**AGENDA RESERVATION REQUEST**

**CITY OF FRANKLIN**
**BOARD OF PUBLIC WORKS AND SAFETY**
Please type or print

| | | | |
|---|---|---|---|
| **Date Submitted:** | 01/30/2012 | **Meeting Date:** | 02/06/2012 |
| | | | |
| **Contact Information:** | | | |
| **Requested by:** | Rick Littleton | | |
| | | | |
| **On Behalf of Organization or Individual:** | DPW | | |
| | | | |
| **Telephone:** | 888-736-3640 | | |
| **Email address:** | | | |
| **Mailing Address:** | | | |
| | | | |
| **Describe Request:** | | | |
| Approval of Pay Request No. 9 from Reynolds, Inc. – WWTP Project | | | |
| | | | |
| **List Supporting Documentation Provided:** | | | |
| Contractor's Application for Payment | | | |
| | | | |
| | | | |
| | | | |
| **Who will present the request?** | | | |
| **Name:** | Rick Littleton | **Telephone:** | 888-736-3640 |

***The Franklin Board of Works meets on the 1st and 3rd Monday of each month at 5:15 p.m. in the Council Chambers of City Hall located at 70 E. Monroe Street. In order for an individual and/or agency to be considered for new business on the agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 12:00 p.m. on the Wednesday prior to the Board of Works meeting.***

EJCDC
ENGINEERS JOINT CONTRACT DOCUMENTS COMMITTEE

# Contractor's Application for Payment No. 9

| | | |
|---|---|---|
| To (Owner): City of Franklin | Application Period: 12/1-2011 -- 12/31/2011 | Application Date: 1/13/2012 |
| Project: Wastewater Treatment Plant Modifications Project | From (Contractor): Reynolds, Inc. | Via (Engineer): Commonwealth Engineers, Inc. |
| Owner's Contract No.: | Contract: Wastewater Treatment Plant Modificaitons Project | |
| | Contractor's Project No.: R 10081 | Engineer's Project No.: S10031 |

**Application For Payment**

**Change Order Summary**

Approved Change Orders

| Number | Additions | Deductions |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| TOTALS | | |
| NET CHANGE BY CHANGE ORDERS | | |

| | | |
|---|---|---|
| 1. ORIGINAL CONTRACT PRICE | $ | $2,020,000.00 |
| 2. Net change by Change Orders | $ | |
| 3. Current Contract Price (Line 1 ± 2) | $ | $2,020,000.00 |
| 4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate) | $ | $1,906,053.00 |
| 5. RETAINAGE: | | |
| a. 5% X $1,591,136.00 Work Completed | $ | $79,557.00 |
| b. 5% X $314,917.00 Stored Material | $ | $15,746.00 |
| c. Total Retainage (Line 5a + Line 5b) | $ | $95,303.00 |
| 6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c) | $ | $1,810,750.00 |
| 7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application) | $ | $1,683,167.00 |
| 8. AMOUNT DUE THIS APPLICATION | $ | $127,583.00 |
| 9. BALANCE TO FINISH, PLUS RETAINAGE (Column G on Progress Estimate + Line 5 above) | $ | $209,250.00 |

**Contractor's Certification**

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); ~~and~~ (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective~~.~~, (4) all items and amounts on the face of this Contractor's Application for Payment are correct; (5) all Work has been performed and/or material supplied in full accordance with the requirements of the referenced Contract, and/or duly authorized deviations, substitutions, alterations, and/or additions; (6) the foregoing is a true and correct statement of the Contract account up to and including the last day of the period covered by this Periodic Estimate, (7) no part of the "Balance Due This Payment" has been received, and (8) the undersigned and his subcontractors have - (check applicable line).

a. ( ) Complied with all labor provisions of said Contract.

b. ( ) Complied with all labor provisions of said Contract except in those instances where an honest dispute exists with respect to said labor provisions (if (b) is checked, describe briefly nature of dispute on an attached sheet).

By: Dan Clark, Project Manager

Date: 1/13/2012

Payment of: $ $127,583.00
(Line 8 or other - attach explanation of the other amount)

is recommended by: (Engineer) 1/18/12 (Date)

Payment of: $
(Line 8 or other - attach explanation of the other amount)

is approved by: (Owner) (Date)

Approved by: Funding Agency (if applicable) (Date)


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# Progress Estimate - Lump Sum Work

