



January 19, 2023

President Zeigler and Board of Managers
Riley-Purgatory-Bluff Creek Watershed District
18681 Lake Drive East
Chanhassen, MN 55317

**Re: Lower Riley Creek Stabilization Project – Pay Application #10
Barr Project # 23/27-0053.14-014**

Dear President Zeigler and Board of Managers:

Enclosed is the Application for Progress Payment #10 from Rachel Contracting, LLC. for work completed through December 31, 2022, on the above-referenced project. Upon your review and approval, please sign and return one copy to me. Barr will distribute a scan to the contractor and RPBCWD Administrator for district files.

Since the last payment application Rachel Contracting and their subconsultant have been responsive to all requests for information, requested release of additional retainage, and provided the necessary IC 134 forms to close out the project.

After reviewing the specification sections related to vegetation and establishment (32 93 10), a final walk-thru to verify vegetation establishment as well as replacements (if needed) must occur before final close-out (32 93 10 subsection 3.14 and 3.15). Barr Engineering's review of the site in July 2022 identified several trees that may need replacing. Landbridge, the vegetation subcontractor for the project, submitted the required vegetation reports identifying 20 dead trees with wildlife damage. This represents roughly 20% of the 96 trees installed with the project. We continue to work with Rachel and their subcontractor to coordinate a site walk in spring 2023 to determine the final acceptance of the vegetation establishment.

Barr Engineering has reviewed the application for payment, confirmed that the work for which payment is requested has been performed, believes to the best of our knowledge that the work has been performed in accordance with the terms of the contract with the Riley Purgatory Bluff Creek Watershed District, and is recommending payment in the amount of **\$17,009.89** to release additional retainage. The retainage balance held by the district is sufficient to cover the remaining work under contract (i.e., potential vegetation warranty items). Payments should be made directly to Rachel Contracting, LLC.

Please call me at 952-832-2755 if you have any questions or concerns about the application for payment, or about any other related matters.

Sincerely,

A handwritten signature in black ink that reads "Scott Sobiech".

Digitally signed by Scott Sobiech
Date: 2023.01.19 13:51:18 -06'00'

Scott Sobiech, P.E.
Barr Engineering Co.

c: Terry Jeffery, RPBCWD
Dave Lyste, Rachel Contracting, Inc.
Enclosure #1 – Application for Payment – Progress Payment 10

**Lower Riley Creek Stabilization Project
Progress Payment Number 10**

Date: 1/19/2023 **For Period:** 11/1/2022 to: 12/31/2022

1	Total Completed Through This Period	<u>\$1,993,302.31</u>	
2	Total Completed Through Previous Period	<u>\$1,993,302.31</u>	
3	Total Completed This Period (Line 1 - 2)		<u>\$0.00</u>
4	Amount Retained, Previous Period	<u>\$44,019.77</u>	
5	Amount Retained, This Period (See Note 1)	<u>\$0.00</u>	
6	Total Amount Retained (Line 4 + 5)	<u>\$44,019.77</u>	
7	Retainage Released This Period		<u>\$17,009.89</u>
8	Total Retainage Released Through This Period	<u>\$39,019.78</u>	
9	Retainage Held by District (Line 6 - 8)	<u>\$5,000.00</u>	
10	Liquidated Damages (see note 2)	<u>\$0.00</u>	
11	Amount Due This Period (Line 3 - 5 + 7 - 10)		<u><u>\$17,009.89</u></u>

Notes:

- 1: At rate of 5% until Completed to Date equals 50% of current Contract Price and a rate of 0% thereafter based on November 2019 contract with Rachel Contracting, LLC.
- 2: Based on contractual provisions.

CONTRACTOR'S CERTIFICATION

The undersigned Contractor certifies, to the best of its knowledge, the following:

- 1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
- 2) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.
- 3) 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 Property 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 Property Owner indemnifying Property Owner against any such liens, security interest, or encumbrances).

SUBMITTED BY:

Name: Dave Lyste Date: _____

Title: Vice President

Contractor: Rachel Contracting, LLC


Signature: 
Dave Lyste (Jan 19, 2023 14:07 CST)

RECOMMENDED BY:

Name: Scott Sobiech Date: _____

Title: District Engineer

Engineer: Barr Engineering Company

Signature:  Digitally signed by Scott Sobiech
Date: 2023.01.19 13:51:53 -06'00'

APPROVED BY:

Name: _____ Date: _____

Title: _____

Owner: Riley Purgatory Bluff Creek Watershed District

Signature: _____

Lower Riley Creek Stabilization Project
Piley Purgatory Bluff Creek Watershed District
Summary of Work Completed Through October 31, 2022 - for Progress Payment Number 9

