



City of Grand Island

Tuesday, October 26, 2010

Council Session

Item J3

Approving Payment of Claims for the Period of September 29, 2010 through October 26, 2010 for the State Fair Recreation Building

The Claims for the Period of September 29, 2010 through October 26, 2010 for the State Fair Recreational Building for the following requisition:

#31 \$ 1,050.00

#32 \$211,030.00

TOTAL: \$212,080.00

A MOTION is in order.

Staff Contact: Mary Lou Brown

Exhibit A to Escrow Agreement

(FORM OF PAYMENT REQUEST)

Payment Request No. 031

The City of Grand Island, Nebraska, as lessee (the "Lessee") under that Lease-Purchase Agreement dated as of July 1, 2009 (the "Lease") between Lessee and Wells Fargo Brokerage Services, LLC, (the "Lessor"), hereby requests Wells Fargo Bank, National Association, as escrow agent (the "Escrow Agent") under the Escrow Agreement dated as of July 1, 2009 (the "Escrow Agreement") among the Escrow Agent, the Lessor and the Lessee, to make payment from the Escrow Fund (as defined in the Escrow Agreement) to the following party or parties, at the addresses set forth below:

<i>Payee</i>	<i>Address</i>	<i>Amount To Be Paid</i>	<i>Cost of Issuance or Project Description</i>
Midwest Floor Covering, Inc.	3725 Touzalin Ave. Lincoln, NE 68507	\$1,050.00	Set 14 RH moisture tests in the concrete floor and retrieve readings

In connection therewith, the undersigned officer of the Lessee hereby certifies as follows:

1. All of the provisions of the Lease and the Escrow Agreement are incorporated herein by reference and capitalized terms used herein and not defined shall have the meanings assigned to them in the Loan Agreement and the Escrow Agreement.

2. The payments to be made to the payees set forth above are for costs of construction and/or acquisition of the Project (as defined in the Escrow Agreement) described above, or reimbursement to Lessee therefor, and the payments have not been the basis for a prior request which has been paid. Any amounts to be reimbursed to the Lessee are for advances made by the Lessee from its own funds not earlier than May 1, 2009.

3. All of Lessee's representations, covenants and warranties contained in the Lease and the Certificate with Respect to Tax Matters (the "Tax Certificate") were true and accurate in all material respects as of the date made, and remain true and accurate in all material respects as of the date of this Payment Request, and the Lessee has fully and satisfactorily performed all of its covenants, representations and obligations to date required under the Lease, the Escrow Agreement and the Tax Certificate. No Default Event has occurred under the Lease.

4. The Lessee understands that the Lessor is relying on the certifications herein with regard to and in connection with approving the disbursement requested hereby.

5. Please indicate if this Payment Request relates to the final disbursement from the Escrow Fund: Yes X No.

If this Payment Request relates to the final disbursement from the Escrow Fund, the Lessee and the Lessor hereby instruct Escrow Agent to disburse to Lessor the remaining moneys held in the Escrow Fund to be applied to make a partial prepayment on the Rental Payments as set forth in the Lease.

6. Please indicate if this Payment Request reimburses Lessee for any payment or payments previously made by Lessee: Yes X No.

If this Payment Request requests such a reimbursement, the payment or payments for any obligations originally paid by Lessee, for federal income tax purposes, was after May 1, 2009.

7. Lessee attaches hereto the following items:

(a) invoices and/or bills of sale and/or contractor's payment certifications relating to the Project and, if such invoices have been paid by Lessee, evidence of payment thereof;

(b) an insurance certificate showing coverages as required by the Lease if such insurance certificate has not been previously provided by Lessee to the Lessor.

LESSEE:

THE CITY OF GRAND
ISLAND, NEBRASKA

By: Mary Jane Deegan
Title: Finance Director
Date: 10/7/10

REQUEST APPROVED BY WELLS FARGO BANK, NATIONAL ASSOCIATION (Grand Island Branch, as assignee)


Authorized Officer

Attachments: 1. Invoices/Certificates for Payment
2. Insurance Certificate (if not previously provided)

Midwest Floor Covering, Inc.

3725 Touzalin Ave.

Lincoln, NE 68507

(402) 466-5626 Fax (402) 466-6291

Invoice

DATE	INVOICE #
9/28/2010	9763

BILL TO:

City of Grand Island
Parks & Recreation Department
PO Box 1968
Grand Island, NE 68802-1968

TERMS

Net 30

DESCRIPTION	AMOUNT
Project: Grand Island Fieldhouse - Fonner Park - RH Moisture Testing MFC Job #3054	
Cost to set 14 RH moisture tests in the concrete floor including return trip to retrieve readings	1,050.00
Thank you	Total \$1,050.00

Steve Paustian

From: James Sorgenfrei, P.E. [jsorgenfrei@gsinetwork.com]
Sent: Wednesday, September 22, 2010 3:06 PM
To: Steve Paustian
Subject: Relative Humidity Testing

Hi, Steve.

We are looking at \$165.00 per test. We can drill the holes and get the sleeves set while we are waiting for the equipment to be shipped.


Thanks,

$$165.00 \times 14 = 2,310$$

James

JAMES SORGENFREI, P.E.
Project Engineer, Vice President
Geotechnical Services, Inc.

Tel: 308.381.1987
Fax: 308.381.2467
Cell: 308.380.3129
E-mail: jsorgenfrei@gsinetwork.com
Web: www.gsinetwork.com

 Right-click here to download pictures. To help protect your privacy, Outlook prevented automatic download of this picture from the Internet.

