

August 2, 2021

Ms. Mercy L Rushing, PCED, CTE
City Manager
City of Mineola
300 Greenville Hwy
Mineola, TX 75773

via email

**Re: City of Mineola
Stone Street Sewer Improvements
KSA Project No. MN.164
Contract Work Acceptance**

Dear Ms. Rushing:

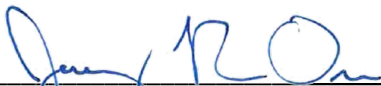
The Contractor has completed all work for the above referenced project. To close out the City's contract with 7-H Construction Company, Inc., the following actions are recommended:

- Approval of Change Order No. 1 (Reconciliatory) - This change order increases the total contract price by \$31,463.07.
- Approval of Contractor's final pay estimate with retainage reduced to 0%. The final payment amount is \$92,109.47. The final contract amount for the completed project is \$398,998.62
- Acceptance of the project by the City

KSA has reviewed the work and has verified the work's for conformance to the Contract requirements. Enclosed for your records is a copy of the Contractor's affidavit for the project and certificate of substantial completion.

Sincerely,

KSA Engineers, Inc.



Jeremy R. Ort, P.E.
Project Manager

JRO/ss

Enclosures


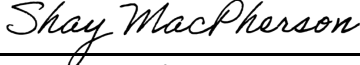
KSA 6781 Oak Hill Blvd. Tyler, TX 75703 CHANGE ORDER No. 1 (Reconciliatory)	Date	July 29, 2021	
	Project No.	MN.164	
	Location	Mineola, TX	
To (Contractor) 7-H Construction Company, Inc. 3801 Arlington Ave. Tyler, TX 75701	Job Description	Stone Street Sewer Improvements	
	Total Contract Price:	Original	\$367,535.55
		Previous CO / WO	\$0.00
		Current	\$367,535.55

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No. (1)	Description of changes – quantities, units, Unit price, change in completion schedule, etc. (2)	Decrease in Contract price (3)	Increase in Contract price (4)
CO 1.1	Item 1.05 - Gravity Sewer and Manhole Testing: Reduce Item by \$5,655.00	\$5,655.00	
CO 1.2	Item 1.07 - 10-in SDR 26 PVC Gravity Sewer Line: Increase quantity by 22 LF @ \$64.20/LF.		\$1,412.40
CO 1.3	Item 1.08 - Remove and Replace Existing 10-in Gravity Sewer: Decrease quantity by 24 LF @ \$93.50/LF.	\$2,244.00	
CO 1.4	Item 1.14 - Reconnect Existing Sewer Service: Increase quantity by 1 EA @ \$1,475.00/EA		\$1,475.00
CO 1.5	Item 1.17 - Chainlink Fence Repair: Increase quantity by 55 LF @ \$44.75/LF.		\$2,461.25
CO 1.6	Item 1.18 - Barbed Wire Fence Repairs: Decrease quantity by 25 LF @ \$23.00/LF.	\$575.00	
CO 1.7	Item 1.19 - Wood Privacy Fence Repairs: Decrease quantity by 25 LF @ \$87.50/LF.	\$2,187.50	
CO 1.8	Item 1.21 - Erosion Control Matting: Decrease quantity by 310 SY @ \$5.15/SY	\$1,596.50	
CO 1.9	Item 1.22 - Filter Fabric Fence: Decrease quantity by 280 LF @ \$4.50/LF	\$1,260.00	
CO 1.10	Item 1.24 - Foundation Material for Trench: Decrease quantity by 63 CY @ \$70.00/CY.	\$4,410.00	
CO 1.11	Item 1.26 - Trench Safety: Decrease quantity by 2 LF @ \$16.00/LF.	\$32.00	
CO 1.12	Item 1.27 - Miscellaneous Allowance: Reduce Item by \$10,000	\$10,000.00	
CO 1.13	Add Item 1.28 - Manhole Invert Adjustment for Reroute: 1 LS @ \$1,365.00		\$1,365.00
CO 1.14	Add Items 1.29 6 - Additional Cost for Rail Pros Onsite Observation: 1 LS @ \$52,709.42		\$52,709.42
	Change in contract price due to this Change Order:		
	Total Decrease	\$27,960.00	
	Total Increase		\$59,423.07
	Difference between Columns (3) and (4)		\$31,463.07

The sum of \$31,463.07 is hereby (~~unchanged~~) (added to) (~~deducted from~~) the total contract price, and the total adjusted contract price to date thereby is \$398,998.62.

The time provided for completion in the contract is (~~unchanged~~) (increased by) (~~decreased by~~) 20 additional calendar days added to the contract time for a total adjusted contract time of 110 calendar days for final completion. This document shall become an amendment to the contract and all provisions of the contract will apply hereto.

