

CITY COUNCIL PROCEEDINGS

June 9, 2010

The City Council of the City of David City, Nebraska, met in open public session in the meeting room of the City Office, 557 N 4th Street, David City, Nebraska. The Public had been advised of the meeting by publication of notice in The Banner Press on June 3rd, and an affidavit of the publisher is on file in the office of the City Clerk. The Mayor and members of the City Council acknowledged advance notice of the meeting by signing the Agenda which is a part of these minutes. The advance notice to the Public, Mayor, and Council members conveyed the availability of the agenda, which was kept continuously current in the office of the City Clerk and was available for public inspection during regular office hours. No new items were added to the agenda during the twenty-four hours immediately prior to the opening of the Council meeting.

Present for the meeting were: Mayor Dana Trowbridge, Council members Bill Scribner, Mike Rogers, Gary Smith, Nick Hein, and Bill Yindrick, City Administrator Jon Holmes, Attorney Tim Wollmer, and City Clerk-Treasurer Joan Kovar. Council member Kroesing was absent due to a recent surgery.

The meeting opened with the Pledge of Allegiance.

Mayor Trowbridge informed the public of the "Open Meetings Act" posted on the east wall of the meeting room and Resolution No. 2-2008 establishing rules and procedures for public participation at city council meetings.

The minutes of the May 12th and May 28th, 2010 meetings of the Mayor and City Council were approved upon a motion by Council member Hein and seconded by Council member Smith. Voting AYE: Council members Scribner, Smith, Hein, and Rogers. Voting NAY: None. Council members Yindrick and Kroesing were absent. The motion carried.

Council member Yindrick arrived at 7:03 p.m.

Mayor Trowbridge asked for consideration of claims. Council member Smith made a motion to authorize the payment of claims. Council member Rogers seconded the motion. Voting AYE: Council members Scribner, Hein, Yindrick, Rogers, and Smith. Voting NAY: None. Council member Kroesing was absent. The motion carried.

Mayor Trowbridge called for Committee and Officer Reports. Mayor Trowbridge stated, "I didn't know that the Library delivers books to St. Joseph's Villa/Court and David Place and the Library is to be commended for doing things like that."

Street Superintendent Jim McDonald stated that Banner Press will run an ad in this week's paper stating that the Recycling Center will now be open on Thursdays from 1:00 p.m. to 3:00 p.m. and on Saturdays from 10:00 a.m. to 2:00 p.m... The ad will also state that "D" Street bricks will be on sale until July 10, 2010 for 50¢ each. After the 30 day period the remaining bricks will be offered on a wholesale basis

City Clerk Kovar reported that Joy Fountain called to report that the fire marshal stopped at Scout Hall today. The fire marshal will not allow the Friends of the Scouts to sell fireworks from inside the Scout Hall building at 660 N 5th Street. Therefore, the fireworks will be sold from outside the building.

Council member Hein made a motion to approve the Committee and Officer Reports as presented. Council member Scribner seconded the motion. Voting AYE: Council members Smith, Yindrick, Rogers, Scribner, and Hein. Voting NAY: None. Council member Kroesing was absent. The motion carried.

The following letter had been received by the City:

David City Public Schools

May 27, 2010

Mayor and City Council
557 N. 4th Street
David City, NE 68632

To: David City Mayor and David City Council

The Board of Education of David City Public Schools is making this formal request to close the current city street from E to F on 8th Street. This location is immediately west of the elementary building. The school district owns the property on both sides of this street from the railroad track to E Street. We are making this request to allow for construction of an addition to the current building as we described in correspondence to you which was dated January 25, 2010.

If you need any further information from me or from the Board of Education please contact me.

Sincerely,
Jerry Phillips, Superintendent, David City Public Schools

Mayor Trowbridge stated that the David City Public Schools would like to add a gym on to the west side of the existing elementary school. The school currently owns the property on both sides of 8th Street between E Street and the Union Pacific Railroad. They have requested that 8th Street be vacated between "E" Street and the Union Pacific Railroad.

City Code states that notice shall be given to all abutting property owners either by First (1st) Class mail to their last known address or if there is no known address then by publishing the notice in a newspaper that is of general circulation in the Municipality. The David City Public Schools owns all abutting property on 8th Street between "E" Street and the Union Pacific Railroad (F Street). City Clerk Kovar did, however, mail letters to the property owners in the block north: Doug & Jeanne' Osborn, Ben & Nancy Syring, Brian & Tonya Zegers, Mike & Pat McCracken, and Tammie McCombs.

Council member Hein introduced Ordinance No. 1127, vacating 8th Street between "E" Street and the Union Pacific Railroad Right-of-Way ("F"). Council member Smith made a motion to pass Ordinance No. 1127 on the first reading only. Council member Yindrick seconded the motion. Voting AYE: Council members Scribner, Rogers, Hein, Yindrick, and Smith. Voting NAY: None. Council member Kroesing was absent. The motion carried.

ORDINANCE NO. 1127

AN ORDINANCE VACATING 8TH STREET FROM "E" STREET TO THE UNION PACIFIC RIGHT OF WAY ("F"), DAVID CITY, NEBRASKA, PROVIDING FOR THE FILING OF CLAIMS AND ASCERTAINMENT OF ALL DAMAGES SUSTAINED BY THE CITIZENS OF SAID CITY AND BY THE OWNERS OF PROPERTY THEREIN, PROVIDING FOR THE EFFECTIVE DATE, AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA:

SECTION 1. That 8th Street from "E" Street to the Union Pacific Right of Way is hereby vacated.

SECTION 2. That the vacation of 8th Street from "E" Street to the Union Pacific Right of Way was requested by The Board of Education of David City Public Schools.

SECTION 3. That the vacation of 8th Street from "E" Street to the Union Pacific Right of Way is in the best interest of the City of David City, Nebraska.

SECTION 4. That the City of David City, Nebraska shall retain all utility easements located in the portion of the street herein vacated as needed.

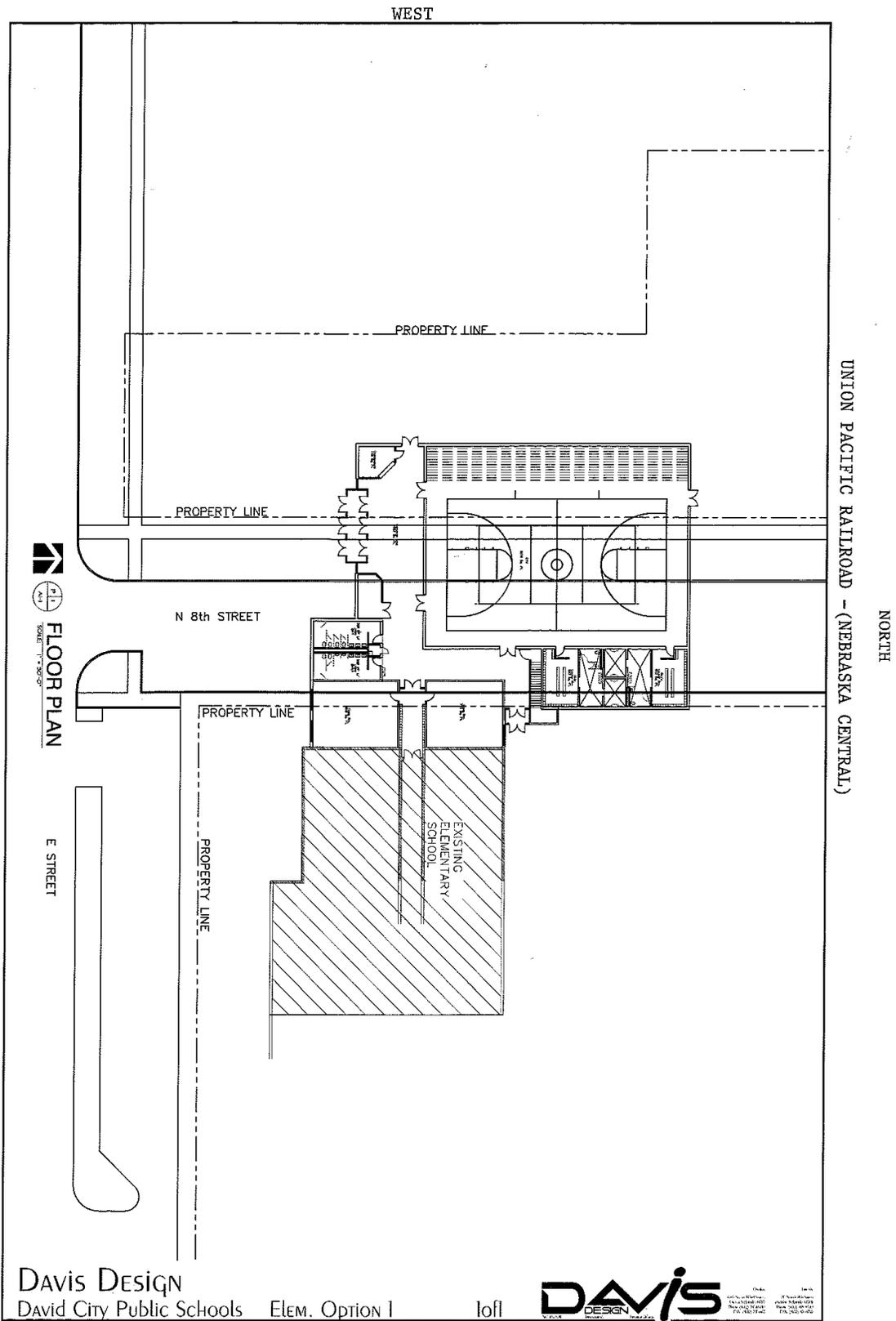
SECTION 5. That any citizen of the City or any owner of property therein may file a claim with City Clerk of said City on or before the 12th day of July, 2010, for any and all damages sustained by the vacation aforesaid.

