

ITEM #: 26
DATE: 02-14-23
DEPT: W&PC

COUNCIL ACTION FORM

SUBJECT: WATER POLLUTION CONTROL FACILITY METHANE ENGINE GENERATOR REPLACEMENT PROJECT – FINAL COMPLETION

BACKGROUND:

On October 8, 2019, the City Council awarded a contract to The Waldinger Corporation for the Water Pollution Control Facility Methane Engine Generator Replacement Project. This project replaced Methane Engine/Generator Number 1 with a new dual-fuel boiler. It also included modifications to the engine controls to allow Methane Engine/Generators 2 and 3 to operate simultaneously.

During the progress of the work, Methane Engine Number 2 was damaged. On August 9, 2022, Council approved a settlement agreement to resolve claims regarding the damage. All terms of the settlement agreement have been fulfilled; however, the controls subcontractor has so far failed to provide a start-up certification for the engine controls work (the subject of the damage claims). Staff witnessed the start-up on September 1, 2022 and observed both engines operating simultaneously.

All retainage was released to the contractor as a condition of the settlement agreement, and no additional funds are due to the contractor. The warranty for the work commenced on the date the equipment was placed into beneficial use, so the warranty has already commenced. **There is little leverage remaining for staff to obtain the required certification form.** At this point, staff is recommending that the work be accepted, and the project be closed out. An Engineer's Statement of Completion has been received and is attached.

ALTERNATIVES:

1. Accept final completion of the Water Pollution Control Facility Methane Engine Generator Replacement Project.
2. Do not accept final completion at this time.

CITY MANAGER'S RECOMMENDED ACTION:

All work on the project has been completed, and all terms of the settlement agreement have been met. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

Dunn, John

From: Anderson, Travis <Travis.Anderson@strand.com>
Sent: Monday, January 23, 2023 10:09 AM
To: Dunn, John
Subject: Engineer's Statement of Completion - Contract 2020-017

[External Email]

Regarding Contract 2020-017 with Waldinger Corporation, I state that the Methane Engine Generator Replacement Project, by a contract awarded by the Ames City Council on October 8, 2019 and a settlement agreement dated August 5, 2022, has been satisfactorily completed in general compliance with the terms, conditions, and stipulations of said contract.

The work was completed on November 15, 2022.

I further state that the total amount due to the contractor for fulfillment of said contract is \$1,463,532.91.



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