

Office of the City Engineer

John C. Rooney, P.E.
Assistant Commissioner of Public Works/
City Engineer



City Hall
730 Washington Avenue
Racine, WI 53403
262.636.9191
Fax: 262.636.9545

July 24, 2020

TO: Alder Mollie Jones, Chair
Public Works and Services Committee

FROM: John C. Rooney, Asst. Commissioner of Public Works/City Engineer *JCR*
Department of Public Works

RE: Final Payment, Contract 20190016, 2019 City Resurfacing Phase II (RW)
Payne & Dolan, Inc., contractor

The work on Contract #20190016, 2019 City Resurfacing Phase II (RW) has been completed and the contractor, Payne & Dolan, Inc. is requesting final payment in the amount of \$677,619.82.

The preliminary funding for the project as shown on Resolution Number 0467-19 of May 7, 2019 was in the amount of \$694,589.65.

Change Order No. 1 for the contract approved earlier adjusted the contract amount by \$ (16,969.83).

Final funding for the project is as follows:

<u>ORG OBJECT</u>	<u>Description</u>	<u>Amount</u>
22640 57560	Sanitary Sewers	\$ 15,929.00
60484 57570	Storm Sewers	\$ 90,742.17
45040 57510	Curb & Gutter Replacement	\$ 55,665.70
45040 57515	Sidewalk Replacement	\$ 30,095.39
45040 57515	Crosswalk Ramps	\$ 670.76
45040 57500	Asphalt Resurfacing	\$ 330,372.26
40104 57500	Paving	\$ 154,144.54
	Total	\$ 677,619.82

Cc: Joy Hansche
File

SDS/

APPLICATION AND CERTIFICATE FOR PAYMENT

CITY OF RACINE

DEPARTMENT OF PUBLIC WORKS

To: Commissioner of Public Works
730 Washington Avenue -- Room 303
Racine, Wisconsin 53403

Contractor Payne & Dolan, Inc.
1700-120th Ave
Address Kenosha, WI 53144

Contract No. 20190016

Payment No. 3 (Third & FINAL)

Contract Name 2019 Resurfacing Phase II

Period from 12/1/2019 to 6/30/2020

CHANGE ORDER SUMMARY:			ADDITIONS \$	DEDUCTIONS \$
Change Orders Approved in Previous Months by Owner				
TOTAL			0.00	
Subsequent Change Orders				
No.	Approval Date	Resolution No.		
1				-16,969.83
TOTAL			0.00	-16,969.83
Net Change by Change Orders			0.00	-16,969.83

Original Contract Bid \$ 694,589.65

Net Change by Change Orders \$ -16,969.83

Contract to Date
(Including Change Orders) \$ 677,619.82

Total Work Completed to Date \$ 677,619.82

Retainage % of \$ 0.00

Total Earned Less Retainage \$ 677,619.82

Less Previous Payments

#1 \$ 629,521.11

#2 \$ 45,898.85

Total of Previous Payments \$ 675,419.96

APPROVED AND PAYMENT AUTHORIZED:

Shelli Schneider 7/24/2020
Project Engineer Date

Department Head Date

Commissioner of Public Works Date

CURRENT PAYMENT DUE: \$ 2,199.86

FULL WAIVER OF CONSTRUCTION LIEN

§779.05, Wis. Stats.

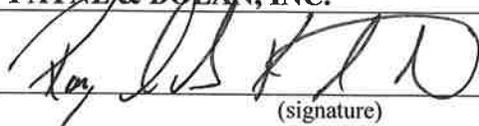
Date: **July 17, 2020**

1. Claimant's Name: **Payne & Dolan, Inc.**
Claimant's Address: **1700 120th Avenue, Kenosha, WI 53144**
2. Property Improved by Contractor's Work (check one):
 Street address: **City of Racine Resurfacing Ph II - Contract #20190016**
 Legal description attached.
3. Contractor's Work furnished at the request of: *(name of party which requested or contracted for work)*