1.04 Item	Description	Unit	Estimated Quantity	Unit Price	Extension	(1) Total Completed Through This Period		Percent Complete	(6) Total Completed This Period	
						Quantity	Amount		Quantity	Amount
A	Mobilization	L.S.	1	\$ 132,210.00	\$ 132,210.00	1	\$132,210.00	100%	0	\$0.00
B	Control of Water	L.S.	1	\$ 118,950.00	\$ 118,950.00	1	\$118,950.00	100%	0	\$0.00
C	Traffic Control	L.S.	1	\$ 6,240.00	\$ 6,240.00	1	\$6,240.00	100%	0	\$0.00
D	Rock Construction Entrance	Each	2	\$ 24,270.00	\$ 48,540.00	2	\$48,540.00	100%	0	\$0.00
E	Silt Fence, Type MS	L.F.	3,600	\$ 4.20	\$ 15,120.00	0	\$0.00	0%	0	\$0.00
F	Sediment Control Log, Type Compost	L.F.	8,900	\$ 4.80	\$ 42,720.00	8900	\$42,720.00	100%	0	\$0.00
G	Floating Silt Curtain	Each	1	\$ 1,390.00	\$ 1,390.00	1	\$1,390.00	100%	0	\$0.00
H	Inlet Protection	Each	6	\$ 317.00	\$ 1,902.00	6	\$1,902.00	100%	0	\$0.00
I	Street Sweeping	L.S.	1	\$ 7,170.00	\$ 7,170.00	1	\$7,170.00	100%	0	\$0.00
J	Temporary Stream Crossing	Each	1	\$ 18,270.00	\$ 18,270.00	1	\$18,270.00	100%	0	\$0.00
K	Clearing and Grubbing (Medium Density)	Acre	3	\$ 8,110.00	\$ 25,952.00	3.2	\$25,952.00	100%	0	\$0.00
L	Select Tree Removal and Salvage with Root Wad (8-12" Diameter)	Each	63	\$ 156.50	\$ 9,859.50	60	\$9,390.00	95%	0	\$0.00
L	Select Tree Removal and Salvage with Root Wad (Greater than 12" Diameter)	Each	63	\$ 197.00	\$ 12,411.00	63	\$12,411.00	100%	0	\$0.00
M	Channel Clean-up, Debris Removal and Disposal	L.S.	1	\$ 4,530.00	\$ 4,530.00	1	\$4,530.00	100%	0	\$0.00
N	Remove Storm Sewer (12" to 27" RCP and FES) - CO#2	L.F.	76.8	\$ 58.80	\$ 4,515.84	76.8	\$4,515.84	100%	0	\$0.00
O	Remove Storm Sewer Manhole (48" Diameter) - CO#2	Each	1	\$ 2,360.00	\$ 2,360.00	1	\$2,360.00	100%	0	\$0.00
P	Remove Bituminous Path	S.Y.	590	\$ 8.60	\$ 5,074.00	667	\$5,736.20	113%	0	\$0.00
Q	Furnish & Install Manhole (48" Diameter) - CO#2	Each	1	\$ 5,780.00	\$ 5,780.00	1	\$5,780.00	100%	0	\$0.00
Q	Furnish & Install Manhole (60" Diameter)	Each	2	\$ 8,040.00	\$ 16,080.00	2	\$16,080.00	100%	0	\$0.00
R	Connect to Existing Manhole	Each	1	\$ 1,950.00	\$ 1,950.00	1	\$1,950.00	100%	0	\$0.00
S	Salvage and Install Manhole Casting - CO#2	Each	1	\$ 710.00	\$ 710.00	1	\$710.00	100%	0	\$0.00
T	Furnish & Install Manhole Casting	Each	2	\$ 849.00	\$ 1,698.00	2	\$1,698.00	100%	0	\$0.00
U	Furnish & Install Storm Sewer, 15" RC Pipe Class III - CO#2	L.F.	29	\$ 100.00	\$ 2,880.00	29	\$2,900.00	101%	0	\$0.00
V	Furnish & Install Storm Sewer, 15" RC FES - CO#2	Each	1	\$ 2,890.00	\$ 2,890.00	1	\$2,890.00	100%	0	\$0.00
U	Furnish & Install Storm Sewer, 27" RC Pipe Class III	L.F.	27	\$ 159.00	\$ 4,293.00	27	\$4,293.00	100%	0	\$0.00
V	Furnish & Install Storm Sewer, 27" RC FES	Each	1	\$ 3,980.00	\$ 3,980.00	1	\$3,980.00	100%	0	\$0.00
U	Furnish & Install Storm Sewer, 36" RC Pipe Class III	L.F.	27	\$ 237.00	\$ 6,399.00	27	\$6,399.00	100%	0	\$0.00
V	Furnish & Install Storm Sewer, 36" RC FES	Each	2	\$ 6,780.00	\$ 13,560.00	2	\$13,560.00	100%	0	\$0.00
W	Common Excavation (P)	C.Y.	5,650	\$ 10.70	\$ 60,455.00	5650	\$60,455.00	100%	0	\$0.00
X	Grading (P)	S.Y.	23,480	\$ 1.70	\$ 39,916.00	23480	\$39,916.00	100%	0	\$0.00
Y	Furnish & Install Class II Fieldstone Riprap - CO#2	Ton	3,129	\$ 54.90	\$ 171,760.14	3231.6	\$177,414.84	103%	0	\$0.00
Y	Furnish & Install Class III Fieldstone Riprap - CO#2	Ton	174	\$ 54.90	\$ 9,552.60	179.26	\$9,841.37	103%	0	\$0.00
Z	Furnish & Install Granular Filter Aggregate - CO#2	Ton	2,056	\$ 51.30	\$ 105,477.93	3862	\$198,120.60	188%	0	\$0.00
AA	Furnish & Install Boulder Vane, no Footers - CO#2	L.F.	520	\$ 73.30	\$ 38,116.00	577	\$42,294.10	111%	0	\$0.00
AA	Furnish & Install Boulder Vane, with Footers - CO#2	L.F.	1,390	\$ 73.30	\$ 101,887.00	1432	\$104,965.60	103%	0	\$0.00
BB	Install Log Vane - CO#2	Each	57	\$ 262.50	\$ 14,962.50	59	\$15,487.50	104%	0	\$0.00
CC	Install Toe Wood - CO#2	L.F.	513	\$ 45.80	\$ 23,472.50	592	\$27,113.60	116%	0	\$0.00
DD	Furnish & Install VRSS	L.F.	4,190	\$ 27.70	\$ 116,063.00	4657	\$128,998.90	111%	0	\$0.00
EE	Import Topsoil	C.Y.	2,110	\$ 18.30	\$ 38,613.00	4672	\$85,497.60	221%	0	\$0.00

