



# Memo

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TO: Mayor Manier and City Council  
FROM: Ed Andrews, Public Works Director  
SUBJECT: River City Construction STP#2  
Phase 2A Expansion Progress Payments #10 & #11  
DATE: September 29, 2017

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## EXECUTIVE SUMMARY:

At the February 1, 2016 Council Meeting the City committed to award River City Construction, LLC in an amount of \$3,562,500 for the Phase 2A expansion of Sewer Treatment Plant #2 (STP#2). The formal contract itself was executed with IEPA approval on May 31<sup>st</sup> 2016, with work onsite beginning in June.

The City is in receipt of Payment Request #10 & #11 for work completed through June 30, 2017. Major work items in this period include the continued sludge screw press testing & training, startup, testing & training on the clarifiers, landscape restoration, work in the dewatering building and additional other general condition items.

The total value of the progress to-date is \$3,520,887.00, constitutes approximately 99% of the total contract amount \$3,562,500. This amount, less previous payment(s) of \$2,952,896.33 and adjusted retainage results in an eligible progress payment of \$391,946.32. Supporting lien waivers are pending and release of this pay request will occur once received.

As such it is my recommendation that the City Council approve making a progress payment in the amount of **\$391,946.32** to River City Construction, LLC.

This matter has been placed on the agenda for the City Council meeting of Monday, August 7<sup>th</sup>, 2017, for review and consideration.

cc: File

APPLICATION FOR PAYMENT

OWNER City Of Washington PROJECT Phase 2A Improvements  
CONTRACTOR River City Construction, LLC CONTRACT 2015-1  
FOR PERIOD ENDING May 31, 2017 PAYMENT APPLICATION DATE July 21, 2017  
PAYMENT APPLICATION NO. #10

CONTRACT AMOUNT

ORIGINAL CONTRACT AMOUNT	\$ 3,562,500.00
PLUS: ADDITIONS TO CONTRACT	\$ -
LESS: DEDUCTIONS FROM CONTRACT	\$ -
ADJUSTED CONTRACT AMOUNT TO DATE	\$ 3,562,500.00

WORK PERFORMED

COST OF WORK COMPLETED	\$ 3,437,252.45
PLUS MATERIALS STORED (ATTACH SCHEDULE)	\$ -
NET AMOUNT EARNED TO DATE	\$ 3,437,252.45
LESS AMOUNT OF RETAINAGE	\$ 343,725.25
SUBTOTAL	\$ 3,093,527.20
LESS PREVIOUS PAYMENTS	\$ 2,952,896.33
AMOUNT DUE THIS APPLICATION	\$ 140,630.87

CONTRACTOR's Certification:

The undersigned CONTRACTOR certifies that: (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by prior Applications for Payment numbered 1 through 2 inclusive; (2) title to 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, claims, security interests and encumbrances (except such as are covered by Bond acceptable to OWNER indemnifying OWNER against any such lien, claim, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not *defective* as that term is defined in the Contract Documents.

☒ Required lien waivers attached.

Dated July 21, 2017

River City Construction, LLC  
CONTRACTOR  
By   
(Authorized Signature)  
By Brad Klisares  
(Print Name)

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 9/12, 2017

STRAND ASSOCIATES, INC.  
By   
(Authorized Signature)  
By Brian Molenaar  
(Print Name)

# Application and Certificate for Payment

TO (OWNER): CITY OF WASHINGTON  
115 W JEFFERSON ST  
WASHINGTON IL 61571

PROJECT: Washington Phase 2A  
955 Ernest Street  
Washington, IL 61571

ATTN:

FROM: River City Construction LLC  
101 Hoffer Lane  
East Peoria, IL 61611

ARCHITECT/  
ENGINEER: Strand Associates, Inc  
910 West Wingra Drive  
Madison, WI 53715

APPLICATION NO.: 10  
PERIOD TO: 5/31/2017  
OWNER'S PROJECT NO.: 1-2015  
CONTRACTOR'S PROJECT NO.: 164110  
ARCHITECT'S PROJECT NO.:  
CONTRACT DATE: 5/31/2016

CONTRACT: GENERAL CONTRACTOR

## CONTRACTOR'S APPLICATION FOR PAYMENT

### CHANGE ORDER SUMMARY

DESCRIPTION	DATE	ADDITIONS	DELETIONS
Change Orders previously approved		\$1,569.00	(\$1,569.00)
Change Orders approved this month:			

1. ORIGINAL CONTRACT SUM \$3,562,500.00
2. Net change by Change Orders \$0.00
3. CONTRACT SUM TO DATE (lines 1+2) \$3,562,500.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$3,437,252.45

### 5. RETAINAGE

- a. 10.0% of Completed Work (Columns D+E on G703) \$343,725.25
- b. 10.0% of Stored Material (Column F on G703) \$0.00

Total Retainage

(lines 5a+5b or Total in Column J on G703)

\$343,725.25

### 6. TOTAL EARNED LESS RETAINAGE

(line 4 less line 5 Total)

\$3,098,527.20

### 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT

(line 6, prior Certificate)

\$2,952,896.33

Total approved this month

\$0.00

\$140,630.87

NET CHANGES by Change Orders

\$0.00

\$468,972.80

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 herein is now due.