CITY OF RACINE
730 Washington Ave.
Racine, WI 53403

4. Waiver of lien rights, contingent upon receipt of payment, is made for (select one):
 The following work:
(insert description of type of labor, services, material, plans or specifications supplied by Contractor, including percentage performed dollar value, and dates as necessary to accurately describe the Work being waived, stating exceptions, if any)
 All past Work, including labor, services, material, plans or specifications performed or furnished at any time by the Contractor at the Property. This is a full waiver of all lien rights.
5. Title Companies, Lenders or others may require disclosure of the Contractor's subcontractors and material suppliers before disbursement of funds related to the Contractor's above-described Work. If so required, specify name(s) of Contractor's subcontractors and material suppliers furnishing any portion of the Work being waived:
(Attach additional sheets if necessary)

CONTRACTOR NAME: **PAYNE & DOLAN, INC.**

By: 

(signature)

Authorized Agent's Name: **Raymond A. Postotnik**

(print name of person signing above)

Title: **Agent**

Address: **1700 120th Avenue, Kenosha, WI 53144**

Telephone Number: **262-859-3081**

NOTE: This waiver is dependent upon the actual receipt of payment. If the check issued is returned "NSF" or payment stopped, this waiver of lien is void.

§779.05 Waivers of Lien. Provides, in part "(1) Any document signed by a lien claimant or potential claimant and purporting to be a waiver of construction lien rights under this subchapter, is valid and binding as a waiver whether or not consideration was paid therefor and whether the document was signed before or after the labor or material was furnished or contracted for. Any ambiguity in such document shall be construed against the person signing it. Any waiver document shall be deemed to waive all lien rights of the signer for all labor, services, material, plans or specifications performed, furnished or procured, or to be performed, furnished or procured by the claimant at any time for the improvement to which the waiver relates, except to the extent that the document specifically and expressly limits the waiver to apply to a particular portion of such labor, services, material, plans or specifications. A lien claimant or potential lien claimant of whom a waiver is requested is entitled to refuse to furnish a waiver unless paid in full for the labor, services, material, plans or specifications to which the waiver relates. A waiver furnished is a waiver of lien rights only, and not of any contract rights of the claimant otherwise existing."

Contractor's failure to pay its subcontractors or material suppliers from monies received for its Work may result in civil or criminal liability under Wisconsin's theft by contractor statute, §779.02(5), Wis. Stats.

TO: Commissioner of Public Works
Racine, Wisconsin

Lien Waiver (in full)

WAIVER OF CONSTRUCTION LIEN

For value received, the undersigned hereby waives all rights to or claims for a lien on the land hereafter described, for any and all work, materials, plans and specifications made or furnished or to be made or furnished for the improvement of said lands, said improvements being done for the City of Racine by

Antigo Construction
(~~prime~~ contractor's name)

said lands being situated in Racine County, State of Wisconsin, and described as follows (contract number and name of contract):

Contract #20190016

City of Racine Resurfacing - Phase II

The work done and/or materials furnished by the undersigned for said job is as follows:

Rubblizing and cracking City of Racine Resurfacing Phase II (RW)

(describe).

Christopher Shinn
Signature

Secretary
Title

Antigo Construction Inc.
Firm Name

Date of this Waiver:

July 20, 2020

TO: Commissioner of Public Works
Racine, Wisconsin

Lien Waiver (in full)

WAIVER OF CONSTRUCTION LIEN

For value received, the undersigned hereby waives all rights to or claims for a lien on the land hereafter described, for any and all work, materials, plans and specifications made or furnished or to be made or furnished for the improvement of said lands, said improvements being done for the City of Racine by

A. W. Oakes & Son, Inc.
(~~primary~~ contractor's name)

said lands being situated in Racine County, State of Wisconsin, and described as follows (contract number and name of contract):

Contract #20190016

City of Racine Resurfacing - Phase II

The work done and/or materials furnished by the undersigned for said job is as follows:

concrete and utility work

(describe).