SECTION 6. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this _____ day of _____, 2010.

(Passed on 1st reading only 5-09-10)
Mayor Dana Trowbridge

(Passed on 1st reading only 5-09-10)
City Clerk Joan E. Kovar



Davis Design

David City Public Schools ELEM. Option I

1 of 1



Lincoln, NE
3030 N. 17th Street
Lincoln, NE 68504
Phone: (402) 426-1234
Fax: (402) 426-1234
www.davisdesign.com

Council member Hein made a motion to approve the application of Scott Samek to sell permissible fireworks at 375 Nebraska Street (Amigo's). Council member Smith seconded the motion. Voting AYE: Council members Scribner, Rogers, Yindrick, Smith, and Hein. Voting NAY: None. Council member Kroesing was absent. The motion carried.

Mayor Trowbridge stated, "I feel remiss, I was going to make a big deal of this being Jon's first official meeting and I'm sorry that I didn't do that. We welcome you; it has been a pleasure this last week." {City Administrator Jon A. Holmes first official day was Monday, June 7, 2010}

Council member Hein made a motion to adopt Section 504 Rehabilitation Act of 1973 Americans with Disabilities Act of 1990. Council member Rogers seconded the motion. Voting AYE: Council members Smith, Scribner, Yindrick, Rogers, and Hein. Voting NAY; None. Council member Kroesing was absent. The motion carried.

**LOCAL PUBLIC AGENCY (LPA)
CITY OF DAVID CITY, NEBRASKA**

**SECTION 504- REHABILITATION ACT OF 1973
AMERICANS WITH DISABILITIES ACT OF 1990**

POLICY STATEMENT

The CITY OF DAVID CITY hereby referenced as Local Public Agency (LPA) will ensure that no qualified disabled individual shall, solely on the basis of their disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any of its programs, services, or activities as provided by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA). The CITY OF DAVID CITY further ensures that every effort will be made to provide nondiscrimination in all of its programs of activities regardless of the funding source.

For this purpose, a disabled person is any person who:

- Has a physical or mental impairment that substantially limits one or more life activities,
- Has a record of such an impairment, or
- Is regarded as having such an impairment

AUTHORITIES

Section 504 of the Rehabilitation Act of 1973, as amended, provides that "No otherwise qualified disabled individual in the United States, as defined in section 7(6), shall, solely by reason of his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program of activity receiving Federal financial assistance."

29 USC 794 (October 29, 1992 to the Rehabilitation Act of 1973) substitutes "a disability" for handicap".

49 CFR Part 27.13 (Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or benefiting from Federal Financial Assistance) states, "This part applies to each recipient of Federal Financial assistance from the Department of Transportation and to each program or activity that receives benefits from such assistance".

49 CFR Part 28.102 (Enforcement of Nondiscrimination on the Basis of Disability in Programs or Activities Conducted by the Department of Transportation) states, "This part applies to all programs or activities conducted by the Department of Transportation except for programs and activities conducted outside the United States that do not involve individuals with disabilities in the United States."

28 CFR Part 35 (Judicial Administration) states that: "The purpose of this part is to effectuate Subtitle A of Title II of the ADA which prohibits discrimination on the basis of disabilities by public entities.

49 CFR Part 27 (Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or benefiting from Federal Financial Assistance) states, "The purpose of this part is to carry out the intent of Section 504 of the Rehabilitation Act of 1973 (29 USC 794) as amended, to the end that no otherwise qualified disabled individual in the United States shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Financial Assistance".

49 CFR Part 28-140 (Employment) states that, "(a) No qualified individual with disabilities shall, on the basis of disability, be subjected to discrimination in employment under any program or activity conducted by the Department," and "(b) The definitions, requirements, and procedures of Section 504 of the Rehabilitation Act of 1973 (29 USC 791), as established by the Equal Employment Opportunity commission in 29 CFR part 1613, shall apply to employment in federally conducted programs or activities.

29 CFR Part 1613 (Equal Employment Opportunity in the Federal Government) states that: "It is the policy of the Government of the United States.....to provide equal opportunity in employment for all persons to prohibit discrimination in employment because of race, color, religion, sex, or national origin and to promote the full realization of equal employment opportunity through a continuing affirmative program in each agency."

42 USC Part 12101-12213 (the Americans with Disabilities Act of 1990) states that: "No covered entity shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment."

ORGANIZATION

The section 504/ADA Compliance Coordinator for the City of David City is the CITY ADMINISTRATOR.

SECTION 504 / ADA COMPLIANCE COORDINATOR RESPONSIBILITIES

- Monitoring the LPA's current policies and practices for implementing 504/ADA

- Identifying shortcomings in compliance and developing remedies
- Evaluating remedial steps taken to eliminate the effects of discrimination
- Monitoring compliant procedures that incorporate appropriate due process standards and providing for prompt and equitable resolution of complaints and action prohibited by 504/ADA
- Ensuring agency compliance with 504/ADA
- Collaborating and coordinating with the heads of major divisions and departments to enable 5604/ADA compliance efforts
- Establishing and maintaining collaborative relationships with critical external stakeholders, such as disability advocacy groups and organizations.
- Monitoring the agency's 504/ADA Transition Plan to ensure that all department facilities remain in compliance with applicable accessibility standards.
- Monitoring established procedures to ensure that requested auxiliary aids are provided for persons
- Conducting annual reviews of 504/ada program areas.
- Conducting 504/ADA training programs for managers and employees
- Preparing a report of 504/ADA accomplishments and problem areas for the NDOR Annual Report to FHWA
- Monitoring of the 504/ADA information for dissemination to the general public, including the "Notice to the Public" offer to provide reasonable accommodation, upon request.
- Identifying, investigating, and eliminating 504/ADA discrimination when found to exist.

SECTION 504/ADA NOTICE TO PUBLIC

The City of David City does not discriminate on the basis of disability in admission of its programs, services, or activities, in access to them, in treatment of individuals with disabilities, or in any aspect of their operations. The City of David City also does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990. Questions, complaints, or requests for additional information or accommodation regarding Section 504 and the ADA may be forwarded to the designated Section 504/ADA Compliance Coordinator:

Name and Title:	City Administrator
Phone Number:	402-367-3135 Extension #14
Office Address:	557 North 4 th Street, David City, NE 68632
Days/Hours Available	Monday through Friday Summer Hours: Tuesday after Memorial Day thru Labor Day 7:30 a.m. - 4:00 p.m. Winter Hours: Tuesday after Labor Day thru Memorial Day 8:00 a.m. - 5:00 p.m.

SECTION 504/ADA SELF EVALUATION

The city will perform a self evaluation of the Section 504/ADA process by July 1st of each calendar year.

SECTION 504/ADA TRANSITION PLAN

A Section 504/ADA transition plan was developed for accessibility in the public Right-Of-Ways in 2009. The city will perform a self evaluation of progress on the Section 504/ADA transition plan by July 1st of each calendar year.

COMPLAINT PROCEDURES

1. Any person who believes that they, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the LPA. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the City of David City's Section 504/ADA Compliance Coordinator for review and action.
2. In order to have the complaint consideration under the procedure, the complainant must file the complaint no later than 180 days after:
 - A. The date of alleged act of discrimination; or
 - B. Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the LPA or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth, as fully as possible, the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the LPA, the person shall be interviewed by the Section 504/ADA Compliance Coordinator who will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the LPA's investigative procedures.
4. Within 10 days, the Section 504/ADA Compliance coordinator will acknowledge receipt of the allegation, inform the complainant of procedures to be followed, and advise the complainant of other avenues of redress available, such as NDOR, USDOT or other applicable federal agency.
5. The LPA will advise the NDOR (or other applicable federal agency) within 10 days of receipt of the allegations. Generally, the following information will be included in every notification:
 - A. Name, address, and phone number of the complainant.