Item No. (1)	Description of changes – quantities, units, Unit price, change in completion schedule, etc. (2)	Decrease in Contract price (3)	Increase in Contract price (4)
Recommended by (Engineer)	 _____ KSA Engineers, Inc.		7-29-2021 _____ Date
Accepted by (Contractor)	 _____ 7-H Construction Company, Inc.		7/30/21 _____ Date
Approved by (Owner)	_____ City of Mineola		_____ Date

PROGRESS ESTIMATE

KSA
6781 OAK HILL BLVD
TYLER, TX 75703

Estimate No.: 4 (Final)
Date: July 29, 2021
Project: Stone Street Sewer Improvements
Period: From: 6/26/2021 To: 07/25/2021
Contractor: 7-H Construction Company, Inc.
Address: 3801 Arlington Avenue, Tyler, TX 75701
Amount of Contract as Awarded: \$367,535.55

Notice to Proceed Date: May 24, 2021
Contract Time: 110 Days
% Complete (Time): 60%
% Complete (\$): 100%
Project No: MN.164


Change Orders:
1 \$ 31,463.07 # 6 \$ _____
2 \$ _____ # 7 \$ _____
3 \$ _____ # 8 \$ _____
4 \$ _____ # 9 \$ _____
5 \$ _____ # 10 \$ _____
Total Change Orders: \$31,463.07
Total Adjusted Contract: \$398,998.62

PREVIOUS PAYMENTS AUTHORIZED
#1 69,114.61 #10 _____
#2 148,112.84 #11 _____
#3 89,661.70 #12 _____
#4 _____ #13 _____
#5 _____ #14 _____
#6 _____ #15 _____
#7 _____ #16 _____
#8 _____ #17 _____
#9 _____ #18 _____
Total Payments _____
Previously Authorized: \$306,889.15

Item No.	Description	Unit of Meas.	Quantity Original Estimate	Previous Month's Quantity	Current Month's Quantity	Quantity Completed To Date	Unit Price (\$)	Value of Completed Work (\$)
1.01	Mobilization, Insurance, and Bonds	LS	1	1.00		1.00	\$21,200.00	21,200.00
1.02	Barricades, Signs, and Traffic Handling	LS	1	1.00		1.00	\$250.00	250.00
1.03	Stormwater Pollution Prevention	LS	1	1.00		1.00	\$100.00	100.00
1.04	Care of Water During Construction	LS	1	1.00		1.00	\$1,000.00	1,000.00
1.05	Gravity Sewer Line and Manhole Testing	LS	1	0.00		0.00	*\$0.00	0.00
1.06	Union Pacific Railroad Permit Requirements	LS	1	1.00		1.00	\$77,225.00	77,225.00
1.07	10-in SDR 26 PVC Gravity Sewer Line	LF	*416	416.00		416.00	\$64.20	26,707.20
1.08	Remove and Replace Existing 10-in Gravity Sewer Line	LF	*958	958.00		958.00	\$93.50	89,573.00
1.09	Remove and Replace Existing 8-in Gravity Sewer Line	LF	30	30.00		30.00	\$79.50	2,385.00
1.10	Remove and Replace Existing 6-in Gravity Sewer Line	LF	10	10.00		10.00	\$48.75	487.50
1.11	48-in Diameter Manhole	EA	4	4.00		4.00	\$4,895.00	19,580.00
1.12	Remove and Replace 48-in Manhole	EA	4	4.00		4.00	\$6,715.00	26,860.00
1.13	Connect to Existing Sanitary Sewer	EA	4	4.00		4.00	\$1,240.00	4,960.00
1.14	Reconnect Existing Sewer Service	EA	*6	5.00	1.00	6.00	\$1,475.00	8,850.00
1.15	Mainline Cleanout Assembly	EA	1	1.00		1.00	\$1,300.00	1,300.00
1.16	Sawcut and Repair Asphalt Pavement	SY	112	112.00		112.00	\$85.00	9,520.00
1.17	Chainlink Fence Repair	LF	*110	55.00	55.00	110.00	\$44.75	4,922.50
1.18	Barbed Wire Fence Repair	LF	*0	0.00		0.00	\$23.00	0.00
1.19	Wood Privacy Fence Repair	LF	*0	0.00		0.00	\$87.50	0.00
1.20	Hydromulch	AC	1	0.70		0.70	\$4,450.00	3,115.00
1.21	Erosion Control Matting	SY	*0	0.00		0.00	\$5.15	0.00
1.22	Filter Fabric Fence	LF	*0	0.00		0.00	\$4.50	0.00
1.23	Clearing and Grubbing	AC	0	0.25		0.25	\$87,860.00	21,965.00
1.24	Foundation Material for Trench	CY	*0	0.00		0.00	\$70.00	0.00
1.25	Excavation Safety	LS	1	1.00		1.00	\$2,300.00	2,300.00
1.26	Trench Safety	LF	*1,414	1414.00		1,414.00	\$16.00	22,624.00
1.27	Miscellaneous Allowance	AL	1	0.00		0.00	*\$0.00	0.00
*1.28	*Manhole Invert Adjustment for Reroute	LS	*1	*0.0	1.00	*\$1.00	*\$1,365.00	1,365.00
*1.29	*Additional Cost from Rail Pros Onsite Observation	LS	*1	*0.0	1.00	*\$1.00	*\$52,709.42	52,709.42