Contractor: River City Construction LLC  
By: Cullen D Miller

Date: 6/13/2017

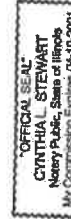
State of: IL

County of: Peoria

Subscribed & sworn to before me this 13rd day of June 2017.

Notary Public: Cynthia L. Stewart  
Cynthia L. Stewart

My commission expires: 4/10/2021



## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observation and the data comprising the above 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: \$

ARCHITECT: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

This certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein.

PARTIAL WAIVER OF LIEN

STATE OF ILLINOIS  
COUNTY OF PEORIA

WHEREAS, THE UNDERSIGNED RIVER CITY CONSTRUCTION, L.L.C. HAS BEEN EMPLOYED BY CITY OF WASHINGTON, ILLINOIS TO FURNISH LABOR AND MATERIALS FOR THE PREMISES OWNED BY CITY OF WASHINGTON, ILLINOIS AND KNOWN AS WASHINGTON PHASE 2A, IN THE CITY OF WASHINGTON, COUNTY OF TAZEWELL, STATE OF ILLINOIS.

NOW, THEREFORE, KNOW YE, THAT WE THE UNDERSIGNED, HAVE BEEN REQUESTED TO GIVE A PARTIAL WAIVER OF LIEN FOR AND IN CONSIDERATION OF THE SUM OF \$140,630.85 DOLLARS, FOR PAYMENT OF THE FOLLOWING INVOICE NUMBERS:

#10

UPON RECEIPT WILL ACKNOWLEDGE AND WILL HEREBY WAIVE AND RELEASE TO THE EXTENT OF THE SAID AMOUNT ONLY AND ALL LIEN, OR CLAIM, OR RIGHT TO LIEN ON SAID ABOVE DESCRIBED BUILDING AND PREMISES UNDER THE STATUTES OF THE STATE OF ILLINOIS RELATING TO MECHANICS LIENS, ON ACCOUNT OF LABOR OR MATERIALS, OR BOTH, FURNISHED TO THE EXTENT OF THIS PAYMENT ONLY, FOR SAID BUILDING OR PREMISES.

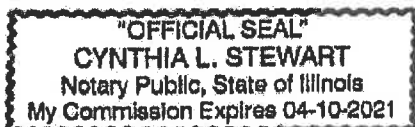
GIVEN UNDER OUR HAND AND SEAL THIS 21<sup>ST</sup> DAY OF JULY, 2017.

SUBSCRIBED AND SWORN BEFORE ME  
THIS 21<sup>ST</sup> DAY OF JULY, 2017.

RIVER CITY CONSTRUCTION, L.L.C.  
COLLEEN MILLER,  
OFFICE MANAGER

NOTARY PUBLIC: Cynthia L. Stewart  
MY COMMISSION EXPIRES 04/10/2021

Colleen A. Miller



APPLICATION FOR PAYMENT

OWNER City Of Washington PROJECT Phase 2A Improvements  
 CONTRACTOR River City Construction, LLC CONTRACT 2015-1  
 FOR PERIOD ENDING June 30, 2017 PAYMENT APPLICATION DATE July 21, 2017  
 PAYMENT APPLICATION NO. #11

CONTRACT AMOUNT

ORIGINAL CONTRACT AMOUNT	\$ 3,562,500.00
PLUS: ADDITIONS TO CONTRACT	\$ -
LESS: DEDUCTIONS FROM CONTRACT	\$ -
ADJUSTED CONTRACT AMOUNT TO DATE	\$ 3,562,500.00

WORK PERFORMED

COST OF WORK COMPLETED	\$ 3,520,887.00
PLUS MATERIALS STORED (ATTACH SCHEDULE)	\$ -
NET AMOUNT EARNED TO DATE	\$ 3,520,887.00
LESS AMOUNT OF RETAINAGE	\$ 176,044.35
SUBTOTAL	\$ 3,344,842.65
LESS PREVIOUS PAYMENTS	\$ 3,093,527.20
AMOUNT DUE THIS APPLICATION	\$ 251,315.45

CONTRACTOR's Certification:

The undersigned CONTRACTOR certifies that: (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by prior Applications for Payment numbered 1 through 2 inclusive; (2) title to 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, claims, security interests and encumbrances (except such as are covered by Bond acceptable to OWNER indemnifying OWNER against any such lien, claim, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not *defective* as that term is defined in the Contract Documents.

☒ Required lien waivers attached.