- B. Name(s) and address(es) of alleged discriminating official(s).
 - C. Basis of complaint (i.e., race, color, national origin or sex).
 - D. Date of alleged discriminatory act(s).
 - E. Date of complaint received by the LPA.
 - F. A statement of the complaint.
 - G. Other agencies (state, local or federal) where the complaint has been filed.
 - H. An explanation of the actions the LPA has taken or proposed to resolve the issue raised in the complaint.
6. If the complaint involves a federal aid transportation project, the NDOR will forward the complaint to FHWA. The FHWA Office of Civil Rights will determine the appropriate individual and/or organization to conduct the investigation. If the complaint involves a federal aid program or project that is not transportation related, the city will forward the complaint to the appropriate state or federal agency administering the grant.
7. Within 60 days the Section 504/ADA Compliance Coordinator will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the head of the LPA. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
8. Within 90 days of receipt of the complaint, the head of the LPA will notify the complainant in writing of the final decision reached including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with NDOR, USDOT or other applicable federal agency, if they are dissatisfied with the final decision rendered by the LPA. The Section 504/ADA Compliance coordinator will also provide NDOR (or other applicable state or federal agency) with a copy of this decision and summary of findings upon completion of the investigation.
9. Any complaints received against the LPA should immediately be forwarded to NDOR (or other applicable federal agency) for investigation. The LPA will not investigate any complaint in which it has been named in the complaint.
10. Questions, complaints or requests for additional information or accommodation regarding Section 504 and the ADA may be forwarded to the Section 504/ADA Compliance Coordinator:

Name and Title:	City Administrator
Phone Number:	402-367-3135 extension #14
Office Address:	557 North 4 th Street, David City, NE 68632
Days/Hours Available:	Monday through Friday
	Summer Hours:
	Tuesday after Memorial Day thru Labor Day
	7:30 a.m. - 4:00 p.m.
	Winter Hours:
	Tuesday after Labor Day thru Memorial Day
	8:00 a.m. - 5:00 p.m.

REASONABLE ACCOMMODATION PROCEDURES

The city will develop reasonable accommodation procedures before July 1st of 2010 for incorporation into this policy.

ASSURANCES

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (29 USC 794), the City of David City, desiring to avail itself of federal financial assistance from the US Department of Transportation (or other applicable federal agency), hereby gives assurance that no qualified disabled person shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, including discrimination in employment, under any program or activity that receives or benefits from this federal financial assistance.

The City of David City further assures that its programs will be conducted, and its facilities operated, in compliance with all requirements imposed by or pursuant to 49CFR Part 27, 28 CFR Part 35 and 42 USC 12101-12213.

PASSED AND APPROVED this 9th day of June, 2010.

Mayor Dana Trowbridge

City Clerk Joan Kovar

Matt Rief of Olsson Associates presented the following Change Order and the Pay Request of \$11,572.91 to Castle Construction. Matt explained that at the beginning the entire project is based on estimated quantity and unit price. Matt stated, "There is a light pole that is not working right now, there is a globe with duct tape on it, and there is a globe that is missing on the pedestrian lights that blew off. Those are warranty work. It is my recommendation tonight, not to pay Castle Construction this final until we receive written documentation that they will take care of those items. I have talked to Stuart Gerhold from Castle Construction about that and he has verbally agreed to that but I want written documentation that those will be taken care of."



Change Order
 No. 2 - Final

Date of Issuance: June 9, 2010 Effective Date: June 9, 2010

Project: Municipal Street Improvements	Owner: City of David City	Owner's Contract No.:
Contract: D Street Paving & Drainage Improvements	Date of Contract:	
Contractor: Castle Construction, Inc.	Engineer's Project No.: 2009-0018	
P.O. Box 932, Columbus, NE 68602		

The Contract Documents are modified as follows upon execution of this Change Order:

Description: See attached document

Attachments: (List documents supporting change):
See attached document

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: <u>\$736,926.97</u>	Original <input type="checkbox"/> Working days <input checked="" type="checkbox"/> Calendar days Substantial completion (days or date): November 1, 2009 Ready for final payment (days or date): December 15, 2009

[Increase] [Decrease] from previously approved Change Orders No. <u>0</u> to No. <u>1</u> ; <u>\$764,443.49</u>	[Increase] [Decrease] from previously approved Change Orders Substantial completion (days): _____ Ready for final payment (days): _____
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Contract Price prior to this Change Order: <u>\$764,443.49</u>	Contract Times prior to this Change Order: Substantial completion (days or date): November 1, 2009 Ready for final payment (days or date): December 15, 2009
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[Increase] [Decrease] of this Change Order: <u>\$11,730.94</u>	[Increase] [Decrease] of this Change Order: Substantial completion (days or date): _____ Ready for final payment (days or date): _____
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Contract Price incorporating this Change Order: <u>\$776,174.43</u>	Contract Times with all approved Change Orders: Substantial completion (days or date): _____ Ready for final payment (days or date): _____
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RECOMMENDED: Olsson Associates	ACCEPTED: City of David City	ACCEPTED: Castle Construction
By: _____ Engineer (Authorized Signature)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Date: _____	Date: _____	Date: _____
Approved by Funding Agency (if applicable): _____	Date: _____	



"D" Street Paving & Drainage Improvements
 DAVID CITY, NEBRASKA
 2009

CHANGE ORDER - 2-Final
 June 9, 2010
 Project No. 009-0018

DATE:

Items of Work Description	Unit	Unit Price	Current Contract Qty	Original Contract Total Price	Current Quantity	Add/Deduct Quantity	Add/Deduct Price	Contract Adj. Price
BID SECTION A - SURFACING								
1	8" Concrete Pavement w/Integral Curb	3,245.0	SY	\$38.33	3,367.0	122.00	\$4,676.26	\$129,057.11
2	8" Colored Concrete Pavement w/Integral Curb	65.0	SY	\$67.00	73.0	8.00	\$536.00	\$4,891.00
3	8" Concrete Driveway	608.0	SY	\$42.00	\$25,536.00	705.0	\$4,074.00	\$29,610.00
4	6" Concrete Driveway	2,141.0	SY	\$33.60	\$71,937.60	-97.00	-\$3,259.20	\$68,678.40
5	8" Colored Concrete Sidewalk	170.0	SY	\$65.00	\$11,050.00	170.0	\$0.00	\$11,050.00
6	5" Concrete Sidewalk	1,314.0	SY	\$32.00	\$42,048.00	1,447.0	\$4,256.00	\$46,304.00
7	Detectable Warning Plate	18.0	EA	\$275.00	\$4,950.00	18.0	\$0.00	\$4,950.00
8	Brick Pavers	350.0	SY	\$105.00	\$36,750.00	350.0	\$0.00	\$36,750.00
9	Crushed Rock Surface Course	100.0	TN	\$35.00	\$3,500.00	53.4	-\$1,631.00	\$1,869.00
10	Gravel Surface Course	100.0	TN	\$20.00	\$2,000.00	-75.00	-\$1,500.00	\$500.00
11	Vehicle Detector, Type A	4.0	EA	\$250.00	\$1,000.00	4.0	\$0.00	\$1,000.00
12	Vehicle Detector, Type B	2.0	EA	\$260.00	\$520.00	2.0	\$0.00	\$520.00
13	Adjust Valve to Grade	6.0	EA	\$155.00	\$930.00	4.0	-\$310.00	\$620.00
14	Adjust Fire Hydrant to Grade	1.0	EA	\$698.00	\$698.00	1.0	\$0.00	\$698.00
15	Adjust Manhole to Grade	4.0	EA	\$225.00	\$900.00	4.0	\$0.00	\$900.00
16	Adjust Pull Box to Grade	1.0	EA	\$145.00	\$145.00	1.0	\$0.00	\$145.00
17	Remove Pavement	3,294.0	SY	\$5.80	\$19,105.20	3,416.0	\$707.60	\$19,812.80
18	Remove Driveway	3,656.0	SY	\$2.98	\$10,894.88	3,656.0	\$0.00	\$10,894.88
19	Remove Sidewalk	749.0	SY	\$3.98	\$2,981.02	760.0	\$43.78	\$3,024.80
20	Remove Vegetable Oil Tank	1.0	EA	\$500.00	\$500.00	1.0	\$0.00	\$500.00
21	8" Sanitary Sewer Pipe	20.0	LF	\$20.00	\$400.00	20.0	\$0.00	\$400.00
22	8" x 4" Sanitary Sewer Service Tee	1.0	EA	\$98.00	\$98.00	1.0	\$0.00	\$98.00
23	4" Sanitary Sewer Service Pipe	24.0	LF	\$22.00	\$528.00	24.0	\$0.00	\$528.00
24	8" Fernco Coupling	2.0	EA	\$50.00	\$100.00	2.0	\$0.00	\$100.00
25	High Early Strength Concrete Pavement	50.0	CY	\$326.00	\$16,300.00	64.0	\$4,564.00	\$20,864.00
26	Fly Ash Stabilized Subgrade	1,500.0	SY	\$4.18	\$6,270.00	900.0	-\$2,508.00	\$3,762.00
27	Earthwork	1.0	LS	\$8,900.00	\$8,900.00	1.0	\$0.00	\$8,900.00
28	Overexcavation	500.0	CY	\$8.90	\$4,450.00	812.0	\$2,776.80	\$7,226.80
29	Traffic Control	1.0	LS	\$6,900.00	\$6,900.00	1.0	\$0.00	\$6,900.00
TOTAL SECTION A - SURFACING				\$408,127.55			\$12,426.24	\$420,553.79

