

**CITY OF PAPIILLION  
MAYOR AND CITY COUNCIL REPORT  
JANUARY 17, 2023 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
Approve Resolution No. R23-0014 Final Payment for the 132 <sup>nd</sup> Street and Lincoln/Lynam Drive Traffic Signal to Commonwealth Electric Co. in the amount of \$13,879.42	Resolution R23-0014	Michael Kleffner, P.E. Public Works Director

**SYNOPSIS:**

This resolution, if approved, will make final payment to Commonwealth Electric Co. of Omaha, Nebraska in the amount of \$13,879.42. This project was awarded to Commonwealth Electric Co. at the January 4, 2022, City Council Meeting through Resolution No. R22-0006 in the amount of \$158,301.02. The Public Works Director has reviewed and inspected the project and hereby certifies the project as complete. I have attached the final payment application.

**FISCAL IMPACT:**

Final payment will be made to Commonwealth Electric Co. in the amount of \$13,879.42. This includes a pay application for the final materials, labor, and retainage. The current account balance for line item 11-0160-7265 (132<sup>nd</sup> & Lincoln Traffic Signal) will be \$221,775.38 following processing of payments for pay applications 3 and 4 totaling \$106,564.62. This funding was carried forward in the first budget amendment for 2022-2023.

**RECOMMENDATION:**

Approval

**BACKGROUND:**

In February 2021, the report provided by Felsburg Holt & Ullevig (FHU) evaluated the Manual on Uniform Traffic Control Devices (MUTCD) traffic signal warrants for the intersection of 132<sup>nd</sup> Street with Lincoln Road/Lynam Drive. MUTCD Warrant 3 (Peak Hour) and the multi-way stop control warrant were satisfied. Additionally, with the exponential growth occurring in the area, Warrant 2 (Four-Hour Vehicular Volume) was anticipated to be satisfied by 2022. The recommendation was given for a traffic signal to be installed at this intersection.

**ATTACHMENTS:**

- |   |         |
|---|---------|
| 1. Resolution No. R23-0014                                  | 1 Page  |
| 2. Pay Application 5 – Final Quantities including retainage | 3 Pages |
| 3. Certificate of Completion                                | 1 Page  |

**RESOLUTION NO. R23-0014**

BE IT RESOLVED by the Mayor and City Council of the City of Papillion to approve the final payment for the 132<sup>nd</sup> Street and Lincoln St/Lynam Drive Traffic Signal to Commonwealth Electric Co. in the amount of \$13,879.42.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

CITY OF PAPIILLION

\_\_\_\_\_  
David P. Black, Mayor

ATTEST:

\_\_\_\_\_  
Nicole Brown  
City Clerk

(SEAL)

**APPLICATION AND CERTIFICATE FOR PAYMENT**

AIA DOCUMENT G702

TO OWNER:  
CITY OF PAPIILLION  
Marty Lemming  
122 East Third Street  
Papillion, NE 68046

PROJECT:  
132ND & LINCOLN

APPLICATION NO: 5501  
PERIOD TO: 12/31/2022  
PROJECT NOS: 256965  
CONTRACT NO: 1  
CONTRACT DATE: 03/02/2022

Distribution to:  
 OWNER  
 ARCHITECT  
 CONTRACTOR

FROM CONTRACTOR:  
COMMONWEALTH ELECTRIC MIDWEST  
4225 S 89TH ST  
OMAHA, NE 68127

VIA ARCHITECT:  
CONTRACT

CONTRACT FOR: 0001-ELECTRICAL

**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703 is attached.

<b>1. ORIGINAL CONTRACT SUM</b>	\$	158,301.02
<b>2. Net change by Change Orders</b>	\$	.00
<b>3. CONTRACT SUM TO DATE (Line 1 + 2)</b>	\$	158,301.02
<b>4. TOTAL COMPLETED &amp; STORED TO DATE</b> (Column G on G703)	\$	138,794.21
<b>5. RETAINAGE:</b>		
a. 0 % of Completed Work (Columns D + E on G703)	\$	.00
b. 0 % of Stored Material (Column F on G703)	\$	.00
Total Retainage (Line 5a + 5b or Total in Column I of G703)	\$	.00
<b>6. TOTAL EARNED LESS RETAINAGE</b> (Line 4 less line 5 total)	\$	138,794.21
<b>7. LESS PREVIOUS CERTIFICATES FOR PAYMENT</b> (Line 6 from prior Certificate)	\$	124,914.79
<b>8. CURRENT PAYMENT DUE</b>	\$	13,879.42
<b>9. BALANCE TO FINISH, INCLUDING RETAINAGE</b> (Line 3 less Line 6)	\$	19,506.81

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	.00	.00
Total changes approved in	.00	.00
<b>TOTALS</b>	.00	.00
<b>NET CHANGES by Change Order</b>		.00

The undersigned Contractor certifies that to the best of the Contractor's 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 the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown here is correct.

