

March 26, 2024

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

via email

**Re: City of Mineola
Park Central Road Extension
KSA Project No. 100188
Contract Work Acceptance**

Dear Ms. Rushing:

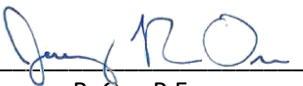
The Contractor has completed all work for the above referenced project. To close out the City's contract with Craig's Dirt Service the following actions are recommended:

- Approval of Change Order No. 1 (Reconciliatory) - This change order decreases the total contract price by \$89,613.51.
- Approval of Contractor's final pay estimate with retainage reduced to 0%. The final payment amount is \$51,183.92. The final contract amount for the completed project is \$837,573.40.
- Acceptance of the project by the City.

KSA has reviewed the work and has verified the work 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. Orr, P.E.
Municipal Team Leader

JRO/ss

Enclosures

KSA 6781 Oak Hill Blvd. Tyler, TX 75703 CHANGE ORDER No. 1 (Reconciliatory)	Date	March 26, 2024	
	Project No.	100188	
	Location	City of Mineola, TX	
To (Contractor)	Job Description	Park Central Road Extension	
Craig's Dirt Service 18199 County Road 4108 Lindale, TX 75771	Total Contract Price:	Original	\$927,186.91
		Previous CO / WO	
		Current	\$927,186.91

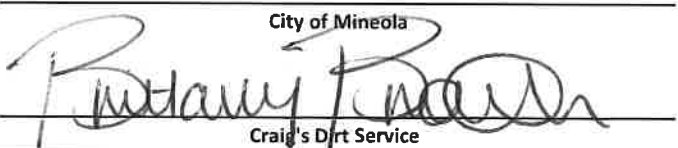
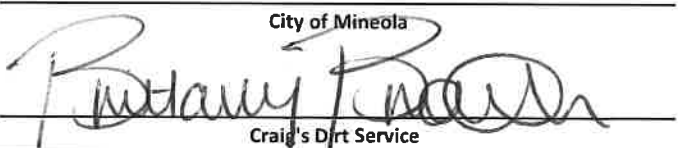
You are hereby requested to comply with the following changes from the contract plans and specifications:

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 1.10 - Proof Rolling: Decrease quantity by 66 hrs @ \$120.00/hr.	\$7,920.00	
CO 1.2	Item 1.12 - Remove and Replace Unsuitable Subgrade: Decrease quantity by 500 CY @ \$10.00/CY.	\$5,000.00	
CO 1.3	Item 1.21 - 4-in SDR 26 PVC Sewer Service Replacement: Decrease quantity by 75 LF @ \$41.84/LF/	\$3,138.00	
CO 1.4	Item 1.23 - 24-in Class III RCP: Decrease quantity by 19 LF @ \$91.16/LF.	\$1,732.04	
CO 1.5	Item 1.24 - 24-in HDPE Pipe: Decrease quantity by 13 LF @ \$68.42/LF.	\$889.46	
CO 1.6	Item 1.31 - 4-ft x 4-ft Junction Box Inlet: Decrease quantity by 1 EA @ \$5,221.05/EA.	\$5,221.05	
CO 1.7	Item 1.40 - Erosion Control Fabric: Decrease quantity by 745 SY @ \$9.00/SY.	\$6,705.00	
CO 1.8	Item 1.41 - Filter Fabric Fence: Decrease quantity by 1320 LF @ \$5.00/LF.	\$6,600.00	
CO 1.9	Item 1.42 - Foundation Material for Trench: Decrease quantity by 63 CY @ \$88.42/CY.	\$5,570.46	
CO 1.10	Item 1.43 - Trench Safety -Storm Sewer: Decrease quantity by 25 LF @ \$1.50/LF.	\$37.50	
CO 1.11	Item 1.45 - Miscellaneous Allowance: Reduced allowance to zero	\$50,000.00	
CO 1.12	Add Item 1.46 - 4-ft x 4-ft Junction Box Material Cost: Box was purchased and found to not be required due to change in conditions		\$3,200.00
	Change in contract price due to this Change Order:		
	Total Decrease	\$92,813.51	
	Total Increase		\$3,200.00
	Difference between Columns (3) and (4)	\$89,613.51	

The sum of **\$89,613.51** is hereby (unchanged) (added to) (deducted from) the total contract price, and the total adjusted contract price to date thereby is **\$837,573.40**

The time provided for completion in the contract is (unchanged) (increased by) (decreased by) **0** additional calendar days added to the contract time for a total adjusted contract time of **90** calendar days for substantial completion. This document shall become an amendment to the contract and all provisions of the contract will apply hereto.