*Per Change Order No. 1

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Engineer represents to the Owner that to the best of the Engineer's knowledge, information and belief, the Work (excluding trench safety) 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 PAYABLE**. The Contractor is solely responsible for trench safety and as such, the Engineer makes no representation that this pay item has been performed in a manner consistent with the Contract Documents.

By: 
Date: 7-29-2021
Approved: City of Mineola
By: _____
Date: _____

Total Amount to Date \$398,998.62
Material on Hand \$0.00
Less 0% Retainage \$0.00
Net Total \$398,998.62
Less Previous Payments \$306,889.15
Amount Payable to Contractor This Estimate \$92,109.47

CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner:	City of Mineola	Owner's Contract No.:	
Contractor:	7H Construction	Contractor's Project No.:	
Engineer:	KSA Engineers, Inc.	Engineer's Project No.:	MN.164
Project:	Stone Street Sewer Improvements	Contract Name:	Stone Street Sewer Improvements

This Final Certificate of Substantial Completion applies to:

All Work The following specified portions of the Work:

7-15-2021

Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Work or portion thereof designated above is hereby established, subject to the provisions of the Contract pertaining to Substantial Completion. The date of Substantial Completion in the final Certificate of Substantial Completion marks the commencement of the contractual correction period and applicable warranties required by the Contract.

A punch list of items to be completed or corrected is attached to this Certificate. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract.

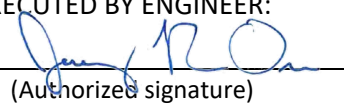
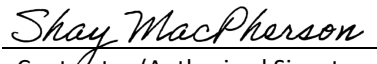
The responsibilities between Owner and Contractor for security, operation, safety, maintenance, heat, utilities, insurance, and warranties upon Owner's use or occupancy of the Work shall be as provided in the Contract, except as amended as follows: *[Note: Amendments of contractual responsibilities recorded in this Certificate should be the product of mutual agreement of Owner and Contractor; see Paragraph 15.03.D of the General Conditions.]*

Amendments to Owner's responsibilities: None As follows

Amendments to Contractor's responsibilities: None As follows:

The following documents are attached to and made a part of this Certificate: *[punch list; others]*

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.

<p>EXECUTED BY ENGINEER:</p> <p>By: <u></u> (Authorized signature)</p> <p>Title: <u>Project Manager</u></p> <p>Date: <u>7-27-2021</u></p>	<p>RECEIVED:</p> <p>By: _____ Owner (Authorized Signature)</p> <p>Title: _____</p> <p>Date: _____</p>	<p>RECEIVED:</p> <p>By: <u></u> Contractor (Authorized Signature)</p> <p>Title: <u>Project Manager</u></p> <p>Date: <u>7/27/21</u></p>
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CONTRACTOR'S FINAL PAYMENT AFFIDAVIT

STATE OF TEXAS

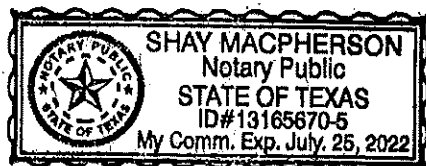
COUNTY OF SMITH

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared Camille M. Ross, who being duly sworn, on oath, says that she is a duly authorized representative of 7-H Construction Company, Inc., the Contractor, in a construction contract dated March 23, 2021, entered into between the Contractor and the City of Mineola TX, the Owner, for the construction of Stone Street Sewer Improvements and that she is authorized to and does make this affidavit on behalf of said Contractor in order to induce the Owner to make final payment to the Contractor, in accordance with the provisions of the said construction contract.

Affiant further says that all persons who have furnished labor in connection with said construction, have been paid in full at hourly wage rates not less than those, if any, set forth in the contract; that all manufacturers, suppliers and sub-contractors that furnished any material and/or services under the contract, have been paid or will be paid or otherwise satisfied within thirty days after receipt of Final Payment from the Owner. Payments not made in full at the time of this affidavit are listed below.

FINAL PAYMENTS pending as of this date hereof are: None Pending As Listed Below

Individual or Co. Name	Mailing Address	Amount Owed
Rail Pros Field Services	1320 Greenway Dr. #490 Irving, TX 75038	\$32,485.50



Camille M. Ross

Signature and Title

Sworn and Subscribed before me this 29th day of July, 2021.

Shay MacPherson

Notary Public in and for Smith County, State of Texas