BID SECTION B - LIGHTING										
1	Lighting Control Center	1.0	EA	\$2,120.00	\$2,120.00					\$2,120.00
2	Conduit, 1-1/2"	1,200.0	LF	\$3.25	\$3,900.00	1,200.0	0.00			\$3,900.00
3	Conduit, 1-1/2" Directional Bored	300.0	LF	\$14.10	\$4,230.00	300.0	0.00			\$4,230.00
4	Cable, No 4 CG	1,330.0	LF	\$2.50	\$3,325.00	1,330.0	0.00			\$3,325.00
5	Cable, No 2 SL	2,660.0	LF	\$2.70	\$7,182.00	2,660.0	0.00			\$7,182.00
6	Pull Box, Type BP-5	1.0	EA	\$510.00	\$510.00	1.0	0.00			\$510.00
7	Street Lighting Unit	5.0	EA	\$2,400.00	\$12,000.00	5.0	0.00			\$12,000.00
8	Pedestrian Lighting Unit	14.0	EA	\$2,450.00	\$34,300.00	14.0	0.00			\$34,300.00
9	Remove Concrete Foundations	4.0	EA	\$175.00	\$700.00	4.0	0.00			\$700.00
	TOTAL SECTION B - LIGHTING				\$68,267.00					\$68,267.00
BID SECTION C - D ST. STORM SEWER										
1	Build Curb Inlet, Type A	5.0	EA	\$1,995.00	\$9,975.00	5.0	0.00			\$9,975.00
2	Build Curb Inlet, NDOR Plan 443-R7	1.0	EA	\$1,990.00	\$1,990.00	1.0	0.00			\$1,990.00
3	Build Area Inlet, Type 2	1.0	EA	\$2,450.00	\$2,450.00	1.0	0.00			\$2,450.00
4	Build Area Inlet, Type 3	2.0	EA	\$2,130.00	\$4,260.00	2.0	0.00			\$4,260.00
5	Build Area Inlet, Type 4	2.0	EA	\$2,855.00	\$5,710.00	2.0	0.00			\$5,710.00
6	Build Storm Sewer Manhole	1.0	EA	\$2,925.00	\$2,925.00	1.0	0.00			\$2,925.00
7	8" PVC Storm Sewer Pipe, Type 8	50.0	LF	\$18.90	\$945.00	50.0	0.00			\$945.00
8	12" PVC Storm Sewer Pipe, Type 8	315.0	LF	\$15.60	\$4,914.00	315.0	0.00			\$4,914.00
9	18" Storm Sewer Pipe, Type 1, 7 or 8	65.0	LF	\$22.50	\$1,462.50	97.0	32.00			\$1,305.00
10	24" Storm Sewer Pipe, Type 1, 7 or 8	176.0	LF	\$29.00	\$5,104.00	131.0	-45.00			\$4,693.00
11	30" Storm Sewer Pipe, Type 1, 7 or 8	104.0	LF	\$38.50	\$4,004.00	122.0	18.00			\$4,697.00
12	36" Storm Sewer Pipe, Type 1, 7 or 8	291.0	LF	\$56.00	\$16,296.00	393.0	102.00			\$22,008.00
13	42" Storm Sewer Pipe, Type 1, 7 or 8	445.0	LF	\$69.40	\$30,883.00	342.0	-103.00			\$23,734.80
14	Temporary Erosion Control	505.0	LF	\$5.40	\$2,727.00		-505.00			\$0.00
15	Curb Inlet Sediment Filter	6.0	EA	\$125.00	\$750.00	6.0	0.00			\$750.00
16	Remove Curb Inlet	1.0	EA	\$110.00	\$110.00	1.0	0.00			\$110.00
17	Remove Area Inlet	1.0	EA	\$110.00	\$110.00	1.0	0.00			\$110.00
18	Remove Flared End Section	1.0	EA	\$70.00	\$70.00	1.0	0.00			\$70.00
19	Remove Storm Sewer Pipe	171.0	LF	\$4.00	\$684.00	171.0	0.00			\$684.00
20	Water Main Wet Cut-in	6.0	EA	\$295.00	\$1,770.00	3.0	-3.00			\$885.00
21	Build 8" Water Main	166.0	LF	\$23.00	\$3,818.00	50.0	-116.00			\$2,668.00
22	Build 6" Water Main	20.0	LF	\$18.00	\$360.00	45.0	25.00			\$450.00
23	6" MJ 450 Bend	4.0	EA	\$150.00	\$600.00	8.0	4.00			\$600.00
24	6" MJ Solid Sleeve	1.0	EA	\$90.00	\$90.00	1.0	0.00			\$90.00
25	8" x 8" MJ Tee	2.0	EA	\$290.00	\$580.00		-2.00			\$0.00
26	8" MJ 450 Bend	16.0	EA	\$195.00	\$3,120.00	8.0	-8.00			\$1,560.00
27	8" MJ Solid Sleeve	5.0	EA	\$120.00	\$600.00	4.0	-1.00			\$480.00
28	6" Retainer Gland	8.0	EA	\$50.00	\$400.00	8.0	0.00			\$400.00
29	8" Retainer Gland	32.0	EA	\$75.00	\$2,400.00	18.0	-14.00			\$1,350.00
30	8" Gate Valve w/Box	2.0	EA	\$998.00	\$1,996.00		-2.00			\$0.00

