

APPLICATION FOR PAYMENT

PROJECT: 2021 Wastewater Facility Improvements

ENGINEER: MILLER & ASSOCIATES, CONSULTING ENGINEERS, P.C.

TO: (OWNER) City of Lexington
PO Box 70
Lexingotn, NE 68850

ENGINEER'S PROJECT NO. 127-D1-060

CONTRACTOR: Walters-Morgan Construction, Inc.

CONTRACT FOR: \$7,540,431.00

APPLICATION DATE: 1/8/2025

APPLICATION NO.: 40-Final

ATTN: Pam Baruth

FOR WORK ACCOMPLISHED THROUGH THE DATE OF: March 4, 2024

CHANGE ORDER SUMMARY:

Application is made for payment, as shown below in connection with the Contract.

Continuation sheets are attached.

The present status of the account is as follows:

Change orders approved in previous month by Owner.

CO #	DATE	ADDITIONS	DEDUCTIONS
1	7/13/22		\$57,086.34
2	5/16/23	\$18,250.00	
3	4/17/24	\$158,135.84	
4	4/24/24	\$40,316.59	
5	6/13/24	\$550,101.31	
6	6/25/24	\$109,228.19	
7	12/19/24		\$183,001.45
TOTAL		\$876,031.93	\$240,087.79
NET CHANGE		\$635,944.14	

ORIGINAL CONTRACT PRICE.....	\$7,540,431.00
Net Change by Change Orders & Written Amendments	\$635,944.14
CURRENT CONTRACT PRICE.....	\$8,176,375.14
TOTAL COMPLETED & STORED TO DATE.....	\$8,176,375.14
LESS RETAINAGE : 0%	\$0.00
TOTAL COMPLETED & STORED TO DATE LESS RETAINAGE	\$8,176,375.14
LESS PREVIOUS APPLICATION FOR PAYMENT-----	\$8,159,376.59
AMOUNT DUE THIS APPLICATION.....	\$16,998.55

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 CONTRACTOR'S legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1-39, inclusive; (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 Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

The undersigned certifies that the work has been carefully inspected and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract.

CONTRACTOR: WALTERS-MORGAN CONSTRUCION, INC.

ENGINEER: MILLER & ASSOCIATES

By: 

By: 

<input type="checkbox"/>	Owner
<input type="checkbox"/>	Contractor
<input type="checkbox"/>	Engineer
<input type="checkbox"/>	SRF

OWNER: CITY OF LEXINGTON

Date: 1/8/2025

BY: _____

APPLICATION AND CERTIFICATE FOR PAYMENT-CONTINUATION SHEET

APPLICATION NUMBER: 40-Final

APPLICATION DATE: 1/8/2025

FOR WORK ACCOMPLISHED THROUGH : 03-04-24

ENGINEER'S PROJECT #: 127-D1-060

ITEM NO.	DESCRIPTION OF WORK	ESTIMATED QUANTITY	UNIT	UNIT PRICE	QUANTITY COMPLETED TO DATE	TOTAL COMPLETED	STORED TO DATE	TOTAL COMPLETED AND STORED TO DATE
1	Mobilization, Insurance and Bonding	1	L.S.	\$215,000.00	1	\$215,000.00		\$215,000.00
2	Site Piping, Control Structure, Scum Pit, and Site Work	1	L.S.	\$1,939,000.00	1	\$1,939,000.00		\$1,939,000.00
3	Headworks Building	1	L.S.	\$2,884,000.00	1	\$2,884,000.00		\$2,884,000.00
4	Primary Clarifiers	3	Each	\$295,000.00	3	\$885,000.00		\$885,000.00
5	Flow Measurement Structure	1	L.S.	\$90,000.00	1	\$90,000.00		\$90,000.00
6	Grit Removal Structure	1	L.S.	\$127,000.00	1	\$127,000.00		\$127,000.00
7	Electrical and Instrumentation	1	L.S.	\$1,260,000.00	1	\$1,260,000.00		\$1,260,000.00
8	Erosion Control and Environmental Features (See Appendix B)							
	a. Furnish, Install and Maintain Silt Fencing	1100	L.F.	\$2.00	1100	\$2,200.00		\$2,200.00
	b. Furnish, Install and Maintain Silt Check (if necessary)	100	L.F.	\$10.00	100	\$1,000.00		\$1,000.00
	c. Construct, Maintain and Remove Rock Construction Road	1	Each	\$12,000.00	1	\$12,000.00		\$12,000.00
	d. Temporary Stabilization Measures (if necessary)	1-1000	S.Y.	\$1.00	1	\$1.00		\$1.00
	e. Temporary Stabilization Measures (if necessary)	1000-5000	S.Y.	\$1.00	1000	\$1,000.00		\$1,000.00
	f. Construct, Maintain and Remove Concrete Washout Pit	1	Each	\$3,500.00	1	\$3,500.00		\$3,500.00
9	Chain Link Fence							
	a. Remove & Salvage	655	L.F.	\$6.00	655	\$3,930.00		\$3,930.00
	b. Install 5 Ft. Chain Link Fence	680	L.F.	\$35.00	680	\$23,800.00		\$23,800.00
	c. Install One 12 Ft. Wide Chain Link Gate	1	Each	\$2,000.00	1	\$2,000.00		\$2,000.00
10	Miscellaneous Work	1	L.S.	\$91,000.00	1	\$91,000.00		\$91,000.00
	Change Order #1	1	L.S.	-\$57,086.34	1	-\$57,086.34		-\$57,086.34
	Change Order #2	1	L.S.	\$18,250.00	1	\$18,250.00		\$18,250.00
	Change Order #3	1	L.S.	\$158,135.84	1	\$158,135.84		\$158,135.84
	Change Order #4	1	L.S.	\$40,316.59	1	\$40,316.59		\$40,316.59
	Change Order #5	1	L.S.	\$550,101.31	1	\$550,101.31		\$550,101.31
	Change Order #6	1	L.S.	\$109,228.19	1	\$109,228.19		\$109,228.19
	Change Order #7	1	L.S.	-\$183,001.45	1	-\$183,001.45		-\$183,001.45
TOTAL CONSTRUCTION COST						\$8,176,375.14		\$8,176,375.14