Signature

Controller / Treasurer

Title

A. W. Oakes & Son, Inc.
Firm Name

Date of this Waiver:

July 21, 2020

4790

TO: Commissioner of Public Works
Racine, Wisconsin

Lien Waiver (in full)

WAIVER OF CONSTRUCTION LIEN

For value received, the undersigned hereby waives all rights to or claims for a lien on the land hereafter described, for any and all work, materials, plans and specifications made or furnished or to be made or furnished for the improvement of said lands, said improvements being done for the City of Racine by

Crowley Construction Corp.
(~~prime~~ contractor's name)

said lands being situated in Racine County, State of Wisconsin, and described as follows (contract number and name of contract):

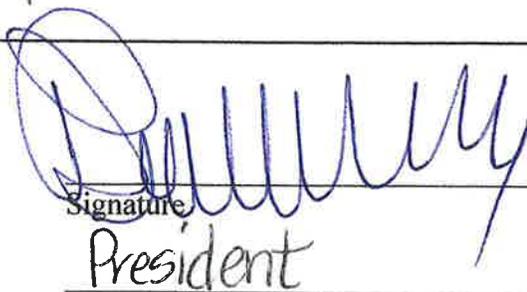
Contract #20190016

City of Racine Resurfacing - Phase II

The work done and/or materials furnished by the undersigned for said job is as follows:

Pavement Marking

(describe).


Signature

President
Title

Crowley Construction Corp.
Firm Name

Date of this Waiver:

July 20, 2020

TO: Commissioner of Public Works
Racine, Wisconsin

Lien Waiver (in full)

WAIVER OF CONSTRUCTION LIEN

For value received, the undersigned hereby waives all rights to or claims for a lien on the land hereafter described, for any and all work, materials, plans and specifications made or furnished or to be made or furnished for the improvement of said lands, said improvements being done for the City of Racine by

The Kuehne Company
(~~prime~~ contractor's name)

said lands being situated in Racine County, State of Wisconsin, and described as follows (contract number and name of contract):

Contract #20190016

City of Racine Resurfacing - Phase II

The work done and/or materials furnished by the undersigned for said job is as follows:

Landscaping

(describe).

Mandi Intezonta
Signature

Controller
Title

The Kuehne Company
Firm Name

Date of this Waiver:

7-20-, 20 20

TO: Commissioner of Public Works
Racine, Wisconsin

Lien Waiver (in full)

WAIVER OF CONSTRUCTION LIEN

For value received, the undersigned hereby waives all rights to or claims for a lien on the land hereafter described, for any and all work, materials, plans and specifications made or furnished or to be made or furnished for the improvement of said lands, said improvements being done for the City of Racine by

Pavement Maintenance Inc.
(~~print~~ contractor's name)

said lands being situated in Racine County, State of Wisconsin, and described as follows (contract number and name of contract):

Contract #20190016

City of Racine Resurfacing - Phase II

The work done and/or materials furnished by the undersigned for said job is as follows:

(describe).



Signature

Vice President

Title

Pavement Maintenance Inc.
Firm Name

Date of this Waiver:

July 20, 2020

(Form DPW 2B)
(Nov., 1977)

DETAILED ESTIMATE

City of Racine
Public Works Contract

Payment No. 3 Period from 12/1/2019 to 6/30/20
Contract No. & Name 20190016, 2019 Resurfacing Phase II
Payne & Dolan Invoice #253311-03