31	2" Corporation Stop	1.0	EA	\$280.00	\$280.00	1.0	0.00	\$0.00	\$280.00
32	2" Curb Stop	1.0	EA	\$350.00	\$350.00	1.0	-1.00	-\$350.00	\$0.00
33	2" Service Tubing	62.0	LF	\$7.50	\$465.00	62.0	-62.00	-\$465.00	\$0.00
34	1" Corporation Stop	1.0	EA	\$160.00	\$160.00	1.0	-1.00	-\$160.00	\$0.00
35	1" Curb Stop	1.0	EA	\$195.00	\$195.00	1.0	-1.00	-\$195.00	\$0.00
36	1" Service Tubing	59.0	LF	\$6.50	\$383.50	59.0	-49.00	-\$318.50	\$65.00
	TOTAL SECTION C - D ST. STORM SEWER				\$112,937.00			-\$13,352.70	\$99,584.30
BID SECTION D - C ST. STORM OUTLET									
1	Build Curb Inlet, Type 1	3.0	EA	\$2,850.00	\$8,550.00	3.0	0.00	\$0.00	\$8,550.00
2	Build Storm Sewer Manhole	1.0	EA	\$2,925.00	\$2,925.00	1.0	0.00	\$0.00	\$2,925.00
3	Build Concrete Collar	2.0	EA	\$325.00	\$650.00	2.0	0.00	\$0.00	\$650.00
4	36" Concrete Flared End Section	3.0	EA	\$480.00	\$1,440.00	3.0	0.00	\$0.00	\$1,440.00
5	36" Storm Sewer Pipe, Type 1, 7 or 8	819.0	LF	\$56.00	\$45,864.00	819.0	0.00	\$0.00	\$45,864.00
6	42" Storm Sewer Pipe, Type 1, 7 or 8	337.0	LF	\$66.40	\$22,376.80	337.0	0.00	\$0.00	\$22,376.80
7	Jack and Bore 36" Steel Storm Sewer Pipe	82.0	LF	\$220.00	\$18,040.00	82.0	0.00	\$0.00	\$18,040.00
8	Build Concrete Rip Rap Scour Hole	1.0	LS	\$1,500.00	\$1,500.00	1.0	0.00	\$0.00	\$1,500.00
9	Temporary Erosion Control	147.0	LF	\$5.40	\$793.80	0.0	-147.00	-\$793.80	\$0.00
10	Erosion Control, Class 1d	1,204.0	SY	\$1.50	\$1,806.00	1,229.0	25.00	\$37.50	\$1,843.50
11	Erosion Control, Class 2c	72.0	SY	\$6.00	\$432.00	72.0	0.00	\$0.00	\$432.00
12	Seeding, Type A	1,410.0	SY	\$0.86	\$1,212.60	1,410.0	0.00	\$0.00	\$1,212.60
13	Seeding, Type B	3,379.0	SY	\$0.78	\$2,635.62	3,005.0	-374.00	-\$291.72	\$2,343.90
14	Remove Storm Sewer Manhole	1.0	EA	\$120.00	\$120.00	1.0	0.00	\$0.00	\$120.00
15	Remove Area Inlet	1.0	EA	\$120.00	\$120.00	1.0	0.00	\$0.00	\$120.00
16	Remove Storm Sewer Pipe	1.0	EA	\$85.00	\$85.00	1.0	0.00	\$0.00	\$85.00
17	Remove Storm Sewer Pipe	42.0	LF	\$8.00	\$336.00	42.0	0.00	\$0.00	\$336.00
18	Remove and Replace Concrete Pavement	229.0	SY	\$39.40	\$9,022.60	403.3	174.30	\$6,867.42	\$15,890.02
19	Remove and Replace Concrete Driveway	27.0	SY	\$41.00	\$1,107.00	27.0	0.00	\$0.00	\$1,107.00
20	Crushed Rock Surface Course	25.0	TN	\$33.00	\$825.00	25.0	0.00	\$0.00	\$825.00
21	Remove and Replace Concrete Sidewalk	8.0	SY	\$44.00	\$352.00	15.0	7.00	\$308.00	\$660.00
22	Water Main Wet Cut-in	1.0	EA	\$350.00	\$350.00	1.0	0.00	\$0.00	\$350.00
23	Build 8" Water Main	27.0	LF	\$30.00	\$810.00	54.0	27.00	\$810.00	\$1,620.00
24	Build 6" Water Main	9.0	LF	\$28.00	\$252.00	9.0	0.00	\$0.00	\$252.00
25	8" x 6" MJ Tee	1.0	EA	\$290.00	\$290.00	1.0	0.00	\$0.00	\$290.00
26	8" MJ 45o Bend	4.0	EA	\$245.00	\$980.00	8.0	4.00	\$980.00	\$1,960.00
27	8" MJ Solid Sleeve	1.0	EA	\$185.00	\$185.00	2.0	1.00	\$185.00	\$370.00
28	Fire Hydrant Assembly w/Aux. Valve	1.0	EA	\$2,990.00	\$2,990.00	1.0	0.00	\$0.00	\$2,990.00
29	Remove and Salvage Fire Hydrant	3.0	EA	\$320.00	\$320.00	3.0	0.00	\$0.00	\$320.00
30	Large Tree Removal	3.0	EA	\$350.00	\$1,050.00	3.0	0.00	\$0.00	\$1,050.00
31	Railroad Flagging	5.0	DAY	\$395.00	\$1,975.00	12.0	7.00	\$2,765.00	\$4,740.00
32	Ditch Excavation "C" Street Outlet	1.0	LS	\$18,200.00	\$18,200.00	100%	0.00	\$0.00	\$18,200.00
	TOTAL SECTION D - C ST. STORM OUTLET				\$147,595.42			\$11,217.40	\$158,812.82

CHANGE ORDER 1											
CO1-1	Remove Rail Road Ties on "D" Street	1.0	LS	\$760.00	\$760.00			1.0	0.00	\$0.00	\$760.00
CO1-2	Remove Rail Road Ties on "C" Street	1.0	LS	\$760.00	\$760.00			1.0	0.00	\$0.00	\$760.00
CO1-3	Reconstruct Manhole by Alley at Henningsen's	1.0	LS	\$665.00	\$665.00			1.0	0.00	\$0.00	\$665.00
CO1-4	Reconstruct Electrical Loops at 4th Street	1.0	LS	\$1,870.00	\$1,870.00			1.0	0.00	\$0.00	\$1,870.00
CO1-5	Restocking Fee for Water Line Fittings	1.0	LS	\$1,313.02	\$1,313.02			1.0	0.00	\$0.00	\$1,313.02
CO1-6	Removal of Co-op's Old Truck Scale	1.0	LS	\$6,967.00	\$6,967.00			1.0	0.00	\$0.00	\$6,967.00
CO1-7	Railroad Obstruction	1.0	LS	\$7,206.00	\$7,206.00			1.0	0.00	\$0.00	\$7,206.00
CO1-8	Additional Jointing	2,950.0	LF	\$2.45	\$7,227.50			2,950.0	0.00	\$0.00	\$7,227.50
CO1-9	36" CMPE FES on North Side of "A" Street	1.0	EA	\$748.00	\$748.00			1.0	0.00	\$0.00	\$748.00
	TOTAL CHANGE ORDER 1/NEW ITEMS				\$27,516.52					\$0.00	\$27,516.52
CHANGE ORDER 2/NEW ITEMS											
CO2-1	Downspout Extensions	0	EA	\$180.00	\$0.00			180.00	8.00	\$1,440.00	\$1,440.00
	TOTAL SECTIONS A, B, C, D, CO1, & CO2				\$764,443.49					\$11,730.94	\$776,174.43



CERTIFICATE OF PAYMENT NO. 8

201 East 2nd Street, Grand Island, Nebraska 68801

Date of Issuance: June 9, 2010

Project: D Street Paving and Drainage Improvements, David City, Nebraska

Project No. 2009-0018

Contractor: Castle Construction, Inc. P.O. Box 932, Columbus, NE 68602-0932

DETAILED ESTIMATE		
Description	Unit Prices	Extension
See Attached		

PLEASE REMIT PAYMENT TO: Castle Construction, Inc

Value of Work Completed and materials stored: \$776,174.43

Original Contract Cost: \$736,926.97

Approved Change Orders:

No. 1 \$ 27,516.52

No. 2 \$ 11,730.94

No. _____

No. _____

No. _____

Total Contract Cost: \$776,174.43

Value of completed work and materials stored. \$776,174.43

Less retained percentage (0 %) \$0.00

Net amount due including this estimate \$776,174.43

Less: Estimates previously approved:

No. 1 \$76,067.96 No. 7 \$35,371.75 No. 13 _____

No. 2 \$307,159.02 No. 8 _____ No. 14 _____

No. 3 \$119,186.54 No. 9 _____ No. 15 _____

No. 4 \$132,368.16 No. 10 _____ No. 16 _____

No. 5 \$23,882.62 No. 11 _____

No. 6 \$70,565.47 No. 12 _____

Total Previous Estimates \$764,601.52

NET AMOUNT DUE THIS ESTIMATE \$11,572.91

The undersigned hereby certifies that the work done and materials delivered have been checked as to quantity and conformance with the plans and specifications and the Contractor, in accordance with the contract, is entitled to payment as indicated above.

cc: Owner
 Contractor
 Project File

OLSSON ASSOCIATES

By _____

APPLICATION FOR PAYMENT

PROJECT: D STREET PAVING AND DRAINAGE IMPROVEMENTS **ENGINEER:** Olsson Associates, 201 E 2nd Street, Grand Island, NE 68801

ENGINEER'S PROJECT NO.: 2009-0018

CONTRACTOR: Castle Construction, Inc.

CONTRACT FOR: General

APPLICATION DATE: 06/09/10 **APPLICATION NO.:** EIGHT

FOR WORK ACCOMPLISHED THROUGH THE DATE OF: May 28, 2010

ATTN:

TO: (OWNER) City of David City

P.O. Box 191

David City, NE 68823-0191

CHANGE ORDER SUMMARY:

Continuation sheets are attached.

Change orders approved in previous month by Owner.

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

The present status of the account is as follows:

ORIGINAL CONTRACT PRICE.....	\$	736,926.97
Net Change by Change Orders & Written Amendments	\$	39,247.46
CURRENT CONTRACT PRICE.....	\$	776,174.43
TOTAL COMPLETED & STORED TO DATE.....	\$	776,174.43
LESS RETAINAGE : 0%	\$	-
TOTAL COMPLETED & STORED TO DATE LESS RETAINAGE	\$	776,174.43
LESS PREVIOUS APPLICATION FOR PAYMENT.....	\$	764,601.52
AMOUNT DUE THIS APPLICATION.....	\$	11,572.91

CO #	DATE	ADDITIONS	DEDUCTIONS
1	4/14/2010	\$27,516.52	
2	6/9/2010	\$11,730.94	
3			
4			
5			
6			
7			
8			
9			
TOTAL		\$39,247.46	\$0.00
NET CHANGE		\$39,247.46	

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 _____, 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.