Dated August 30, 2017

River City Construction, LLC  
 CONTRACTOR  
 By [Signature]  
 (Authorized Signature)

By Brad Klisares  
 (Print Name)

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated 9/22/2017

STRAND ASSOCIATES, INC.®  
 By [Signature]  
 (Authorized Signature)  
 By Brian Molenaar  
 (Print Name)

# Application and Certificate for Payment

Page 1 of 16

TO (OWNER): CITY OF WASHINGTON  
115 W. JEFFERSON ST  
WASHINGTON IL 61571

PROJECT: Washington Phase 2A  
955 Ernest Street  
Washington, IL 61571

APPLICATION NO.: 11

PERIOD TO: 6/30/2017

ATTN:

OWNER'S PROJECT NO.: 1-2015

FROM: River City Construction LLC  
101 Hoffer Lane  
East Peoria, IL 61611

ARCHITECT/ENGINEER: Strand Associates, Inc  
910 West Wingra Drive  
Madison, WI 53715

CONTRACTOR'S PROJECT NO.: 164110

ARCHITECT'S PROJECT NO.:

CONTRACT: GENERAL CONTRACTOR

CONTRACT DATE: 5/31/2016

## CONTRACTOR'S APPLICATION FOR PAYMENT

### CHANGE ORDER SUMMARY

DESCRIPTION	DATE	ADDITIONS	DELETIONS
Change Orders previously approved		\$1,569.00	(\$1,569.00)

Change Orders approved this month:

1. ORIGINAL CONTRACT SUM	\$3,562,500.00
2. Net change by Change Orders	\$0.00
3. CONTRACT SUM TO DATE (lines 1+2)	\$3,562,500.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$3,520,887.00

### 5. RETAINAGE

- a. 5.0% of Completed Work (Columns D+E on G703) \$176,044.35
- b. 5.0% of Stored Material (Column F on G703) \$0.00

Total Retainage (lines 5a+5b or Total in Column J on G703)

\$176,044.35

### 6. TOTAL EARNED LESS RETAINAGE (line 4 less line 5 Total)

\$3,344,842.65

### 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (line 6, prior Certificate)

\$3,093,527.20

### 8. CURRENT PAYMENT DUE

\$251,315.45

### 9. BALANCE TO FINISH PLUS RETAINAGE (line 3 less line 6)

\$217,657.35

Total approved this month \$0.00

NET CHANGES by Change Orders \$0.00

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 herein is now due.

Contractor: River City Construction LLC  
By: *William A. Miller* Date: 6/30/2017

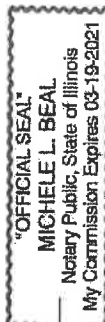
State of: IL County of: Woodford  
Subscribed & sworn to before me this 30th day of June 2017.

Notary Public:

*Michele L. Beal*

Michele L. Beal

My commission expires: 3/19/2021



## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observation and the data comprising the above 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:

\$

ARCHITECT:

By: \_\_\_\_\_ Date: \_\_\_\_\_

This certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein.

**PARTIAL WAIVER OF LIEN**

STATE OF ILLINOIS  
COUNTY OF TAZEWELL

WHEREAS, THE UNDERSIGNED **RIVER CITY CONSTRUCTION, L.L.C.** HAS BEEN EMPLOYED BY **CITY OF WASHINGTON, ILLINOIS** TO FURNISH LABOR AND MATERIALS FOR THE PREMISES OWNED BY **CITY OF WASHINGTON, ILLINOIS** AND KNOWN AS **WASHINGTON PHASE 2A**, IN THE CITY OF WASHINGTON, COUNTY OF TAZEWELL, STATE OF ILLINOIS.

NOW, THEREFORE, KNOW YE, THAT WE THE UNDERSIGNED, HAVE BEEN REQUESTED TO GIVE A PARTIAL WAIVER OF LIEN FOR AND IN CONSIDERATION OF THE SUM OF **\$251,315.45** DOLLARS, FOR PAYMENT OF THE FOLLOWING INVOICE NUMBERS:

**#11**

UPON RECEIPT WILL ACKNOWLEDGE AND WILL HEREBY WAIVE AND RELEASE TO THE EXTENT OF THE SAID AMOUNT ONLY AND ALL LIEN, OR CLAIM, OR RIGHT TO LIEN ON SAID ABOVE DESCRIBED BUILDING AND PREMISES UNDER THE STATUTES OF THE STATE OF ILLINOIS RELATING TO MECHANICS LIENS, ON ACCOUNT OF LABOR OR MATERIALS, OR BOTH, FURNISHED TO THE EXTENT OF THIS PAYMENT ONLY, FOR SAID BUILDING OR PREMISES.

GIVEN UNDER OUR HAND AND SEAL THIS 31<sup>ST</sup> DAY OF AUGUST, 2017.

SUBSCRIBED AND SWORN BEFORE ME  
THIS 31<sup>ST</sup> DAY OF AUGUST, 2017.

**RIVER CITY CONSTRUCTION, L.L.C.**  
COLLEEN MILLER,  
OFFICE MANAGER

NOTARY PUBLIC: Michele L. Beal  
MY COMMISSION EXPIRES 03/19/2021

Colleen A. Miller