Order No. 7
Effective Date: 12/19/2024
Agreement Date: 6/22/2021
Project No. 127-D1-060

NAME OF PROJECT: 2021 Wastewater Facility Improvements

OWNER: City of Lexington

CONTRACTOR: Walters-Morgan Construction, Inc.

The following changes are hereby made to the CONTRACT DOCUMENTS:

CHANGE ORDER NO. 7

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	TOTAL AMOUNT
ADDITIONS				
V.	Decrease in project cost, to account for liquidated damages	1	L.S.	<u>-\$183,001.45</u>
TOTAL ADJUSTED CHANGE ORDER PRICE				-\$183,001.45

JUSTIFICATION: Changes requested by the Owner for additional work to the Primary Digester.

Change to CONTRACT PRICE:

ORIGINAL CONTRACT PRICE:	\$7,540,431.00
Net increase resulting from previous CHANGE ORDERS:	\$818,945.59
Net decrease resulting from this CHANGE ORDER:	-\$183,001.45
The new CONTRACT PRICE including this CHANGE ORDER will be:	\$8,176,375.14

Change to CONTRACT TIME:

The CONTRACT TIME will reflect a substantial completion date of March 4, 2024.

Approvals Required: To be effective, this order must be approved as required by the General Conditions.

Approved by: Chris Shinn 1/8/2025

WALTERS-MORGAN
CONSTRUCTION, INC.

Approved by: _____

CITY OF LEXINGTON

Approved by: Ray Adams 1-10-25

MILLER & ASSOCIATES

CERTIFICATE OF SUBSTANTIAL COMPLETION

ENGINEER'S PROJECT NO.: 127-D1-060

PROJECT NAME: 2021 WASTEWATER FACILITY IMPROVEMENTS

CONTRACTOR: WALTERS-MORGAN CONSTRUCTION, INC.

CONTRACT FOR: \$7,540,431.00

AGREEMENT DATE:

JUNE 22, 2021

This Certificate of Substantial Completion applies to all work under the Contract Documents or to the following specified parts thereof:

TOTAL CONSTRUCTION COST

\$ 8,176,375.14

TO: CITY OF LEXINGTON

AND TO: WALTERS-MORGAN CONSTRUCTION, INC.

The Work to which this Certificate applies has been inspected by authorized representatives of OWNER, CONTRACTOR, and ENGINEER, and that Work is hereby declared to be substantially complete in accordance with the Contract Documents on:

Date of Completion: March 4, 2024

The following documents are attached to and made a part of this Certificate:

FINAL PAY ESTIMATE
CHANGE ORDER 7 - FINAL

This certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of CONTRACTOR's obligation to complete the Work in accordance with the Contract Documents.

Executed by ENGINEER on this 10 day of January in the year 2025.

MILLER & ASSOCIATES
CONSULTING ENGINEERS, P.C.

By [Signature]

The CONTRACTOR accepts this Certificate of Substantial Completion on the 8 day of January, in the year 2025.

WALTERS-MORGAN CONSTRUCTION, INC.

By [Signature]

The OWNER accepts this Certificate of Substantial Completion on the ____ day of _____, in the year 20____.

CITY OF LEXINGTON

By _____