ENGINEER: OLSSON ASSOCIATES

By: _____

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

OWNER:

By: _____

CONTRACTOR:

By: _____ Date: _____

Continuation Sheet Page 1 of 4

APPLICATION AND CERTIFICATE FOR PAYMENT-CONTINUATION SHEET
 EIGHT
 APPLICATION NUMBER: 06/09/10
 FOR WORK ACCOMPLISHED THROUGH: 05/28/10
 ENGINEER'S PROJECT #: 2009-0018

ITEM NO.	DESCRIPTION OF WORK	QUANTITY	UNIT	UNIT PRICE	CONTRACT PRICE \$	PREVIOUS QUANTITY	CURRENT QUANTITY	TOTAL QUANTITY COMPLETED	CURRENT TOTAL \$	STORED MATERIALS \$	TOTAL COMPLETED AND STORED TO DATE \$
BID SECTION A - SURFACING											
1	8" Concrete Pavement w/integral Curb	3,245.0	SY	\$38.33	\$124,380.85	3,335.0	32.0	3,367.0	\$1,226.56		\$129,057.11
2	8" Colored Concrete Pavement w/integral	65.0	SY	\$67.00	\$4,355.00	73.0	-	73.0	\$0.00		\$4,891.00
3	8" Concrete Driveway	608.0	SY	\$42.00	\$25,536.00	705.0	-	705.0	\$0.00		\$29,610.00
4	8" Concrete Driveway	2,141.0	SY	\$33.60	\$71,937.60	2,044.0	-	2,044.0	\$0.00		\$68,678.40
5	8" Colored Concrete Sidewalk	170.0	SY	\$65.00	\$11,050.00	170.0	-	170.0	\$0.00		\$11,050.00
6	5" Concrete Sidewalk	1,314.0	SY	\$32.00	\$42,048.00	1,447.0	-	1,447.0	\$0.00		\$46,304.00
7	Detectable Warning Plate	18.0	EA	\$275.00	\$4,950.00	18.0	-	18.0	\$0.00		\$4,950.00
8	Brick Pavers	350.0	SY	\$105.00	\$36,750.00	350.0	-	350.0	\$0.00		\$36,750.00
9	Crushed Rock Surface Course	100.0	TN	\$35.00	\$3,500.00	32.6	20.8	53.4	\$728.00		\$1,869.00
10	Gravel Surface Course	100.0	TN	\$20.00	\$2,000.00	25.0	-	25.0	\$0.00		\$500.00
11	Vehicle Detector, Type A	4.0	EA	\$250.00	\$1,000.00	4.0	-	4.0	\$0.00		\$1,000.00
12	Vehicle Detector, Type B	2.0	EA	\$260.00	\$520.00	2.0	-	2.0	\$0.00		\$520.00
13	Adjust Valve to Grade	6.0	EA	\$155.00	\$930.00	4.0	-	4.0	\$0.00		\$620.00
14	Adjust Fire Hydrant to Grade	1.0	EA	\$698.00	\$698.00	1.0	-	1.0	\$0.00		\$698.00
15	Adjust Manhole to Grade	4.0	EA	\$225.00	\$900.00	4.0	-	4.0	\$0.00		\$900.00
16	Adjust Pull Box to Grade	1.0	EA	\$145.00	\$145.00	1.0	-	1.0	\$0.00		\$145.00
17	Remove Pavement	3,294.0	SY	\$5.80	\$19,105.20	3,344.0	72.0	3,416.0	\$417.60		\$19,812.80
18	Remove Driveway	3,656.0	SY	\$2.88	\$10,529.28	3,656.0	-	3,656.0	\$0.00		\$10,529.28
19	Remove Sidewalk	749.0	SY	\$3.98	\$2,991.02	760.0	-	760.0	\$0.00		\$2,991.02
20	Remove Vegetable Oil Tank	1.0	EA	\$500.00	\$500.00	1.0	-	1.0	\$0.00		\$500.00
21	8" Sanitary Sewer Pipe	20.0	LF	\$20.00	\$400.00	20.0	-	20.0	\$0.00		\$400.00
22	8" x 4" Sanitary Sewer Service Tee	1.0	EA	\$98.00	\$98.00	1.0	-	1.0	\$0.00		\$98.00
23	4" Sanitary Sewer Service Pipe	24.0	LF	\$22.00	\$528.00	24.0	-	24.0	\$0.00		\$528.00
24	8" Fernco Coupling	2.0	EA	\$50.00	\$100.00	2.0	-	2.0	\$0.00		\$100.00
25	High Early Strength Concrete Pavement	50.0	CY	\$326.00	\$16,300.00	64.0	-	64.0	\$0.00		\$20,864.00
26	Fly Ash Stabilized Subgrade	1,500.0	SY	\$4.18	\$6,270.00	900.0	-	900.0	\$0.00		\$3,762.00
27	Earthwork	1.0	LS	\$8,900.00	\$8,900.00	612.0	-	612.0	\$0.00		\$8,900.00
28	Overexcavation	500.0	CY	\$8.90	\$4,450.00	612.0	-	612.0	\$0.00		\$4,450.00
29	Traffic Control	1.0	LS	\$6,900.00	\$6,900.00	1.0	-	1.0	\$0.00		\$6,900.00
	TOTAL SECTION A - SURFACING				\$408,127.55				\$2,372.16	\$0.00	\$420,553.79
BID SECTION B - LIGHTING											
1	Lighting Control Center	1.0	EA	\$2,120.00	\$2,120.00	1.0	-	1.0	\$0.00		\$2,120.00
2	Conduit, 1-1/2"	1,200.0	LF	\$3.25	\$3,900.00	1,200.0	-	1,200.0	\$0.00		\$3,900.00
3	Conduit, 1-1/2" Directional Bored	300.0	LF	\$14.10	\$4,230.00	300.0	-	300.0	\$0.00		\$4,230.00
4	Cable, No 4 CG	1,330.0	LF	\$2.90	\$3,857.00	1,330.0	-	1,330.0	\$0.00		\$3,857.00
5	Cable, No 2 SL	2,660.0	LF	\$7.18	\$19,105.20	2,660.0	-	2,660.0	\$0.00		\$19,105.20
6	Pull Box, Type BP-5	1.0	EA	\$510.00	\$510.00	1.0	-	1.0	\$0.00		\$510.00
7	Street Lighting Unit	5.0	EA	\$2,400.00	\$12,000.00	5.0	-	5.0	\$0.00		\$12,000.00
8	Pedestrian Lighting Unit	14.0	EA	\$2,450.00	\$34,300.00	14.0	-	14.0	\$0.00		\$34,300.00
9	Remove Concrete Foundations	4.0	EA	\$175.00	\$700.00	4.0	-	4.0	\$0.00		\$700.00
	TOTAL SECTION B - LIGHTING				\$68,267.00				\$0.00	\$0.00	\$68,267.00

DAVID CITY D ST PAVING PE8 09June2010.xls

Continuation Sheet Page 2 of 4

APPLICATION AND CERTIFICATE FOR PAYMENT-CONTINUATION SHEET
 EIGHT
 APPLICATION NUMBER: 06/09/10
 APPLICATION DATE: 05/28/10
 FOR WORK ACCOMPLISHED THROUGH: 2008-0018
 ENGINEER'S PROJECT #:

ITEM NO.	DESCRIPTION OF WORK	QUANTITY	UNIT	UNIT PRICE	CONTRACT PRICE \$	PREVIOUS QUANTITY	CURRENT QUANTITY	TOTAL QUANTITY COMPLETED	CURRENT TOTAL \$	STORED MATERIALS \$	TOTAL COMPLETED AND STORED TO DATE \$
BID SECTION C - D ST. STORM SEWER											
1	Build Curb Inlet, Type A	5.0	EA	\$1,995.00	\$9,975.00		5.0		\$0.00		\$9,975.00
2	Build Curb Inlet, NDOR Plan 443-R7	1.0	EA	\$1,990.00	\$1,990.00		1.0		\$0.00		\$1,990.00
3	Build Area Inlet, Type 2	1.0	EA	\$2,450.00	\$2,450.00		1.0		\$0.00		\$2,450.00
4	Build Area Inlet, Type 3	2.0	EA	\$2,130.00	\$4,260.00		2.0		\$0.00		\$4,260.00
5	Build Area Inlet, Type 4	2.0	EA	\$2,855.00	\$5,710.00		2.0		\$0.00		\$5,710.00
6	Build Storm Sewer Manhole	1.0	EA	\$2,925.00	\$2,925.00		1.0		\$0.00		\$2,925.00
7	6" PVC Storm Sewer Pipe, Type 8	90.0	LF	\$18.90	\$945.00		90.0		\$0.00		\$945.00
8	12" PVC Storm Sewer Pipe, Type 8	315.0	LF	\$15.60	\$4,914.00		315.0		\$0.00		\$4,914.00
9	18" Storm Sewer Pipe, Type 1, 7 or 8	65.0	LF	\$29.50	\$1,922.50		65.0		\$0.00		\$1,922.50
10	24" Storm Sewer Pipe, Type 1, 7 or 8	176.0	LF	\$29.00	\$5,104.00		176.0		\$0.00		\$5,104.00
11	30" Storm Sewer Pipe, Type 1, 7 or 8	104.0	LF	\$38.50	\$4,004.00		104.0		\$0.00		\$4,004.00
12	36" Storm Sewer Pipe, Type 1, 7 or 8	291.0	LF	\$56.00	\$16,296.00		291.0		\$0.00		\$16,296.00
13	42" Storm Sewer Pipe, Type 1, 7 or 8	445.0	LF	\$69.40	\$30,883.00		445.0		\$0.00		\$30,883.00
14	Temporary Erosion Control	505.0	LF	\$5.40	\$2,727.00		505.0		\$0.00		\$2,727.00
15	Curb Inlet Sediment Filler	6.0	EA	\$125.00	\$750.00		6.0		\$0.00		\$750.00
16	Remove Curb Inlet	1.0	EA	\$110.00	\$110.00		1.0		\$0.00		\$110.00
17	Remove Area Inlet	1.0	EA	\$110.00	\$110.00		1.0		\$0.00		\$110.00
18	Remove Flared End Section	1.0	EA	\$70.00	\$70.00		1.0		\$0.00		\$70.00
19	Remove Storm Sewer Pipe	171.0	LF	\$4.00	\$684.00		171.0		\$0.00		\$684.00
20	Water Main Wet Cut-In	166.0	EA	\$235.00	\$38,990.00		166.0		\$0.00		\$38,990.00
21	Build 8" Water Main	20.0	LF	\$18.00	\$360.00		20.0		\$0.00		\$360.00
22	Build 6" Water Main	4.0	EA	\$150.00	\$600.00		4.0		\$0.00		\$600.00
23	6" MJ 45o Bend	1.0	EA	\$90.00	\$90.00		1.0		\$0.00		\$90.00
24	8" x 8" MJ Tee	2.0	EA	\$290.00	\$580.00		2.0		\$0.00		\$580.00
25	8" MJ 45o Bend	16.0	EA	\$195.00	\$3,120.00		16.0		\$0.00		\$3,120.00
26	8" MJ Solid Sleeve	5.0	EA	\$120.00	\$600.00		5.0		\$0.00		\$600.00
27	6" Retainer Gland	8.0	EA	\$50.00	\$400.00		8.0		\$0.00		\$400.00
28	8" Retainer Gland	32.0	EA	\$75.00	\$2,400.00		32.0		\$0.00		\$2,400.00
29	8" Gate Valve w/box	2.0	EA	\$998.00	\$1,996.00		2.0		\$0.00		\$1,996.00
30	2" Corporation Stop	1.0	EA	\$280.00	\$280.00		1.0		\$0.00		\$280.00
31	2" Curb Stop	1.0	EA	\$350.00	\$350.00		1.0		\$0.00		\$350.00
32	2" Service Tubing	62.0	LF	\$7.50	\$465.00		62.0		\$0.00		\$465.00
33	1" Corporation Stop	1.0	EA	\$160.00	\$160.00		1.0		\$0.00		\$160.00
34	1" Curb Stop	1.0	EA	\$195.00	\$195.00		1.0		\$0.00		\$195.00
35	1" Service Tubing	59.0	LF	\$6.50	\$383.50		59.0		\$0.00		\$383.50
36	1" Service Tubing										
TOTAL SECTION C - D ST. STORM SEWER										\$0.00	\$99,584.30

Continuation Sheet Page 3 of 4

APPLICATION AND CERTIFICATE FOR PAYMENT-CONTINUATION SHEET
 EIGHT
 APPLICATION NUMBER: 06/09/10
 APPLICATION DATE: 05/28/10
 FOR WORK ACCOMPLISHED THROUGH:
 ENGINEER'S PROJECT #: 2009-0018

ITEM NO.	DESCRIPTION OF WORK	QUANTITY	UNIT	UNIT PRICE	CONTRACT PRICE \$	PREVIOUS QUANTITY	CURRENT QUANTITY	TOTAL QUANTITY COMPLETED	CURRENT TOTAL \$	STORED MATERIALS \$	TOTAL COMPLETED AND STORED TO DATE \$
BID SECTION D - C ST. STORM OUTLET											
1	Build Curb Inlet, Type 1	3.0	EA	\$2,850.00	\$8,550.00			3.0	\$0.00		\$8,550.00
2	Build Storm Sewer Manhole	1.0	EA	\$2,925.00	\$2,925.00			1.0	\$0.00		\$2,925.00
3	Build Concrete Collar	2.0	EA	\$325.00	\$650.00			2.0	\$0.00		\$650.00
4	36" Concrete Flared End Section	3.0	EA	\$480.00	\$1,440.00			3.0	\$0.00		\$1,440.00
5	36" Storm Sewer Pipe, Type 1, 7 or 8	819.0	LF	\$56.00	\$45,864.00			819.0	\$0.00		\$45,864.00
6	42" Storm Sewer Pipe, Type 1, 7 or 8	337.0	LF	\$66.40	\$22,376.80			337.0	\$0.00		\$22,376.80
7	Jack and Bore 36" Steel Storm Sewer Pipe	82.0	LF	\$220.00	\$18,040.00			82.0	\$0.00		\$18,040.00
8	Build Concrete Rip Rap Scour Hole	1.0	LS	\$1,500.00	\$1,500.00			1.0	\$0.00		\$1,500.00
9	Temporary Erosion Control	147.0	LF	\$5.40	\$783.80			147.0	\$0.00		\$783.80
10	Erosion Control, Class 1d	1,204.0	SY	\$1.50	\$1,806.00	1,204.0		1,229.0	\$37.50		\$1,843.50
11	Erosion Control, Class 2c	72.0	SY	\$6.00	\$432.00		25.0	72.0	\$0.00		\$432.00
12	Seeding, Type A	1,410.0	SY	\$0.86	\$1,212.60	1,410.0		1,410.0	\$0.00		\$1,212.60
13	Seeding, Type B	3,379.0	SY	\$0.78	\$2,635.62	3,005.0		3,005.0	\$0.00		\$2,343.90
14	Remove Storm Sewer Manhole	1.0	EA	\$120.00	\$120.00			1.0	\$0.00		\$120.00
15	Remove Area Inlet	1.0	EA	\$120.00	\$120.00			1.0	\$0.00		\$120.00
16	Remove Flared End Section	1.0	EA	\$85.00	\$85.00			1.0	\$0.00		\$85.00
17	Remove Storm Sewer Pipe	42.0	LF	\$8.00	\$336.00			42.0	\$0.00		\$336.00
18	Remove and Replace Concrete Pavement	229.0	SY	\$39.40	\$9,022.60	403.3		403.3	\$0.00		\$15,890.02
19	Remove and Replace Concrete Driveway	27.0	SY	\$41.00	\$1,107.00	27.0		27.0	\$0.00		\$1,107.00
20	Crushed Rock Surface Course	25.0	TN	\$33.00	\$825.00			25.0	\$0.00		\$825.00
21	Remove and Replace Concrete Sidewalk	8.0	SY	\$44.00	\$352.00	28.0		28.0	\$0.00		\$660.00
22	Water Main Wet Cut-in	27.0	LF	\$30.00	\$810.00			27.0	\$0.00		\$810.00
23	Build 6" Water Main	9.0	LF	\$28.00	\$252.00			9.0	\$0.00		\$252.00
24	Build 6" Water Main	4.0	EA	\$245.00	\$980.00			4.0	\$0.00		\$980.00
25	8" x 6" MJ Tee	1.0	EA	\$185.00	\$185.00			1.0	\$0.00		\$185.00
26	8" MJ 45o Bend	1.0	EA	\$320.00	\$320.00			1.0	\$0.00		\$320.00
27	8" MJ Solid Sleeve	1.0	EA	\$2,990.00	\$2,990.00			1.0	\$0.00		\$2,990.00
28	Fire Hydrant Assembly w/Aux. Valve	1.0	EA	\$2,990.00	\$2,990.00			1.0	\$0.00		\$2,990.00
29	Remove and Salvage Fire Hydrant	1.0	EA	\$320.00	\$320.00			1.0	\$0.00		\$320.00
30	Large Tree Removal	3.0	EA	\$350.00	\$1,050.00			3.0	\$0.00		\$1,050.00
31	Railroad Flagging	3.0	DAY	\$395.00	\$1,185.00			3.0	\$0.00		\$1,185.00
32	Ditch Excavation "C" Street Outlet	1.0	LS	\$18,200.00	\$18,200.00			100%	\$0.00		\$18,200.00
TOTAL SECTION D - C ST. STORM OUTLET										\$0.00	\$147,593.42
TOTAL SECTIONS A, B, C, AND D										\$2,409.66	\$747,217.91

