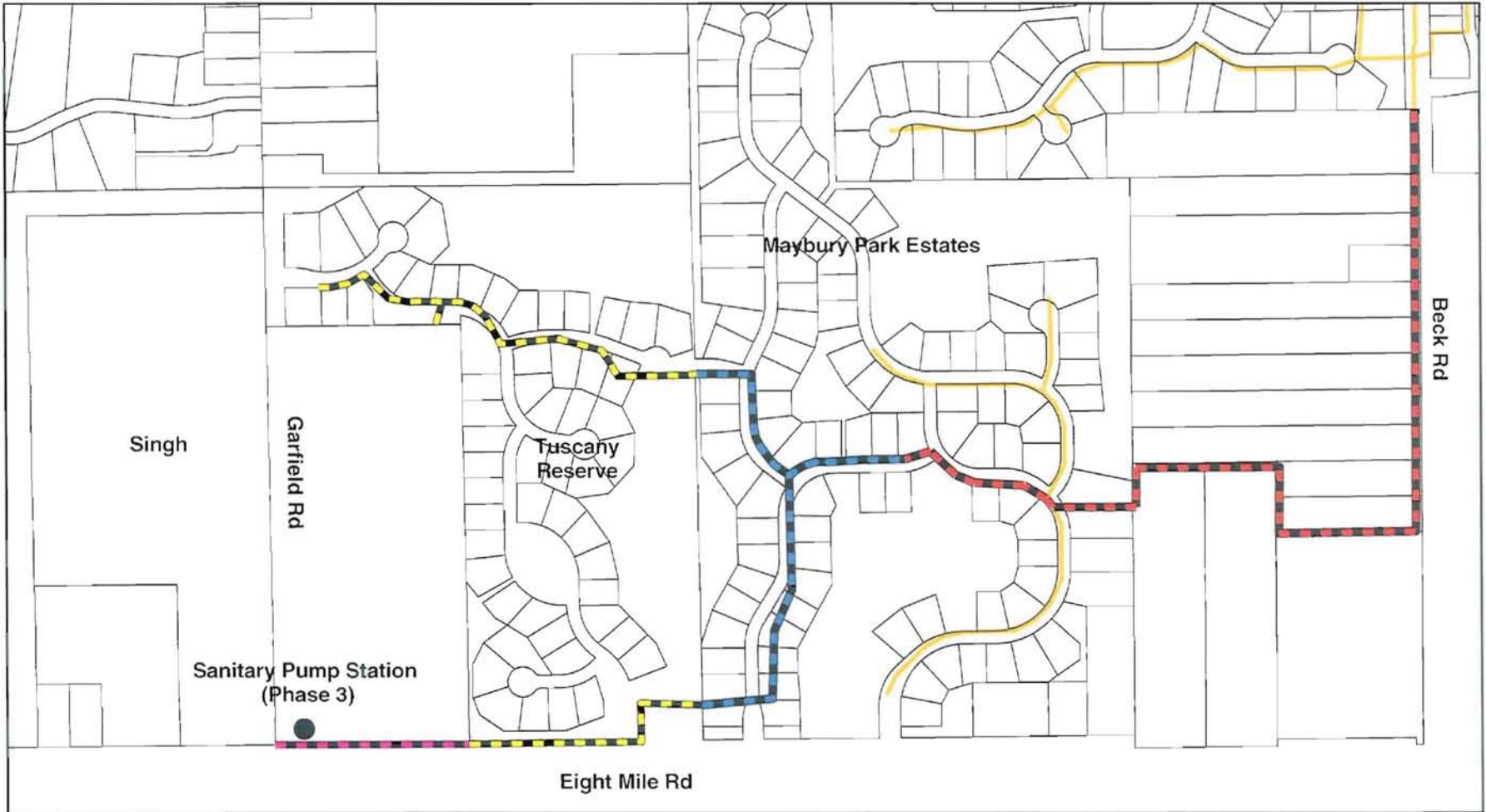
CITY OF NOVI
ENGINEERING DEPARTMENT
SAD 170
SANITARY SEWER EXTENSION



MAP PREPARED BY CITY OF NOVI ENGINEERING
MAP PRINT DATE: NOVEMBER 6, 2006

Legend

- SAD 170 Phases
 - Phase 1A (Red zigzag line)
 - Phase 1B (Blue zigzag line)
 - Phase 2 (Yellow zigzag line)
 - Phase 3 (Pink zigzag line)
- Private Development (Non-SAD Sewer) (Yellow zigzag line)