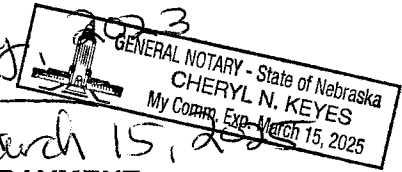
CONTRACTOR: Commonwealth Electric Midwest

By: *[Signature]* Date: 1/4/2023

State of: Nebraska  
County of: Douglas

Subscribed and sworn to before me this 1st day of January, 2023

Notary Public:  
My Commission expires: March 15, 2025



**ARCHITECT'S CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the work has progressed as indicated, the quality of the work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the Amount Certified.

**AMOUNT CERTIFIED** \$

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are charged to conform to the Amount Certified)

ARCHITECT

By: *[Signature]* Date: 1-4-23

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.

AIA Document G702, APPLICATION AND CERTIFICATION PAYMENT, containing Contractor's signed Certification, is attached. In tabulations below, amounts are stated to the nearest dollar. Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 5501  
 APPLICATION DATE: 12/31/2022  
 PERIOD TO: 12/31/2022  
 PROJECT NO: 256965  
 PROJECT NAME: 132ND & LINCOLN

A	B	C	D	E	F	G		H	I
ITEM NUMBER	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREVIOUS APPLICATION (D + E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G / C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
00001	INITIAL CONTRACT	158,301.02	138,794.21	.00	.00	138,794.21	88	19,506.81	.00
		<b>158,301.02</b>		<b>.00</b>		<b>138,794.21</b>			<b>.00</b>
			<b>138,794.21</b>		<b>.00</b>			<b>19,506.81</b>	

# WEEKLY PROGRESS REPORT

CONTRACTOR Commonwealth Electric

PROJECT 132nd and Lincoln Road Traffic Signal

WEEK ENDING DATE 12/03/22

PROJECT NO. 121200-01

PROJECT STATUS: FINAL

REPORT NO. 38

DAY/DATE	ACTIVITY	Hours	CHARGE	SUMMARY	
SUNDAY 11/27/22	No work performed.	0	N	Total Value of Work This Period	\$29,737.51
				Total Value of Work To Date	\$138,794.21
MONDAY 11/28/22	No work performed.	0	N	Pro-rated Adjustment to Value of Stored Materials This Period	\$0.00
				Total Value of Stored Materials Remaining To Date	\$0.00
TUESDAY 11/29/22	No work performed.	0	N	Estimated Contract Value	\$ 158,301.02
				Percent Complete By Value	88%
WEDNESDAY 11/30/22	No work performed.	0	N	Contract Calendar / Work Days	47
				Calendar / Work Days This Period	1
THURSDAY 12/01/22	No work performed.	0	N	Calendar / Work Days Used To Date	23
				Percent Time Used	49%
FRIDAY 12/02/22	Highway Signing installed pavement markings at 132nd and Lincoln Rd.	6	Y	% Retained	0.00%
				Amount Retained To Date	\$0.00
SATURDAY 12/03/22	No work performed.	0	N	Net Amount Due To Date	\$138,794.21
				Total Incentive Earned / Disincentive Assessed To Date	\$0.00
<u>Other Comments</u> For informational purposes only. This is not a progress payment, see quantities below.				Net Amount Due To Date Including Incentive Earned / Disincentive Assessed	\$138,794.21
				Total Previous Payments To Date	\$18,350.17
				Amount Due To Date	\$120,444.04

CONTRACTOR / DATE

DESIGNATED PROJECT REPRESENTATIVE / DATE



CITY OF PAPIILLION

David P. Black, Mayor

Michael Kleffner, P.E., Public Works Director

9909 Portal Road  
Papillion, Nebraska 68046  
Phone: 402-898-9092

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January 11, 2023

Jody Boeckman  
Commonwealth Electric Company of the Midwest  
4225 S. 89<sup>th</sup> Street  
Omaha, NE 68127

RE: Completion of 132<sup>nd</sup> and Lincoln Road Traffic Signal Project  
Project: 121200-01  
Location: Papillion, NE

We have made a final inspection of the work on the above referenced project performed under your contract dated October 29, 2021.

Our records indicate that the referenced work was completed on 12-2-2022. As of 1-11-2023, the work has been found to be acceptable and the City of Papillion is issuing certification that the work has been accepted under the conditions of the contract. All warranty periods associated with the contract will commence as of today's date.

You are relieved of further responsibility for the care and maintenance of the completed work. You are also relieved of further public liability providing that all your equipment and materials have been removed from the right of way.

Sincerely,

Michael Kleffner, P.E., Public Works Director

cc: Brandon Schmit, P.E., Benesch