

**RESOLUTION 2022-07
(2/7/2022)**

**RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA FOR
FINAL ACCEPTANCE AND FINAL PAY REQUEST FOR THE REBID OF DEBACK
INDUSTRIAL PARK PHASE 3 IMPROVEMENTS PROJECT**

WHEREAS, the Village of Caledonia was contractually obligated to provide Sanitary Sewer and Watermain Infrastructure to DeBack Farms Business Park Phase 3 through the Second Amendment to Development Agreement with WisPark LLC. which was adopted by Resolution 2018-62; and

WHEREAS, the Caledonia Utility District had redesigned the sanitary sewer and watermain project area for a 30” Sanitary Sewer, 12” Sanitary Sewer, 8” Sanitary Sewer and a 16” Watermain for serving the DeBack Farms Business Park Phase 3 and the 4 Mile Road area; and

WHEREAS, The Utility Director and the Caledonia Utility District’s consulting engineer, Foth Infrastructure & Environment LLC., recommended awarding the contract for the DeBack Industrial Park Phase 3 Improvements Project Rebid to the lowest responsible bidder, Globe Contractors Inc. in the amount of \$5,492,315.00; and

WHEREAS, The Caledonia Utility District has recommended to awarding the contract for the DeBack Industrial Park Phase 3 Improvements Project Rebid to the lowest responsible bidder, Globe Contractors Inc. in the amount of \$5,492,315.00 at their October 10, 2018, Regular Business Meeting.

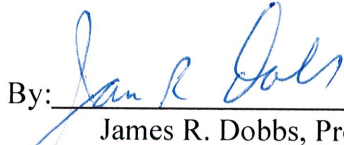
WHEREAS, The Village Board adopted Resolution 2018-99 awarding the contract for the DeBack Industrial Park Phase 3 Improvements Project Rebid to the lowest responsible bidder, Globe Contractors Inc. in the amount of \$5,492,315.00 at their October 15, 2018, Regular Business Meeting.

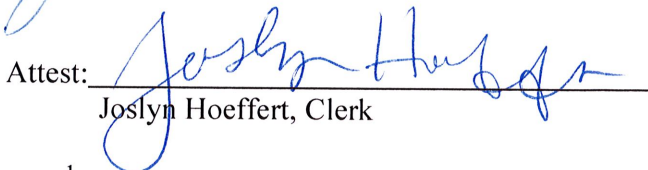
WHEREAS, The work for the Project has been completed and has been inspected for compliance with the approved plans and specifications and is recommended by the Village’s Public Services Director that the work for the improvements for the Project be accepted by the Village Board.

NOW THEREFORE BE IT RESOLVED THAT, the public improvements included with the Rebid of DeBack Industrial Park Phase 3 Improvements Project are hereby accepted by the Village Board and the final payment in the amount of \$158,198.56 be made.

Adopted by the Village Board of the Village of Caledonia this 7th day of February 2022.

VILLAGE OF CALEDONIA


By: 
James R. Dobbs, President

Attest: 
Joslyn Hoeffert, Clerk

MEMORANDUM

DATE: Wednesday, January 19, 2022

TO: Caledonia Utility District

FROM: Anthony A. Bunkelman P.E.
Public Services Director 

RE: Final Acceptance Rebid of DeBack Industrial Park Phase 3 Improvements

BACKGROUND INFORMATION

Globe Contractors has submitted the final pay request for the Rebid of DeBack Industrial Park Phase 3 Improvements in October 2020. At a joint meeting of the Caledonia Utility District and the Village Board held on December 7th, the project and the final payment were discussed due to litigation with one of the property owners along the project route (Gracyalny). At that meeting the Village Board moved to hold the final payment to ensure that the claim was covered by insurance.

The Village & Utility District Attorney on this matter, Attorney Todd Terry, has provided a letter to the Village Board giving an update on the case and recommending that the Final Payment to Globe Contractors be made. He has confirmed that Globe Contractors Insurance has accepted the claim and is providing a defense to Globe.

With the Insurance in place, it is recommended to release the final payment.

The Final Lien waivers have also been submitted with this pay request.

RECOMMENDATION

Move to recommend Final Acceptance of the Rebid of DeBack Industrial Park Phase 3 Improvements Project.