1.04 Item	Description	Unit	Estimated Quantity	Unit Price	Extension	(1) Total Completed Through This Period		Percent Complete	(6) Total Completed This Period	
						Quantity	Amount		Quantity	Amount
FF	Seed Area	Acre	5.22	\$ 637.00	\$ 3,325.14	5.66	\$3,605.42	108%	0	\$0.00
GG	Cover Crop Seed Mix	Lbs.	140	\$ 1.70	\$ 238.00	160	\$272.00	114%	0	\$0.00
GG	Floodplain Forest Seed Mix	Lbs.	80	\$ 86.90	\$ 6,952.00	80	\$6,952.00	100%	0	\$0.00
GG	Upland Construction Seed Mix	Lbs.	17	\$ -	\$ -	5	\$0.00	29%	0	\$0.00
HH	Plant Shrub, Bare Root	Each	1,934	\$ 11.00	\$ 21,274.00	1934	\$21,274.00	100%	0	\$0.00
HH	Plant Shrub, #2 Container	Each	309	\$ 64.30	\$ 19,868.70	309	\$19,868.70	100%	0	\$0.00
II	Plant Tree, Bare Root	Each	43	\$ 41.10	\$ 1,767.30	43	\$1,767.30	100%	0	\$0.00
II	Plant Tree, 2.5" Ball & Burlap	Each	53	\$ 666.00	\$ 35,298.00	53	\$35,298.00	100%	0	\$0.00
JJ	Furnish & Install Erosion Control Blanket Category 3N	S.Y.	20,000	\$ 2.40	\$ 48,000.00	27327	\$65,584.80	137%	0	\$0.00
KK	Furnish & Install Straw Mulch	S.Y.	5,220	\$ 2.60	\$ 13,572.00	1669	\$4,339.40	32%	0	\$0.00
LL	Bituminous Path	S.Y.	590	\$ 60.70	\$ 35,813.00	667	\$40,486.90	113%	0	\$0.00
MM	Furnish & Install Buffer Markers	Each	76	\$ 227.50	\$ 17,290.00	76	\$17,290.00	100%	0	\$0.00
NN	Vegetation Establishment and Warranty Period (Three Years)	L.S.	1	\$ 14,590.00	\$ 14,590.00	1	\$14,590.00	100%	0	\$0.00
PP	Import Boulders - CO#2	Ton	824	\$ 67.40	\$ 55,544.34	1047.74	\$70,617.68	127%	0	\$0.00
Total Base Bid:					\$ 1,511,242.49					