To: Commissioner of Public Works
730 Washington Avenue
Racine, Wisconsin 53403

Description of Work and/or Materials Stored on Site	CONTRACT		Cost per Unit	COMPLETE TO DATE			PREVIOUSLY BILLED		QTY'S THIS ESTIMATE	
	Quantity	Total Cost		Quantity	% Complete	Total Cost	Quantity	Total Cost	Quantity	Total Cost
1 Removing Pavement	20 SY	\$ 505.00	\$25.25	0.00	0.00%	\$0.00	0.00	\$ -	0	\$0.00
2 Removing Pavement Butt Joints	1421 SY	\$ 10,231.20	\$7.20	1496.11	105.29%	\$10,771.99	1496.11	\$ 10,771.99	0	\$0.00
3 Removing Concrete Surface Partial Depth	5310 SF	\$ 2,761.20	\$0.52	47796.00	900.11%	\$24,853.92	47796.00	\$ 24,853.92	0	\$0.00
4 Removing Asphaltic Surface Milling	6641 SY	\$ 17,067.37	\$2.57	6641.00	100.00%	\$17,067.37	6641.00	\$ 17,067.37	0	\$0.00
5 Removing Curb and Gutter	768 LF	\$ 6,988.80	\$9.10	956.00	124.48%	\$8,699.60	956.00	\$ 8,699.60	0	\$0.00
6 Removing Concrete Sidewalk	396 SY	\$ 5,999.40	\$15.15	248.02	62.63%	\$3,757.50	248.02	\$ 3,757.50	0	\$0.00
7 Abandoning Inlets	1 EA	\$ 657.00	\$657.00	0.00	0.00%	\$0.00	0.00	\$ -	0	\$0.00
8 Excavation Common	200 CY	\$ 6,666.00	\$33.33	86.40	43.20%	\$2,879.71	86.40	\$ 2,879.71	0	\$0.00
9 Prepare Foundation for Asphaltic Paving	6461 SY	\$ 14,214.20	\$2.20	6754.00	104.53%	\$14,858.80	6754.00	\$ 14,858.80	0	\$0.00
10 Base Aggregate Dense 3/4-Inch	65 TN	\$ 3,611.40	\$55.56	0.00	0.00%	\$0.00	0.00	\$ -	0	\$0.00
11 Base Aggregate Dense 1 1/4-Inch	485 TN	\$ 13,095.00	\$27.00	950.55	195.99%	\$25,664.85	950.55	\$ 25,664.85	0	\$0.00
12 Breaker Run	100 TN	\$ 3,131.00	\$31.31	62.26	62.26%	\$1,949.36	0.00	\$ -	62.26	\$1,949.36
13 Conc. Base HES 7-Inch	20 SY	\$ 1,434.00	\$71.70	0.00	0.00%	\$0.00	0.00	\$ -	0	\$0.00
14 Conc. Base HES 8-Inch	20 SY	\$ 1,496.00	\$74.80	0.00	0.00%	\$0.00	0.00	\$ -	0	\$0.00
15 Conc. Base HES 9-Inch	20 SY	\$ 1,576.00	\$78.80	0.00	0.00%	\$0.00	0.00	\$ -	0	\$0.00
16 Rubblizing	10592 SY	\$ 22,772.80	\$2.15	10592.00	100.00%	\$22,772.80	10592.00	\$ 22,772.80	0	\$0.00
17 Cracking and Seating	7099 SY	\$ 5,111.28	\$0.72	7099.00	100.00%	\$5,111.28	7099.00	\$ 5,111.28	0	\$0.00
18 Concrete Driveway 8-Inch	7 SY	\$ 672.00	\$96.00	88.20	1260.00%	\$8,467.20	88.20	\$ 8,467.20	0	\$0.00
19 Tack Coat	1260 GA	\$ 10,609.20	\$8.42	2225.00	176.59%	\$18,734.50	2225.00	\$ 18,734.50	0	\$0.00
20 HMA Pavement, Binder Course, 3 LT 58-28 S	3025 TN	\$ 190,847.25	\$63.09	2342.39	77.43%	\$147,781.39	2342.39	\$ 147,781.39	0	\$0.00
21 HMA Pavement, Surface Course, 5 LT 58-28 S	2170 TN	\$ 151,834.90	\$69.97	2212.07	101.94%	\$154,778.54	2212.07	\$ 154,778.54	0	\$0.00
22 Concrete Curb and Gutter 24-Inch Type D	388 LF	\$ 14,511.20	\$37.40	552.10	142.29%	\$20,648.54	552.10	\$ 20,648.54	0	\$0.00
23 Concrete Curb and Gutter 30-Inch Type D	380 LF	\$ 15,352.00	\$40.40	403.90	106.29%	\$16,317.56	403.90	\$ 16,317.56	0	\$0.00
TOTAL PAGE 1						\$505,114.91		\$ 503,165.55		\$1,949.36