Recommended by _____ **KSA** _____ **3-26-24**
 (Engineer) _____ Date

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)
Accepted by (Contractor)	<div style="text-align: center;">  _____ City of Mineola </div>		<div style="text-align: center;"> _____ Date 3/26/24 _____ Date </div>
Approved by (Owner)	<div style="text-align: center;">  _____ Craig's Dirt Service </div>		<div style="text-align: center;"> _____ Date </div>

PROGRESS ESTIMATE

KSA
6781 OAK HILL BLVD
TYLER, TX 75703

Estimate No.: 8 (Final)
Date: March 26, 2024
Project: Park Central Road Extension
Period: From: 02/01/24 To: 02/29/2024
Contractor: Craig's Dirt Service
Address: 18199 County Road 4108, Lindale, TX 75771
Amount of Contract as Awarded: \$927,186.91

Notice to Proceed Date: August 7, 2023
Contract Time: 120 Days
% Complete (Time): 193%
% Complete (\$): 100%
Project No: 100188

PREVIOUS PAYMENTS AUTHORIZED		
#1	84,698.24	#10
#2	129,736.17	#11
#3	146,947.24	#12
#4	138,179.55	#13
#5	241,099.58	#14
#6	27,987.45	#15
#7	17,741.25	#16
#8		#17
#9		#18


Change Orders:
1 \$ (89,613.51) # 6 \$
2 \$ # 7 \$
3 \$ # 8 \$
4 \$ # 9 \$
5 \$ #10 \$
Total Change Orders: (\$89,613.51)
Total Adjusted Contract: \$837,573.40

Total Payments Previously Authorized: \$786,389.48

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 (\$)
BASE BID								
1.01	Mobilization, Insurance, and Bonds	LS	1	1.00		1.00	\$44,700.00	44,700.00
1.02	Barricades, Signs, and Traffic Handling	LS	1	1.00		1.00	\$2,500.00	2,500.00
1.03	Care of Water During Construction	LS	1	1.00		1.00	\$1,200.00	1,200.00
1.04	Stormwater Pollution Prevention Plan	LS	1	1.00		1.00	\$13,500.00	13,500.00
1.05	Right of Way Preparation	STA	9.17	9.17		9.17	\$1,235.00	11,324.95
1.06	Clearing and Grubbing	AC	0.20	0.20		0.20	\$13,000.00	2,600.00
1.07	Hydromulch	AC	0.85	0.85		0.85	\$5,000.00	4,250.00
1.08	Excavation	CY	1,790	1790.00		1790.00	\$3.50	6,265.00
1.09	Embankment	CY	1,360	1360.00		1360.00	\$4.50	6,120.00
1.10	Proof Rolling	HR	*14	14.00		14.00	\$120.00	1,680.00
1.11	Finish Grading	LS	1	1.00		1.00	\$5,900.00	5,900.00
1.12	Remove and Replace Unsuitable Subgrade Soils	CY	*0	0.00		0.00	\$10.00	0.00
1.13	8-in Cement Stabilized Subgrade	SY	3,771	3771.00		3771.00	\$6.00	22,626.00
1.14	Cement for Stabilized Subgrade	TON	85	85.00		85.00	\$285.00	24,225.00
1.15	7-in Portland Cement Concrete Pavement	SY	3,159	3159.00		3159.00	\$78.16	246,907.44
1.16	Monolithic Curb and Gutter	LF	1,505	1505.00		1505.00	\$14.74	22,183.70
1.17	Street Asphalt Transition	SY	7	7.00		7.00	\$500.00	3,500.00
1.18	Concrete Driveway Apron	SY	561	561.00		561.00	\$78.16	43,847.76
1.19	Gravel Driveway Transition	SY	277	277.00		277.00	\$25.00	6,925.00
1.20	Raise 48-in Manhole	VF	2.50	2.50		2.50	\$475.79	1,189.48
1.21	4-in SDR 26 PVC Sewer Service Replacement	LF	*0	0.00		0.00	\$41.84	0.00
1.22	18-in Class III RCP	LF	45	45.00		45.00	\$80.00	3,600.00
1.23	24-in Class III RCP	LF	*307	307.00		307.00	\$91.16	27,986.12
1.24	24-in HDPE Pipe	LF	*0	0.00		0.00	\$68.42	0.00
1.25	30-in Class III RCP	LF	345	345.00		345.00	\$124.74	43,035.30
1.26	18-in Safety End Treatment	EA	1	1.00		1.00	\$1,026.32	1,026.32
1.27	24-in Safety End Treatment	EA	2	2.00		2.00	\$1,467.37	2,934.74
1.28	2-ft x 5-ft Precast Box Culvert	LF	96	96.00		96.00	\$517.89	49,717.44
1.29	Concrete Headwall with Flared Wings	EA	2	2.00		2.00	\$54,736.84	109,473.68
1.30	Type R Modified Rock Rip-Rap	CY	17	0.00	17.00	17.00	\$200.00	3,400.00
1.31	4-ft x 4-ft Junction Box Inlet	EA	*0	0.00		0.00	\$5,221.05	0.00
1.32	5-ft x 5-ft Junction Box Inlet	EA	1	1.00		1.00	\$5,589.47	5,589.47
1.33	10-ft x 5-ft Curb Inlet	EA	2	2.00		2.00	\$9,957.89	19,915.78
1.34	15-ft x 5-ft Curb Inlet	EA	4	4.00		4.00	\$11,568.42	46,273.68
1.35	Water Line Testing and Sterilization	LS	1	1.00		1.00	\$1,100.00	1,100.00
1.36	Connect to Existing Water Line	EA	2	2.00		2.00	\$1,631.58	3,263.16
1.37	6-in C900 PVC Water Line	LF	615	615.00		615.00	\$51.58	31,721.70
1.38	6-in Gate Valve Assembly	EA	1	1.00		1.00	\$1,768.42	1,768.42
1.39	Fire Hydrant Assembly	EA	1	1.00		1.00	\$6,825.26	6,825.26
1.40	Erosion Control Fabric	SY	*255	0.00	255.00	255.00	\$9.00	2,295.00
1.41	Filter Fabric Fence	LF	*180	0.00	180.00	180.00	\$5.00	900.00
1.42	Foundation Material for Trench	CY	*0	0.00		0.00	\$88.42	0.00
1.43	Trench Safety - Storm Sewer	LF	*787	787.00		787.00	\$1.50	1,180.50
1.44	Trench Safety - Water	LF	615	615.00		615.00	\$1.50	922.50
1.45	Miscellaneous Allowance	AL	0	0.00		0.00	*\$0.00	0.00
*1.46	4ftx4ft Junction Box Material Cost: Box was purchased and found to not be required due to change in conditions	1	1	0.00	1.00	1.00	\$3,200.00	3,200.00