Bid Add Alternate						(1) Total Completed Through This Period		Percent Complete	(12) Total Completed This Period	
Item	Description	Unit	Estimated Quantity	Unit Price	Extension	Quantity	Amount		Quantity	Amount
OO	Pre-Fabricated Pedestrian Birdge and Footings	L.S.	1	\$ 120,750.00	\$ 120,750.00	1	\$120,750.00	100%	0	\$0.00
Total Including Alternate:					\$ 1,631,992.49		\$1,815,328.35			\$0.00

Change Order #2 Additions

1.04 Item	Description	Unit	Estimated Quantity	Unit Price	Extension	Quantity	Amount		Quantity	Amount
V	Furnish & Install Storm Sewer, 12" RC FES	L.S.	1	\$ 3,420.00	\$ 3,420.00	1	\$3,420.00	100%	0	\$0.00
QQ	Install geotextile fabric (based on planned quantity)	S.Y.	935	\$ 5.77	\$ 5,394.95	935	\$5,394.95	100%	0	\$0.00
RR	Import Common (load count based on 16 CY per load)	C.Y.	2000	\$ 38.22	\$ 76,440.00	3088	\$118,023.36	154%	0	\$0.00
SS	Furnish & Install Class IV Fieldstone Riprap	Ton	220	\$ 62.10	\$ 13,662.00	110.78	\$6,879.44	50%	0	\$0.00
TT	Export Unsuitable Soil	C.Y.	300	\$ 49.27	\$ 14,781.00	588	\$28,970.76	196%	0	\$0.00
UU	Restocking of materials associated with storm structure (Sta. 40+19)	L.S.	1	\$ 3,690.95	\$ 3,690.95	1	\$3,690.95	100%	0	\$0.00
VV	Additional cost for storm sewer installation (Sta. 44+48)	L.S.	1	\$ 21,427.50	\$ 21,427.50	1	\$21,427.50	100%	0	\$0.00
XX	Toewood option 1 (Detail 3/D-11)	L.F.	0	\$ 45.80	\$ -	0	\$0.00	0%	0	\$0.00
YY	Toewood option 2 (Detail 4/D-11)	L.F.	0	\$ 78.60	\$ -	0	\$0.00	0%	0	\$0.00
ZZ	Cedar tree revetment (Per detail 5/D-11) (to be used in place of log vane as directed)	Each	0	\$ 998.00	\$ -	0	\$0.00	0%	0	\$0.00
Total of CO#2 Additions =					\$138,816.40		\$187,806.96			\$0.00

Change Order #3 Revisions

1.04 Item	Description	Unit	Estimated Quantity	Unit Price	Extension	Quantity	Amount		Quantity	Amount
GG	Fescue Seed Mix	LBS	100	\$ 3.70	\$ 370.00	150	\$555.00	150%	0	\$0.00
	Tree substitution Reduction	Each	53	\$ (196.00)	\$ (10,388.00)	53	-\$10,388.00	100%	0	\$0.00
Total of CO#2 Additions =					-\$10,018.00		-\$9,833.00			\$0.00
Total Extensions					\$1,760,790.89		\$1,993,302.31			\$0.00









Riley Creek Progress Payment Number 10_combinedss

Final Audit Report

2023-01-19

Created:	2023-01-19
By:	Scott Sobiech (SSobiech@barr.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAbpu0h71VOIkJYcJMaG6DUoimz-DDHevn

"Riley Creek Progress Payment Number 10_combinedss" History

-  Document digitally presigned by Scott Sobiech (ssobiech@barr.com)
2023-01-19 - 7:51:18 PM GMT- IP address: 50.232.210.26
-  Document digitally presigned by Scott Sobiech (ssobiech@barr.com)
2023-01-19 - 7:51:53 PM GMT- IP address: 50.232.210.26
-  Document created by Scott Sobiech (SSobiech@barr.com)
2023-01-19 - 7:55:21 PM GMT- IP address: 50.232.210.26
-  Document emailed to dlyste@rachelcontracting.com for signature
2023-01-19 - 7:55:40 PM GMT
-  Email viewed by dlyste@rachelcontracting.com
2023-01-19 - 7:55:46 PM GMT- IP address: 40.94.30.254
-  Signer dlyste@rachelcontracting.com entered name at signing as Dave Lyste
2023-01-19 - 8:07:46 PM GMT- IP address: 205.169.46.242
-  Document e-signed by Dave Lyste (dlyste@rachelcontracting.com)
Signature Date: 2023-01-19 - 8:07:48 PM GMT - Time Source: server- IP address: 205.169.46.242
-  Agreement completed.
2023-01-19 - 8:07:48 PM GMT