(Form DPW 2B)
(Nov., 1977)

DETAILED ESTIMATE

City of Racine
Public Works Contract
Payment No. 3 Period from 12/1/2019 to 6/30/20
Contract No. & Name 20190016, 2019 Resurfacing Phase II
Payne & Dolan Invoice #253311-03

To: Commissioner of Public Works
730 Washington Avenue
Racine, Wisconsin 53403

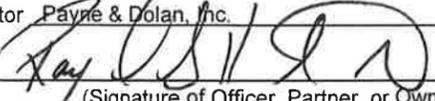
Description of Work and/or Materials Stored on Site	CONTRACT			COMPLETE TO DATE			PREVIOUSLY BILLED		QTY'S THIS ESTIMATE	
	Quantity	Total Cost	Cost per Unit	Quantity	% Complete	Total Cost	Quantity	Total Cost	Quantity	Total Cost
24 Concrete Sidewalk 4-Inch	3215 SF	\$ 19,482.90	\$6.06	1127.70	35.08%	\$6,833.86	1127.70	\$ 6,833.86	0.00	\$0.00
25 Concrete Sidewalk 6-Inch	270 SF	\$ 1,782.00	\$6.60	1016.30	376.41%	\$6,707.58	1016.30	\$ 6,707.58	0.00	\$0.00
26 Curb Ramp Detectable Warning Field Yellow	16 EA	\$ 727.20	\$45.45	0.00	0.00%	\$0.00	0.00	\$ -	0.00	\$0.00
27 Relaid Storm Sewer 12-Inch	35 SY	\$ 4,420.50	\$126.30	35.00	100.00%	\$4,420.50	35.00	\$ 4,420.50	0.00	\$0.00
28 Mobilization	1 EA	\$ 49,583.60	\$49,583.60	1.00	100.00%	\$49,583.60	1.00	\$ 49,583.60	0.00	\$0.00
29 Mulching	309 EA	\$ 463.50	\$1.50	685.63	221.89%	\$1,028.45	670.63	\$ 1,005.95	15.00	\$22.50
30 Inlet Protection Type C	2 SY	\$ 202.00	\$101.00	2.00	100.00%	\$202.00	2.00	\$ 202.00	0.00	\$0.00
31 Traffic Control, (project)	1 LF	\$ 5,760.00	\$5,760.00	1.00	100.00%	\$5,760.00	1.00	\$ 5,760.00	0.00	\$0.00
32 Topsoil, Seeding, and Fertilizing	309 LF	\$ 4,696.80	\$15.20	685.63	221.89%	\$10,421.58	670.63	\$ 10,193.58	15.00	\$228.00
33 Full Depth Sawcut	4391 SY	\$ 8,782.00	\$2.00	4128.00	94.01%	\$8,256.00	4128.00	\$ 8,256.00	0.00	\$0.00
34 Full Depth Sawcut Asphalt Pavement	721 EA	\$ 1,442.00	\$2.00	599.60	83.16%	\$1,199.20	599.60	\$ 1,199.20	0.00	\$0.00
35 Cleaning Base Pavement	382 EA	\$ 1,146.00	\$3.00	382.00	100.00%	\$1,146.00	382.00	\$ 1,146.00	0.00	\$0.00
36 Adjusting Sanitary Manholes	7 VF	\$ 8,820.00	\$1,260.00	7.00	100.00%	\$8,820.00	7.00	\$ 8,820.00	0.00	\$0.00
37 Reconstruct Sanitary Manholes	1 LF	\$ 2,525.00	\$2,525.00	1.00	100.00%	\$2,525.00	1.00	\$ 2,525.00	0.00	\$0.00
38 Relay 6-Inch Sanitary Lateral w/ Pavement Replacem	20 SF	\$ 5,050.00	\$252.50	0.00	0.00%	\$0.00	0.00	\$ -	0.00	\$0.00
39 Reconstructing Storm Water Inlets Type A	1 LF	\$ 2,020.00	\$2,020.00	0.00	0.00%	\$0.00	0.00	\$ -	0.00	\$0.00
40 Reconstructing Storm Water Inlets Type B	2 EA	\$ 4,040.00	\$2,020.00	2.00	100.00%	\$4,040.00	2.00	\$ 4,040.00	0.00	\$0.00
41 Repairing / Raising Catch Basins, Type "A"	7 EA	\$ 8,484.00	\$1,212.00	7.00	100.00%	\$8,484.00	7.00	\$ 8,484.00	0.00	\$0.00
42 Repairing / Raising Catch Basins, Type "B"	5 EA	\$ 6,060.00	\$1,212.00	5.00	100.00%	\$6,060.00	5.00	\$ 6,060.00	0.00	\$0.00
43 Reconstructing Storm Manhole	3 EA	\$ 4,545.00	\$1,515.00	3.00	100.00%	\$4,545.00	3.00	\$ 4,545.00	0.00	\$0.00
44 Adjusting Storm Manhole Covers	5 EA	\$ 4,550.00	\$910.00	5.00	100.00%	\$4,550.00	5.00	\$ 4,550.00	0.00	\$0.00
45 Relaid Storm Sewer 12-Inch with Type B Pavement Re	164 EA	\$ 37,277.20	\$227.30	120.00	73.17%	\$27,276.00	120.00	\$ 27,276.00	0.00	\$0.00
46 Ductile Iron Pipe Storm Sewer 12-Inch	10 EA	\$ 1,110.00	\$111.00	0.00	0.00%	\$0.00	0.00	\$ -	0.00	\$0.00
TOTAL PAGE 2						\$161,858.76		\$ 161,608.26		\$250.50