CITY OF NOVI

SAD 170 - PHASE 3A SANITARY SEWER: SDA JOB No. NV06-009

ENGINEER'S PAYMENT CERTIFICATE No. 5 - FINAL
OF WORK PERFORMED THROUGH September 30, '08

CONTRACTOR:

Star Contracting, Inc.
2180 Fyke Drive
Milford Twp., MI 48381
Phone: (248) 684-2288
Fax: (248) 684-7733

Original Contract Amount: \$342,790.71
Original Completion Date:

- Adjusted Contract Amount: \$298,789.80
- Adjusted Completion date: N/A

ITEM No.	DESCRIPTION	CONTR. 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
SECTION 1 - GENERAL											
1	Mobilization (5% Maximum)	1	LSUM	1		1	\$ 7,000.00	\$ 7,000.00	\$ -	\$ 7,000.00	\$ 7,000.00
2	Clearing & Grubbing	1	LSUM	1		1	\$ 4,000.00	\$ 4,000.00	\$ -	\$ 4,000.00	\$ 4,000.00
3	10" PVC Truss Pipe	122	LF	122		122	\$ 471.14	\$ 57,479.08	\$ -	\$ 57,479.08	\$ 57,479.08
4	8" PVC Truss Pipe	16	LF	15		15	\$ 60.25	\$ 903.75	\$ -	\$ 903.75	\$ 964.00
5	6" DI Forcemain (Class 52)	856	LF	856		856	\$ 25.00	\$ 21,400.00	\$ -	\$ 21,400.00	\$ 21,400.00
6	4' Dia. Manhole	1	EA	1		1	\$ 4,680.00	\$ 4,680.00	\$ -	\$ 4,680.00	\$ 4,680.00
7	5' Dia. Manhole	1	EA	1		1	\$ 7,300.00	\$ 7,300.00	\$ -	\$ 7,300.00	\$ 7,300.00
8	Intermediate Flushing Connection	1	EA	1		1	\$ 5,000.00	\$ 5,000.00	\$ -	\$ 5,000.00	\$ 5,000.00
9	Air Release Valve	1	EA				\$ 3,790.00	\$ -	\$ -	\$ -	\$ 3,790.00
10	Bypass Access Manhole	1	EA	1		1	\$ 2,800.00	\$ 2,800.00	\$ -	\$ 2,800.00	\$ 2,800.00
11	6" Gate Valve & Box	2	EA	2		2	\$ 800.00	\$ 1,600.00	\$ -	\$ 1,600.00	\$ 1,600.00
12	Pump Station and Generator	1	LSUM				\$ 139,549.60	\$ -	\$ -	\$ -	\$ 139,549.60
13	Television Inspection of Sewer	180	LF			122	\$ 5.00	\$ 610.00	\$ -	\$ 610.00	\$ 900.00
14	Dewatering (Contingent)	1	LSUM	1		1	\$ 35,000.00	\$ 35,000.00	\$ -	\$ 35,000.00	\$ 35,000.00
15	Asphalt (per plan cross-section - 4" thick)	141	SY	141		141	\$ 55.00	\$ 7,755.00	\$ -	\$ 7,755.00	\$ 7,755.00
16	Asphalt (Garfield Road replacement)	163	SY	77		77	\$ 36.81	\$ 2,834.37	\$ -	\$ 2,834.37	\$ 6,000.03
17	Wichita Juniper (Juniperus scopulorum) "Wichita Blue" 5' height. 8' o.c.	9	EA	9		9	\$ 140.00	\$ 1,260.00	\$ -	\$ 1,260.00	\$ 1,260.00
18	Nannyberry (Viburnum lantago) 4' height. 8' o.c.	15	EA	15		15	\$ 70.00	\$ 1,050.00	\$ -	\$ 1,050.00	\$ 1,050.00
19	Smoke Tree (Cotinus oogyria) 6' height, 12' o.c.	3	EA	3		3	\$ 180.00	\$ 540.00	\$ -	\$ 540.00	\$ 540.00
20	Soil Erosion & Sedimentation Control	1	LSUM	1		1	\$ 6,420.00	\$ 6,420.00	\$ -	\$ 6,420.00	\$ 6,420.00
21	Restoration (Topsoil, Seed & Mulch)	4,000	SY	4000		4000	\$ 1.35	\$ 5,400.00	\$ -	\$ 5,400.00	\$ 5,400.00
22	Traffic Control	1	LSUM	1		1	\$ 3,500.00	\$ 3,500.00	\$ -	\$ 3,500.00	\$ 3,500.00
23	Construction Management Fee (6% Maximum)	1	LSUM	1		1	\$ 19,403.00	\$ 19,403.00	\$ -	\$ 19,403.00	\$ 19,403.00
	SUBTOTAL - SECTION 1							\$ 195,935.20	\$ -	\$ 195,935.20	\$ 342,790.71
SECTION 2 - CHANGE ORDER No. 1											
9-1	Air Release Valve	-1	EA				\$ 3,790.00	\$ -	\$ -	\$ -	\$ (3,790.00)
9a-1	Air Release Valve	1	EA	1		1	\$ 3,315.00	\$ 3,315.00	\$ -	\$ 3,315.00	\$ 3,315.00
12-1	Pump Station and Generator	-1	LSUM				\$ 139,549.60	\$ -	\$ -	\$ -	\$ (139,549.60)
12a-1	Pump Station (Permanent Items)	1	LSUM	1		1	\$ 83,549.60	\$ 83,549.60	\$ -	\$ 83,549.60	\$ 83,549.60
SECTION 2 - CHANGE ORDER No. 2											
12b-2	Pump Station (Credit)	-1	LSUM	-1		-1	\$ 1,000.00	\$ (1,000.00)	\$ -	\$ (1,000.00)	\$ (1,000.00)
24-2	Ditch Regrading	1	LSUM	1		1	\$ 5,500.00	\$ 5,500.00	\$ -	\$ 5,500.00	\$ 5,500.00