* 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: 3-26-24
Approved: CITY OF MINEOLA
By: _____
Date: _____

Total Amount to Date	\$837,573.40
Material on Hand	\$0.00
Less 0% Retainage	\$0.00
Net Total	\$837,573.40
Less Previous Payments	\$786,389.48
Amount Payable to Contractor This Estimate	\$51,183.92

CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner: City of Mineola Owner's Contract No.: N/A
 Contractor: Craig's Dirt Service Contractor's Project No.: N/A
 Engineer: KSA Engineers, Inc. Engineer's Project No.: 100188
 Project: Park Central Road Extension Contract Name: Park Central Road Extension

This Final Certificate of Substantial Completion applies to:

All Work The following specified portions of the Work:

3-2-2024
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> By: <u></u></p> <p>(Authorized signature) Contractor (Authorized Signature)</p> <p>Title: <u>Project Manager</u> Title: <u>President</u></p> <p>Date: <u>3-13-24</u> Date: <u>3-22-24</u></p>	<p>RECEIVED:</p> <p>RECEIVED:</p>
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Supplier or subcontractor providing labor, materials, services and/or equipment (Column A)	TOTAL purchases to date of labor, materials, services and/or equipment (Column B)	CURRENT MONTH purchases of labor, materials, services, and/or equipment (Column C)	Total amount paid to date (Column D)	Total amount unpaid to date (Column B - Column D)
MC Concrete	288677.95		276856.56	11821.39
4M Construction	279142		262524.9	13957.1

*NOTE: Include all materials delivered, work performed or services provided WHETHER OR NOT PAYMENT IS CURRENTLY DUE. Include in first application, all suppliers & subcontractors to be used through subcontract completion.

4 In consideration for the payment requested in this Application for Payment, the undersigned SUBCONTRACTOR HEREBY RELEASES ALL TEXAS GOVERNMENT CODE BOND CLAIMS, TEXAS PROPERTY CODE CLAIMS, MILLER ACT BOND CLAIMS, MECHANIC'S LIEN, EQUITABLE LIEN RIGHTS, & ALL OTHER CLAIMS FOR PAYMENT ARISING OUT OF LABOR, MATERIAL, EQUIPMENT, SUBCONTRACT WORK, SERVICES, DELAYS, EXTRA WORK AND/OR CHANGES RELATED TO SUBCONTRACT WORK AT PROJECT UNLESS SPECIFICALLY LISTED BELOW. UPON PAYMENT OF SUBCONTRACTOR'S APPLICATION FOR PAYMENT THIS INSTRUMENT SHALL CONSTITUTE FULL RELEASE OF ALL RIGHTS, CLAIMS, & DEMANDS THROUGH THE DATE OF THIS APPLICATION EXCEPT AS LISTED BELOW.

EXECUTED on this the 22nd day of March 2024

SUBCONTRACTOR:
Craig's Dirt Service
 By: [Signature]
 Title: Project Manager

SWORN TO AND SUBSCRIBED before me, under my official hand and seal of office on this 22 day of March 2024, by David McClellan

[Signature] Monica Choy
 Notary Public, State of TX
 My Commission Expires 10-21-2024

A FALSE CERTIFICATION OF BILLS PAID ON WHICH PAYMENT IS MADE IS A CRIMINAL OFFENSE UNDER TEXAS LAW. IT IS THE PRIME CONTRACTOR'S POLICY TO REFER ALL FALSE CERTIFICATIONS TO APPROPRIATE AUTHORITIES FOR PROSECUTION.