To: Commissioner of Public Works
 730 Washington Avenue
 Racine, Wisconsin 53403

Payment No. 3 Period from 12/1/2019 to 6/30/20
 Contract No. & Name 20190016, 2019 Resurfacing Phase II
Payne & Dolan Invoice #253311-03

Description of Work and/or Materials Stored on Site	CONTRACT		Cost per Unit	COMPLETE TO DATE		PREVIOUSLY BILLED		QTY'S THIS ESTIMATE		
	Quantity	Total Cost		Quantity	% Complete	Total Cost	Quantity	Total Cost	Quantity	Total Cost
47 Pavement Marking Preformed Plastic 4-Inch Yellow	2364 EA	\$ 9,456.00	\$ 4.00	2340.80	99.02%	\$ 9,363.20	2340.80	\$ 9,363.20	0.00	\$0.00
48 Pavement Marking Preformed Plastic 6-Inch White A	73 LF	\$ 419.75	\$ 5.75	66.60	91.23%	\$ 382.95	66.60	\$ 382.95	0.00	\$0.00
49 Remove & Reinstall Mailboxes	2 LF	\$ 600.00	\$ 300.00	3.00	150.00%	\$ 900.00	3.00	\$ 900.00	0.00	\$0.00
Sheet 1 Carried Forward						\$ 505,114.91	\$ 503,165.55	\$ 1,949.36		
Sheet 2 Carried Forward						\$ 161,858.76	\$ 161,608.26	\$ 250.50		
Sheet 3 Total						\$ 10,646.15	\$ 10,646.15	\$0.00		
TOTAL CONTRACT AMOUNT		\$ 623,568.62								
TOTAL CONTRACT AMOUNT COMPLETED TO DATE						\$ 677,619.82	\$ 675,419.96	\$2,199.86		

According to the best of my knowledge and belief, I certify that the work covered by this Detailed Estimate has been completed in accordance with the Contract Documents, and that the current payment shown herein is due. I further certify that all claims outstanding as of this date against the undersigned as Contractor for labor, materials, and expendable equipment employed in the performance of said contract up to this date have been paid in full in accordance with the requirements of said contract.

Contractor Payne & Dolan, Inc.
 By 
 (Signature of Officer, Partner, or Owner)
 Raymond A. Postotnik

7/16/2020
 Title Agent