ITEM No.	DESCRIPTION	CONTR. 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
SECTION 2 - CHANGE ORDER No. 3											
25-3	Pump Station Drive Culvert Install / Grading	1	LSUM		1	1	\$ 7,740.00	\$ -	\$ 7,740.00	\$ 7,740.00	\$ 7,740.00
SECTION 2 - CHANGE ORDER No. 4											
4-4	8" PVC Truss Pipe	-1	LF				\$ 60.25	\$ -	\$ -	\$ -	\$ (60.25)
13-4	Television Inspection of Sewer	-58	LF				\$ 5.00	\$ -	\$ -	\$ -	\$ (290.00)
15-4	Asphalt (per plan cross-section - 4" thick)	54	SY	54		54	\$ 55.00	\$ 2,970.00	\$ -	\$ 2,970.00	\$ 2,970.00
16-4	Asphalt (Garfield Road replacement)	-86	SY				\$ 36.81	\$ -	\$ -	\$ -	\$ (3,165.66)
SUBTOTAL - SECTION 2								\$ 94,334.60	\$ 7,740.00	\$ 102,074.60	\$ (44,780.91)
TOTAL								\$ 290,269.80	\$ 7,740.00	\$ 298,009.80	\$ 298,009.80
								LESS RETAINAGE 10%: (Reduction Approved)		\$ -	
								TOTAL AMOUNT RECOMMENDED:		\$ 298,009.80	
								LESS PREVIOUS AMOUNT RECOMMENDED:		\$ 273,130.27	
								NET THIS CERTIFICATE:		\$ 24,879.53	