October 27, 2020

Mr. Robert Lui, Manager
Caledonia Utility District
333 4 1/2 Mile Road
Racine, WI 53402

RE: DeBack Industrial Park – Phase 3 Improvements
Project I.D. 18C030.04
Pay Estimate No. 8 (FINAL)

Dear Bob,

Attached, please find Invoice No. 8 (FINAL) for the above referenced project. I recommend processing the pay request as shown.

The total amount recommended for Invoice No. 8 (FINAL) is \$158,198.56

Please let me know if you have any questions or comments.

Sincerely,

Foth Infrastructure & Environment, LLC

A handwritten signature in black ink, appearing to read "John A. Laning".

John A. Laning, PE
Construction Manager

Attachment

cc: File
Bob Olson – Globe Contractors, Inc.
Tony Bunkelman – Village of Caledonia
Andy Schultz – Foth Infrastructure and Environment

Contractor's Application For Payment No. 8

To (Owner): Village of Caledonia Utility District 333 4 1/2 Mile Road Racine, WI 53402	Application Period: Final Payment	Application Date: June 30, 2020
Project: Rebid of DeBack Industrial Park Phase 3 Improvements	From (Contractor): Globe Contractors, Inc. N50 W23076 Betker Rd. Pewaukee, WI 53072	Via (Engineer) Foth Infrastructure & Environment, LLC
	Owner's Contract No.:	Engineer's Project No.: 18C030.04

Application for Payment

Change Order Summary

Approved Change Orders								
Number	Additions	Deductions						
1	5,200.78							
2	31,676.00							
3	8,642.92							
<table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">TOTALS</td> <td style="width: 35%; text-align: right;">\$ 45,519.70</td> <td style="width: 50%; text-align: right;">\$ -</td> </tr> <tr> <td>NET CHANGE BY CHANGE ORDERS</td> <td style="text-align: right;">45,519.70</td> <td></td> </tr> </table>			TOTALS	\$ 45,519.70	\$ -	NET CHANGE BY CHANGE ORDERS	45,519.70	
TOTALS	\$ 45,519.70	\$ -						
NET CHANGE BY CHANGE ORDERS	45,519.70							

1.	ORIGINAL CONTRACT PRICE	\$	5,492,315.00
2.	Net change by Change Order	\$	45,519.70
3.	CURRENT CONTRACT PRICE (Line 1 ± 2)	\$	5,537,834.70
4.	TOTAL COMPLETED AND STORED TO DATE (On Progress Estimate)	\$	5,483,487.35
5.	RETAINAGE:		
	a. 2.5 % x \$ 5,492,315.00 Original Contract	\$	
6.	AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)	\$	5,483,487.35
7.	LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	\$	5,325,288.79
8.	AMOUNT DUE THIS APPLICATION	\$	158,198.56

Contractor's Certification

The undersigned Contractor certifies that: (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.

By: Brad Hucke	Date: 6/30/2020
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By recommending payment, Engineer will not thereby be deemed to have represented that: 1) inspections made to check the quality or the quantity of the Work as it has been performed have been exhaustive, extended to every aspect of the Work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to Engineer in the Contract Documents; or 2) that there may not be other matters or issues between the parties that might entitle Contractor to be paid additionally by Owner or entitle Owner to withhold payment to Contractor.

Payment of:	\$	158,198.56	
			(Line 8 or other - attach explanation of other amount)
is recommended by:			10/20/2020
		(Engineer)	(Date)
Payment of:	\$	158,198.56	
			(Line 8 or other - attach explanation of other amount)
is approved by:			
		(Owner)	(Date)
Payment of:	\$	158,198.56	
			(Line 8 or other - attach explanation of other amount)
is approved by:			
		Funding Agency (if applicable)	(Date)