## Contractor's Application

| | |
|---|---|
| For (Contract) Wastewater Treatment Plant Modificaitons Project | Application Number: 9 |
| Application Perio 12/1-2011 -- 12/31/2011 | Application Date: 1/13/2012 |

| | | | Work Completed | | E | F | | G |
|---|---|---|---|---|---|---|---|---|
| A | | B | C | D | | | | |
| Specification Section No | Description | Scheduled Value ($) | From Previous Application (C+D) | This Period | Materials Presently Stored (not in C or D) | Total Completed and Stored to Date (C + D + E) | % (F / B) | Balance to Finish (B - F) |
| | 1. Bond and Insurance | $30,530.00 | $30,530 00 | | | $30,530.00 | 100.0% | |
| | 2. Mobilization and Job Start-Up | $65,000.00 | $65,000 00 | | | $65,000.00 | 100.0% | |
| | 3. Project Management and Supervision | $81,000.00 | $79,000.00 | $1,000 00 | | $80,000.00 | 98.8% | $1,000 00 |
| | 4. Contengency | $60,000.00 | | | | | | $60,000 00 |
| | DEMOLITION | | | | | | | |
| | 4. ATAD Tanks | $75,000.00 | $75,000 00 | | | $75,000.00 | 100 0% | |
| | 5. Dewatering Building | $10,000 00 | | $10,000 00 | | $10,000 00 | 100 0% | |
| | 6. Oxidation Ditch | $5,000.00 | $5,000.00 | | | $5,000.00 | 100 0% | |
| | EXCAVATE, SUBGRADE AND BACKFILL | | | | | | | |
| | 13. SDNR Pump Station | $50,000 00 | $48,500.00 | | | $48,500.00 | 97.0% | $1,500 00 |
| | 14. NPW Pump Station | $25,000.00 | $24,800.00 | | | $24,800 00 | 99 2% | $200 00 |
| | 15. UV | $10,000.00 | $9,500.00 | | | $9,500 00 | 95.0% | $500 00 |
| | SITEWORK | | | | | | | |
| | 29 Erosion Control | $2,000.00 | $1,750 00 | $150 00 | | $1,900 00 | 95.0% | $100.00 |
| | 30. Asphalt Paving | $6,000.00 | | | | | | $6,000 00 |
| | YARD PIPING | | | | | | | |
| | 32 6" NPW | $24,250.00 | $24,250 00 | | | $24,250 00 | 100.0% | |
| | 33. 6" Oxidation Ditch | $9,750 00 | $9,750 00 | | | $9,750.00 | 100 0% | |
| | 34 6" Cooling Water | $13,000.00 | $13,000.00 | | | $13,000.00 | 100.0% | |
| | 35 6" SDNR | $3,250 00 | $3,250.00 | | | $3,250 00 | 100 0% | |
| | 36. 2" NPW | $3,200.00 | $1,400 00 | $105 00 | $1,695 00 | $3,200.00 | 100 0% | |
| | CONCRETE | | | | | | | |
| | 45 Oxidation Ditch 2% | $3,625.00 | $3,625.00 | | | $3,625 00 | 100 0% | |
| | 46 Bio Filters 40% | $87,000.00 | $86,500.00 | $500.00 | | $87,000.00 | 100 0% | |
| | 47. SDNR Pump Station 35% | $79,750.00 | $79,450.00 | $300.00 | | $79,750 00 | 100.0% | |
| | 48 UV 8% | $18,125.00 | $18,125.00 | | | $18,125 00 | 100.0% | |
| | 49 NPW Pump Station 15% | $32,625.00 | $32,400 00 | $225 00 | | $32,625 00 | 100.0% | |
| | MASONRY | | | | | | | |
| | 63. UV Building | $11,500.00 | $11,500 00 | | | $11,500 00 | 100 0% | |
| | MISC METALS | | | | | | | |
| | 73. Bio Filter Structure | $8,600 00 | | $5,000 00 | $3,600 00 | $8,600 00 | 100 0% | |
| | 74 SDNR Pump Room | $12,000 00 | | $2,700 00 | $9,222 00 | $11,922.00 | 99.4% | $78 00 |
| | 75 NPW Pump Station | $3,000 00 | | $1,500 00 | $1,500 00 | $3,000 00 | 100 0% | |
| | 76 UV Building | $6,000 00 | $5,500 00 | | | $5,500 00 | 91 7% | $500 00 |
| | CARPENTRY | | | | | | | |
| | 85 UV Building Wood Roof System | $9,500 00 | | $9,250 00 | | $9,250 00 | 97 4% | $250 00 |
| | THERMAL PROTECTION | | | | | | | |
| | 94 Metal Roofing | $11,200.00 | | | | | | $11,200 00 |
| | 95. Aluminum Ceiling | $3,500 00 | | | | | | $3,500 00 |
| | DOORS AND WINDOWS | | | | | | | |
| | 97 FRP Doors and Frames | $3,000 00 | | $2,500 00 | | $2,500 00 | 83.3% | $500 00 |
| | FINISHES | | | | | | | |
| | 105. Painting | $22,000.00 | | $16,000.00 | | $16,000 00 | 72 7% | $6,000 00 |