Continuation Sheet Page 4 of 4

APPLICATION AND CERTIFICATE FOR PAYMENT-CONTINUATION SHEET
 EIGHT
 APPLICATION NUMBER: 06/09/10
 APPLICATION DATE: 05/28/10
 FOR WORK ACCOMPLISHED THROUGH: 2009-0018
 ENGINEER'S PROJECT #:

ITEM NO.	DESCRIPTION OF WORK	QUANTITY	UNIT	UNIT PRICE	CONTRACT PRICE \$	PREVIOUS QUANTITY	CURRENT QUANTITY	TOTAL QUANTITY COMPLETED	CURRENT TOTAL \$	STORED MATERIALS \$	TOTAL COMPLETED AND STORED TO DATE \$
	CHANGE ORDER 1/NEW ITEMS										
CO1-1	Remove Rail Road Tiles on "D" Street	1.0	LS	\$760.00	\$760.00	1.0	-	1.0	\$0.00		\$760.00
CO1-2	Remove Rail Road Tiles on "C" Street	1.0	LS	\$760.00	\$760.00	1.0	-	1.0	\$0.00		\$760.00
CO1-3	Reconstruct Manhole by Alley at Hammingsen's	1.0	LS	\$665.00	\$665.00	1.0	-	1.0	\$0.00		\$665.00
CO1-4	Reconstruct Electrical Loops at 4th Street	1.0	LS	\$1,870.00	\$1,870.00	1.0	-	1.0	\$0.00		\$1,870.00
CO1-5	Restocking Fee for Water Line Fittings	1.0	LS	\$1,313.02	\$1,313.02	1.0	-	1.0	\$0.00		\$1,313.02
CO1-6	Removal of Co-op's Old Truck Scale	1.0	LS	\$6,967.00	\$6,967.00	1.0	-	1.0	\$0.00		\$6,967.00
CO1-7	Railroad Obstruction	1.0	LS	\$7,206.00	\$7,206.00	1.0	-	1.0	\$0.00		\$7,206.00
CO1-8	Additional Jointing	2,950.0	LF	\$2.45	\$7,227.50	2,950.0	-	2,950.0	\$0.00		\$7,227.50
CO1-9	38" CMPE PFS on North Side of "A" Street	1.0	EA	\$748.00	\$748.00	1.0	-	1.0	\$0.00		\$748.00
	TOTAL CHANGE ORDER 1/NEW ITEMS				\$27,516.52				\$0.00	\$0.00	\$27,516.52
	CHANGE ORDER 2/NEW ITEMS										
CO2-1	Downspout Extensions	8.0	EA	\$180.00	\$1,440.00	0.0	8.0	8.0	\$1,440.00		\$1,440.00
	TOTAL CHANGE ORDER 2/NEW ITEMS				\$1,440.00				\$1,440.00	\$0.00	\$1,440.00
	TOTAL SECTIONS A, B, C, D AND CO1				\$765,883.49				\$3,849.66	\$0.00	\$776,174.43

Mayor Trowbridge stated, "There were times this was a challenging project, it came to completion relatively well. The oversight that we got from Olsson Associates' Tim Wetovick has been exemplary. We have a much better product because of that, and Matt we thank you and your company, and Tim Wetovick, in particular, for that oversight. Had it not been there the fox is in charge of the chicken house and I am never comfortable in that scenario."

Council member Hein made a motion to approve the "D" Street Final Change Order and the pay request contingent upon receiving written documentation guaranteeing satisfaction of the lighting and light fixtures. Council member Yindrick seconded the motion. Voting AYE: Council members Scribner, Rogers, Smith, Yindrick, and Hein. Voting NAY: None. Council member Kroesing was absent. The motion carried.

The next agenda item was consideration of Amendment No. 1 to the Upper Big Blue NRD, Lower Platte North NRD, and the City of David City, Northwest Drainage Project Agreement. Mayor Trowbridge stated, "This one has been in the hopper shy of thirty years. We now have the funding mechanism, thanks to the citizens of David City, in place to be able to move forward with this and of the projects that were discussed for the sales tax issue, this is the one that I am sure we will begin first because it is the closest to being shovel ready of any of our projects. Jay Bitner (Robert J. Bitner, P.E., Upper Big Blue Natural Resources District) has been the project engineer who through the years has done a fair amount of work towards this end of designing this project.

Council member Smith made a motion to approve Amendment No. 1 to the Upper Big Blue NRD, Lower Platte North NRD, and the City of David City, Northwest Drainage Project Agreement. Council member Scribner seconded the motion. Voting AYE: Council members Yindrick, Rogers, Hein, Scribner, and Smith. Voting NAY: None. Council member Kroesing was absent. The motion carried.

INTERLOCAL AGREEMENT
AMENDMENT NO. 1

THIS AMENDMENT NO. 1 of the November 12, 2008 INTERLOCAL AGREEMENT, between the Upper Big Blue Natural Resources District (UBBNRD), Lower Platte North Natural Resources District (LPNNRD), and David City, Nebraska (CITY), Political Subdivisions of the State of Nebraska, hereafter referred to as PARTICIPANTS, organized and existing by virtue of Neb. Rev. Statutes, is entered into between the PARTICIPANTS for the purpose of amending certain terms and conditions of the INTERLOCAL AGREEMENT;

WITNESSETH:

- I. WHEREAS construction engineering for the Project, known as the David City Northwest Drainage Improvement Project, will require additional costs for the Resident Project Representative (RPR), Quality Control Testing, Project Engineer, review of Contractor progress payments, and establishment of survey reference points; and
- II. WHEREAS the cost of construction engineering is estimated to be \$48,000; and

III. WHEREAS the UBBNRD agrees to provide the construction engineering tasks listed above;

NOW THEREFORE:

The PARTICIPANTS agree to amend the Interlocal Agreement as follows:

- I. Article II, Section 2.01 shall be deleted and replaced with the following:
 - A. Section 2.01 This Agreement shall initially become effective and binding upon its execution by all of the undersigned Participants and shall continue, unless terminated earlier as provided herein, until December 30, 2012.
- II. Article III, Section 3.03 shall be deleted and replaced with the following:
 - A. Section 3.03 The UBBNRD will be responsible for twenty five percent of engineering costs, not to exceed \$24,750.
- III. Article IV, Section 4.01 shall be deleted and replaced with the following:
 - A. Section 4.01 The LPNNRD will reimburse the UBBNRD for twenty five percent of engineering costs, not to exceed \$24,750, and shall pay such costs within 30 days of the receipt of the itemized statement referred to in Section 3.02 above.
- IV. Article V, Section 5.03 shall be deleted and replaced with the following:
 - A. Section 5.03 The CITY will reimburse the UBBNRD for fifty percent of engineering costs, not to exceed \$49,500, and shall pay such costs within 30 days of the receipt of the itemized statement referred to in Section 3.02 above. The CITY further agrees that if construction of the PROJECT is not completed within three years from the completion of construction drawings, the CITY shall reimburse both the UBBNRD and LPNNRD for their respective shares of actual engineering cost.

EXECUTION

In accordance with Article VII of the Interlocal Agreement, this Amendment No. 1 to the Interlocal Agreement will become effective and incorporated into the Interlocal Agreement when executed by all PARTICIPANTS. Each executed copy of this Amendment shall be considered as an original, with the understanding that all PARTICIPANTS shall be bound to the same extent and purpose as if all such PARTICIPANTS had simultaneously joined in the execution of a single master copy.

IN WITNESS WHEREOF, all PARTICIPANTS voting aye have caused this Amendment No. 1 to the Interlocal Agreement to be executed by their duly authorized officer, as of the date and year shown below.

UPPER BIG BLUE NATURAL RESOURCES DISTRICT

_____ Dated _____, 2010
Chairperson

LOWER PLATTE NORTH RESOURCES DISTRICT

_____ Dated _____, 2010
Chairperson

CITY OF DAVID CITY

_____ Dated _____, 2010
Mayor

There being no further business to come before the Council, Council member Yindrick made a motion to adjourn. Council member Hein seconded the motion. Voting AYE: Council members Yindrick, Scribner, Rogers, Hein, and Smith. Voting NAY: None. Council member Kroesing was absent. The motion carried and Mayor Trowbridge declared the meeting adjourned at 7:39 p.m.

Mayor Dana Trowbridge

ATTEST:

City Clerk Joan E. Kovar



CERTIFICATION OF MINUTES
June 9, 2010

I, Joan E. Kovar, duly qualified and acting City Clerk for the City of David City, Nebraska, do hereby certify with regard to all proceedings of June 9, 2010; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that the minutes of the meeting of the City Council of the City of David City, Nebraska, were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided with advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Joan E. Kovar, City Clerk