Unit Price Progress Estimate

Contractor's Application for Payment

For (contract):				Rebid of DeBack Industrial Park Phase 3 Improvements				Application Number: 8				
Application Period:				Final Payment				Application Date: June 30, 2020				
A				B	C	D	E	F	G	H	I	J
Bid No.	Item Description	Estimated Bid Quantity	Unit Price	Quantity Completed								
				Previous Applications		This Application		Materials Stored		Total Completed & Stored to Date (C+E+G)		% Comp.
				Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount	
1	MOBILIZATION / DEMOBILIZATION	1.00	350,000.00	1.00	350,000.00							
2	TRAFFIC CONTROL	1.00	50,000.00	1.00	50,000.00					1.00	350,000.00	100.0%
3	CLEARING & GRUBBING	1.00	1.00	1.00	1.00					1.00	50,000.00	100.0%
4	TREE RMVL	187.00	25.00	380.50	9,512.50					1.00	1.00	100.0%
5	RMV & REPL SIGNING	1.00	5,000.00	1.00	5,000.00					380.50	9,512.50	203.5%
6	RMV & REPL POSTAL BOXES	1.00	6,000.00	1.00	6,000.00					1.00	5,000.00	100.0%
7	STRIPPING & STOCKPILING TOPSOIL	1.00	100,000.00	1.00	100,000.00					1.00	6,000.00	100.0%
8	SILT FENCE	13,700.00	2.00	14054.00	28,108.00					1.00	100,000.00	100.0%
10	INLET PROTECTION	10.00	100.00	4.00	400.00					14054.00	28,108.00	102.6%
11	SAWCUT PVMT, FULL DEPTH	3,400.00	2.00	2973.50	5,947.00	264.00	528.00			4.00	400.00	40.0%
12	COMMON EXCAV	350.00	30.00	44.50	1,335.00					3237.50	6,475.00	95.2%
13	8" PVC SDR 26 GRAVITY SAN (GRAN BF)	227.00	500.00	186.00	93,000.00					44.50	1,335.00	12.7%
14	8" PVC SDR 26 GRAVITY SAN (SPOIL BF)	1,915.00	300.00	1956.80	587,040.00					186.00	93,000.00	81.9%
16	12" PVC SDR 26 GRAVITY SAN (SPOIL BF)	1,077.00	250.00	1085.70	271,425.00					1956.80	587,040.00	102.2%
17	30" FRPMP GRAVITY SAN (GRAN BF)	93.00	800.00	129.00	103,200.00					1085.70	271,425.00	100.8%
18	30" FRPMP GRAVITY SAN (SPOIL BF)	3,637.00	420.00	3593.40	1,509,228.00					129.00	103,200.00	138.7%
19	30" FRPMP GRAVITY SAN (BORROW BF)	144.00	520.00	97.00	50,440.00					3593.40	1,509,228.00	98.8%
20	48" SAN MH	176.00	500.00	199.08	99,540.00					97.00	50,440.00	67.4%
21	60" SAN MH	150.00	700.00	126.34	88,438.00					199.08	99,540.00	113.1%
22	72" SAN MH	95.00	800.00	98.10	78,480.00					126.34	88,438.00	84.2%
22A	72" SAN MH35-51 RISER ADDITION	1.00	5,200.78	1.00	5,200.78					98.10	78,480.00	103.3%
23	CONNECT TO EXIST SAN	2.00	2,000.00	2.00	4,000.00					1.00	5,200.78	100.0%
24	6" PVC SAN LAT	967.00	290.00	998.50	289,565.00					2.00	4,000.00	100.0%
25	6" PVC SAN LAT RISER	153.00	290.00	149.50	43,355.00					998.50	289,565.00	103.3%
26	8" PVC SAN LAT	29.00	500.00	29.00	14,500.00					149.50	43,355.00	97.7%
28	12" PVC WM (SPOIL BF)	153.00	170.00	155.80	26,486.00					29.00	14,500.00	100.0%
29	12" PVC WM (BORROW BF)	43.00	200.00	72.00	14,400.00					155.80	26,486.00	101.8%
SUBTOTAL					3,834,601.28		528.00			72.00	14,400.00	167.4%
											3,835,129.28	