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| | A | B | Work Completed C | Work Completed D | E | F | | G |
|---|---|---|---|---|---|---|---|---|
| Specification Section No | Description | Scheduled Value ($) | From Previous Application (C+D) | This Period | Materials Presently Stored (not in C or D) | Total Completed and Stored to Date (C + D + E) | % (F / B) | Balance to Finish (B - F) |
| | EQUIPMENT | | | | | | | |
| | 128. ATAD Bio Filters | $631,500.00 | $40,000 00 | $475,000 00 | $115,779.00 | $630,779.00 | 99.9% | $721.00 |
| | 129. Polymer Feed Equipment | $18,000.00 | $18,000 00 | | | $18,000.00 | 100.0% | |
| | 130. Sump Pumps | $800 00 | | $800 00 | | $800 00 | 100 0% | |
| | 131. NPW Pumps | $100,000 00 | $42,651.00 | $56,500.00 | | $99,151 00 | 99 2% | $849 00 |
| | 132. Submersible Pumps | $60,000.00 | $60,000 00 | | | $60,000 00 | 100.0% | |
| | 133. Screening Equipment | $130,000.00 | | $4,500 00 | $117,121 00 | $121,621 00 | 93.6% | $8,379 00 |
| | MECHANICAL SYSTEMS | | | | | | | |
| | 159. Oxidation Ditch | $6,000.00 | | $6,000 00 | | $6,000.00 | 100 0% | |
| | 160. Bio Filter | $12,000 00 | $12,000 00 | | | $12,000 00 | 100.0% | |
| | 161. SDNR Pump Station | $22,000 00 | $21,500 00 | | | $21,500 00 | 97.7% | $500 00 |
| | 162. Solids Building | $20,000.00 | $9,000.00 | $10,000.00 | | $19,000 00 | 95 0% | $1,000 00 |
| | 163. NPW Station | $7,000.00 | | $6,800 00 | | $6,800.00 | 97.1% | $200 00 |
| | 164. Stainless Steel Off Gas Piping | $72,500.00 | | $4,500.00 | $66,000.00 | $70,500.00 | 97.2% | $2,000 00 |
| | 165. Valves | $80,000.00 | $28,930 00 | $51,000 00 | | $79,930 00 | 99.9% | $70 00 |
| | ELECTRICAL WORK | | | | | | | |
| | ELECTRICAL WORK | $65,900.00 | $44,500 00 | $12,500.00 | | $57,000.00 | 86.5% | $8,900 00 |
| | VFD's | $9,895 00 | $9,400.00 | $495.00 | | $9,895.00 | 100 0% | |
| | **Totals** | **$2,020,000.00** | **$913,811.00** | **$677,325.00** | **$314,917.00** | **$1,906,053.00** | | **$113,947.00** |