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: 11/25/08

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

APPROVED FOR PAYMENT:


ROB HAYES, PE, CITY OF NOVI ENGINEER

DATE: 1/9/09

STAR CONTRACTING, INC.
2180 FYKE DRIVE
MILFORD, MI 48381

ACCEPTED FOR PAYMENT:


ROBERT D'ARISTOTILE, UNDERGROUND CONTRACTOR

DATE: 11-25-08

CITY OF NOVI
SAD 170 PHASE 3 SANITARY SEWER
PROJECT No. NV06-009
CONTRACT CHANGE ORDER No. 4 - BALANCING

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

Contractor: Star Contracting
 1270 Goldsmith
 Plymouth, MI 48170
 Phone: (734) 684-2288
 Fax: (734) 684-7733

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

Item No.	Description of Changes	Quantity	Unit	Unit Price	Decrease in Contract Price	Increase in Contract Price
4	8" PVC Truss Pipe	-1	LF	\$ 60.25	\$ (60.25)	
13	Television Inspection of Sewer	-58	LF	\$ 5.00	\$ (290.00)	
15	Asphalt (per plan cross-section - 4" thick)	54	SY	\$ 55.00		\$ 2,970.00
16	Asphalt (Garfield Road replacement)	-86	SY	\$ 36.81	\$ (3,165.66)	
Total Decrease / Increase in Contract Amount					\$ (3,515.91)	\$ 2,970.00
Net Decrease in Contract Amount						\$ (545.91)
Previously Adjusted Contract Amount						\$ 299,335.71
Adjusted Contract Amount to Date						\$ 298,789.80

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, Section I - MA06-018, Card Road
4	Net decrease in field measured 8" PVC Truss Pipe.
13	Net decrease in field measured 8" sanitary sewer televised. The amount is the total of the stub lengths
15	Net increase in field measured quantity for removal and replacement of asphalt drive for additional culvert.
16	Net decrease in field measured quantity for removal and replacement of Garfield Road.

Prepared by
 Spalding DeDecker Associates, Inc.
 1/22/2009

Star Contracting
1270 Goldsmith
Plymouth, MI 48170

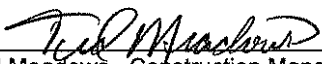
Accepted by
Contractor:

Bob D'Aristotle, Star Contracting

Date: _____

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

Recommended by
Engineer:

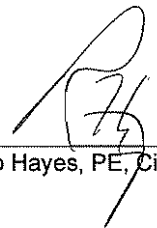


Ted Meadows, Construction Manager

Date: 1/22/09

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

Approved by
Owner:



Rob Hayes, PE, City of Novi Engineer

Date: 1/23/09

Prepared by
Spalding DeDecker Associates, Inc.
1/22/2009

January 9, 2009

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: **SAD 170, Phase 3**
Star Contracting, Inc. – Closing Documents
Our File No. 55142 NOV

Dear Ms. Moreno:

We have received and reviewed the following additional closing documents for the Phase 3A of SAD 170:

- Contractor's Sworn Statement
- Full Unconditional Waiver of Lien (Atwell-Hicks)

The above documents are acceptable as provided. Though the contractor's insurance agent has been listed as "unpaid" in the sworn statement, Spalding DeDecker has confirmed that the total amount will be covered by credit remaining with the agent. All issues set forth in our December 18, 2008 review letter have been addressed.

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

cc: Clay Pearson, City Manager
Kathy Smith-Roy, Finance Director
Ted Meadows, Spalding DeDecker
Aaron Staup, Construction Engineering Coordinator
Thomas R. Schultz, Esquire

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