Unit Price Progress Estimate

Contractor's Application for Payment

For (contract):				Rebid of DeBack Industrial Park Phase 3 Improvements				Application Number:				8			
Application Period:				Final Payment				Application Date:				June 30, 2020			
A				B	C	D	E	F	G	H	I	J			
Bid No.	Item Description	Estimated Bid Quantity	Unit Price	Quantity Completed						Total Completed & Stored to Date (C+E+G)		% Comp.			
				Previous Applications		This Application		Materials Stored		Quantity	Amount				
				Quantity	Amount	Quantity	Amount	Quantity	Amount						
30	16" PVC WM (SLURRY BF)	66.00	300.00	30.00	9,000.00										
31	16" PVC WM (GRAN BF)	231.00	210.00	277.00	58,170.00					30.00	9,000.00	45.5%			
32	16" PVC WM (SPOIL BF)	3,121.00	160.00	3334.00	533,440.00					277.00	58,170.00	119.9%			
33	16" PVC WM (BORROW BF)	590.00	190.00	342.50	65,075.00					3334.00	533,440.00	106.8%			
34	16" PVC WM (MANDATORY TRENCHLESS)	848.00	210.00	840.00	176,400.00					342.50	65,075.00	58.1%			
35	12" BUTTERFLY VALVE	4.00	3,000.00	4.00	12,000.00					840.00	176,400.00	99.1%			
36	16" BUTTERFLY VALVE	9.00	4,000.00	8.00	32,000.00					4.00	12,000.00	100.0%			
37	HYD ASSEMBLY	10.00	7000.00	9.00	63,000.00					8.00	32,000.00	88.9%			
38	6" HYD LEAD	152.00	125.00	108.30	13,537.50					9.00	63,000.00	90.0%			
39	HDPE WAT SERV (1-1/4") - OPEN CUT	274.00	120.00	363.50	43,620.00					108.30	13,537.50	71.3%			
41	1-1/4" WAT SERV FITTINGS	15.00	900.00	15.00	13,500.00					363.50	43,620.00	132.7%			
42	CONNECT TO EXIST WM	2.00	8,900.00	2.00	17,800.00					15.00	13,500.00	100.0%			
46	SALV & REINSTALL 42" RCP CULV & END SECTION	2.00	4,000.00	1.00	4,000.00					2.00	17,800.00	100.0%			
47	SALV & REINSTALL 30" RCP CULV & END SECTION	2.00	2,000.00	1.00	2,000.00					1.00	4,000.00	50.0%			
50	1-1/4" DENSE GRADED BASE (HMA BASE)	1,760.00	25.00	1688.75	42,218.75					1.00	2,000.00	50.0%			
50A	#2 STONE (HMA BASE & UNDERCUTS)		25.00	1447.78	36,194.50					1688.75	42,218.75	96.0%			
51	3/4" DENSE GRADED BASE (DRIVEWAY & SHOULDER ...)	70.00	75.00	391.81	29,385.75					1447.78	36,194.50				
52	30" CONC VERT FACE CURB & GUTTER	65.00	70.00	13.50	945.00					391.81	29,385.75	559.7%			
53	36" CONC CURB & GUTTER, 6" SLOPED TYPE D	75.00	70.00	68.00	4,760.00					13.50	945.00	20.8%			
54	HMA BINDER COURSE	670.00	130.00	625.81	81,355.30					68.00	4,760.00	90.7%			
55	HMA SURFACE COURSE	260.00	125.00	419.49	52,436.25					625.81	81,355.30	93.4%			
56	ASPH MILLING - 2"	300.00	15.00	436.94	6,554.10					419.49	52,436.25	161.3%			
57	BITUMINOUS TACK COAT	253.00	3.00	375.00	1,125.00					436.94	6,554.10	145.6%			
60	TOPSOIL, SEED, FERT & EROSION MAT	54,000	5.00	59454.85	297,274.25	2449.55	12,247.75			375.00	1,125.00	148.2%			
64	DRY HYDRANT CHANGE ORDER	1.00	31,676.00	1.00	31,676.00					61904.40	309,522.00	114.6%			
65	ROAD B WM REPAIR & DRAINAGE SWALE	1.00	8,642.92			1.00	8,642.92			1.00	31,676.00	100.0%			
										1.00	8,642.92	100.0%			
TOTAL					5,462,068.68		21,418.67				5,483,487.35				

WAIVER OF LIEN

June 30, 2020

For value received, we hereby waive all rights and claims for lien on land and on buildings about to be erected, being erected, erected altered or repaired and to the appurtenances thereunto,

for **Village of Caledonia Utility District**
by **Globe Contractors, Inc.**

owner,
contractor,

for **Installation of Sanitary Sewer & Water Main**

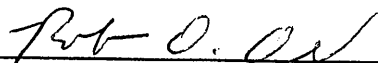
same being situated in Racine County, State of Wisconsin, described as

DeBack Industrial Park Phase 3 Improvements

for all labor performed and for all material furnished for the erection, construction, alteration, or repair of said building and appurtenances, except,...

Paid in Full on Receipt

Globe Contractors, Inc.



Robert D. Olson, President