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## Stored Material Summary

## Contractor's Application

For (Contract): Wastewater Treatment Plant Modificaitons Project

Application Period: 12/1-2011 -- 12/31/2011

Application Number: 9

Application Date: 1/13/2012

| A | | B | C | | D | | E | F | | G | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | Stored Previously | | | | Incorporated in Work | | |
| Bid Item No. | Supplier Invoice No. | Submittal No. (with Specification Section No.) | Storage Location | Description of Materials or Equipment Stored | Date Placed into Storage (Month/Year) | Amount ($) | Amount Stored this Month ($) | Subtotal Amount Completed and Stored to Date (D + E) | Date (Month/Year) | Amount ($) | Materials Remaining in Storage ($) (D + E - F) | |
| | 1005147 | DS-12 | On-Site | Non Potable Pump Control Panel | 6/2011 | $42,651.00 | | $42,651.00 | 12/2011 | $42,651.00 | | |
| | V-14260 | WM-16 | On-Site | 6" Flanged Check Valves | 7/2011 | $3,930.00 | | $3,930.00 | 12/2011 | $3,930.00 | | |
| | | | | Dezuirk Valves | 8/2011 | $15,423.00 | | $15,423.00 | 12/2011 | $15,423.00 | | Pay App # 5 |
| | | | | Thermal Process Equipment - 19411.1 | 8/2011 | $349,984.00 | | $349,984.00 | 12/2011 | $234,205.00 | $115,779.00 | |
| | | | | Nystrom - Roof Hatch - 30" x 96" - to relocate @ NPW | 8/2011 | $1,500.00 | | $1,500.00 | 12/2012 | $1,500.00 | | |
| | | | | BL Anderson - VFD's | 8/2011 | $9,895.00 | | $9,895.00 | 12/2011 | $8,200.00 | $1,695.00 | |
| | | | | Clow - # 38287 - various U_G material | 8/2011 | $7,689.00 | | $7,689.00 | 12/2011 | $7,689.00 | | |
| | | | | Clow - # 36595 - 6in & 12in material | 8/2011 | $2,795.00 | | $2,795.00 | 10/2011 | $2,795.00 | | |
| | | | | Clow - # 36594 - 10in material | 8/2011 | $1,695.00 | | $1,695.00 | 10/2011 | $1,695.00 | | |
| | | | | Furguson - U/G PVC Pipe | 8/2011 | $3,405.00 | | $3,405.00 | 9/2011 | $3,405.00 | | |
| | | | | Profab -Misc Metals # 611-8 | 8/2011 | $8,400.00 | | $8,400.00 | 12/2011 | $1,900.00 | $6,500.00 | |
| | | | | Profab -Misc Metals # 711-1 | 8/2011 | $4,000.00 | | $4,000.00 | 11/2011 | $4,000.00 | | |
| | | | | Profab -Misc Metals # 711-23 | 8/2011 | $7,000.00 | | $7,000.00 | | | $7,000.00 | |
| | | | | Profab -Misc Metals # 711-18 | 8/2011 | $822.00 | | $822.00 | | | $822.00 | |
| | | | | Thermal Process Equipment - 19411.2 | 10/2011 | $84,164.00 | | $84,164.00 | 12/2011 | $84,164.00 | | |
| | | | | Thermal Process Equipment - 19411.3 | 10/2011 | $126,937.00 | | $126,937.00 | 12/2011 | $126,937.00 | | |
| | | | | Lakeside Screen - 11-122 | 10/2011 | $117,121.00 | | $117,121.00 | | | $117,121.00 | |
| | | | | Kentic Roof Trusses - 21257 | 10/2011 | $1,656.00 | | $1,656.00 | 12/2011 | $1,656.00 | | |
| | | | | BL Anderson - Valves - V-14418 | 10/2011 | $33,467.00 | | $33,467.00 | 12/2011 | $33,467.00 | | |
| | | | | Piping Services - Stainless Steel Pipe - 6719 | 10/2011 | $66,340.00 | | $66,340.00 | 12/2011 | $340.00 | $66,000.00 | |
| | | | | Totals | | $888,874.00 | | $888,874.00 | | $573,957.00 | $314,917.00 | |

$314,917.00


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AFFIDAVIT AND WAIVER OF LIEN
(PARTIAL OR PERIODIC PAYMENT)

STATE OF Indiana

COUNTY OF Marion

(This document has important legal consequences: Consultation with an attorney is encouraged with respect to its completion or modification.)

Daniel R. Clark being first duly sworn says that he is
(Individual)
Project Manager of Reynolds, Inc.
(Authorized Officer)
(hereinafter referred to as the "Company") and is familiar with the following facts stated herein:

1. The Company performed services, labor, and/or furnished material, machinery, equipment, and fuel (hereinafter referred to as "Work") on a Project for the construction of certain buildings and/or improvements known as the Franklin Waste Water Treatment Plant on property owned by the City of Franklin (hereinafter referred to as "Owner"), and located at 800 South State St, Franklin, IN 46131 (hereinafter called the "Property").

2. The Company has a contract with and has provided Work for The City of Franklin, IN as a Contractor

3. All laborers, materialmen, and Subcontractors of the Company have been paid for Work furnished by them to the Company for the Project to the full extent that sums were due to said parties and for which the Company has previously received payment for Work so furnished by said parties.

4. The current invoice amount from the Company to The City of Franklin, Indiana is
One Hundred Twenty-Seven Thousand Five Hundred Eighty-Three Dollars ($ 127,583.00 )

The balance currently due and unpaid to the Company (including the current invoice amount) is

Seven Hundred Eighty-Four Thousand Seven Hundred Thirty-Six Dollars ($ 784,736.00 )

Without waiving for mechanic's lien or other purposes the priority of the date that the Company first commenced performing Work for the Project, the Company agrees that upon the payment to it of said current invoice amount, the Company hereby waives and releases only to the extent of said current invoice amount (a) all liens and lien claims and rights against the property and funds of the Owner, and (b) all claims against the Owner with respect to amounts due from the Owner for the Company.

5. The Company represents that it is not aware of any mechanic's lien having been filed by or presently threatened to be filed by any party having provided Work for the Company against the Property or funds of the Owner.

6. The total amount invoiced to date (including the current invoice amount) by the Company is One Million Eight Hundred Ten Thousand Seven Hundred Fifty Dollars ($_1,810,750.00 )

Individual's Signature

Sworn to before me and subscribed in my presence this 13TH day of January 2012

DONNA J. DIEHL
NOTARY PUBLIC, STATE OF INDIANA
MARION COUNTY
MY COMMISSION EXP. SEPT. 6, 2015

Donna J Diehl
Notary Public