2960 North Diers Avenue
Grand Island, Nebraska 68803

**Geotechnical Engineering . Environmental
Construction Materials Testing . Drilling**

Due to the potential for information exchanged by electronic media to deteriorate, or to be damaged, lost, or unintentionally modified, or to be otherwise changed, use of this electronic data by anyone other than the entity to which it is addressed shall be at the sole risk of such user and without liability or legal exposure to Geotechnical Services, Inc. The recipient is responsible for verifying the accuracy of data against governing hard copy documentation. Recipient assumes all risks in the changing or modification of data and revisions or updating of hard copy documents.

MIDWEST FLOOR COVERING, INC.

COMMERCIAL FLOORING CONTRACTORS

Lincoln Office

3725 Touzalin Ave. ~ Lincoln, NE 68507
402/466-5626 ~ Fax 402/466-6291

Omaha Office

10913 Harrison ~ LaVista, NE 68128
402/827-3535 ~ Fax 402/827-3536

Request For Proposal Response

DATE: 9-23-10
TO: Steve Paustian
FROM: Joe Swanson
PROJECT: Grand Island Field House
SUBJECT: RH Moisture Testing

To Set 14 RH moisture tests: Add (+) \$1050.00

- Includes Trip to set tests and trip to read tests next day
- Moisture tests utilized are the Wagner Rapid RH 4.0
- Test Installation Procedures
 - o Drill 14 holes 40% through the full slab depth
 - o Clean the holes out and insert the Wagner Smart Sensor
 - o Smart Sensor stays in floor and we use the Wagner Easy Reader to take our RH readings from the Smart Sensor.

If you wish to proceed please provide a change order or a new purchase order for the moisture testing and we will proceed as quickly as possible to complete this.

We will need you to provide the slab thickness information so we can get our proper depth to place the Wagner Smart Sensor.

TAX I.D. #
91-1774697

Exhibit A to Escrow Agreement

(FORM OF PAYMENT REQUEST)

Payment Request No. 032

The City of Grand Island, Nebraska, as lessee (the "Lessee") under that Lease-Purchase Agreement dated as of July 1, 2009 (the "Lease") between Lessee and Wells Fargo Brokerage Services, LLC, (the "Lessor"), hereby requests Wells Fargo Bank, National Association, as escrow agent (the "Escrow Agent") under the Escrow Agreement dated as of July 1, 2009 (the "Escrow Agreement") among the Escrow Agent, the Lessor and the Lessee, to make payment from the Escrow Fund (as defined in the Escrow Agreement) to the following party or parties, at the addresses set forth below:

<i>Payee</i>	<i>Address</i>	<i>Amount To Be Paid</i>	<i>Cost of Issuance or Project Description</i>
All Sports Enterprises, Inc.	89 South Village Ave Exton, PA 19341	\$211,030.00	Installation of artificial turf

In connection therewith, the undersigned officer of the Lessee hereby certifies as follows:

1. All of the provisions of the Lease and the Escrow Agreement are incorporated herein by reference and capitalized terms used herein and not defined shall have the meanings assigned to them in the Loan Agreement and the Escrow Agreement.
2. The payments to be made to the payees set forth above are for costs of construction and/or acquisition of the Project (as defined in the Escrow Agreement) described above, or reimbursement to Lessee therefor, and the payments have not been the basis for a prior request which has been paid. Any amounts to be reimbursed to the Lessee are for advances made by the Lessee from its own funds not earlier than May 1, 2009.
3. All of Lessee's representations, covenants and warranties contained in the Lease and the Certificate with Respect to Tax Matters (the "Tax Certificate") were true and accurate in all material respects as of the date made, and remain true and accurate in all material respects as of the date of this Payment Request, and the Lessee has fully and satisfactorily performed all of its covenants, representations and obligations to date required under the Lease, the Escrow Agreement and the Tax Certificate. No Default Event has occurred under the Lease.
4. The Lessee understands that the Lessor is relying on the certifications herein with regard to and in connection with approving the disbursement requested hereby.

5. Please indicate if this Payment Request relates to the final disbursement from the Escrow Fund: Yes X No.

If this Payment Request relates to the final disbursement from the Escrow Fund, the Lessee and the Lessor hereby instruct Escrow Agent to disburse to Lessor the remaining moneys held in the Escrow Fund to be applied to make a partial prepayment on the Rental Payments as set forth in the Lease.

6. Please indicate if this Payment Request reimburses Lessee for any payment or payments previously made by Lessee: Yes X No.

If this Payment Request requests such a reimbursement, the payment or payments for any obligations originally paid by Lessee, for federal income tax purposes, was after May 1, 2009.

7. Lessee attaches hereto the following items:

(a) invoices and/or bills of sale and/or contractor's payment certifications relating to the Project and, if such invoices have been paid by Lessee, evidence of payment thereof;

(b) an insurance certificate showing coverages as required by the Lease if such insurance certificate has not been previously provided by Lessee to the Lessor.

LESSEE:

THE CITY OF GRAND
ISLAND, NEBRASKA

By: Mary Jo Smith
Title: Finance Director
Date: 10/19/10

REQUEST APPROVED BY WELLS FARGO BANK, NATIONAL ASSOCIATION (Grand Island Branch, as assignee)

Bradley T. Bell
Authorized Officer

Attachments: 1. Invoices/Certificates for Payment
2. Insurance Certificate (if not previously provided)

ALL SPORTS ENTERPRISES, INC.*"WHEN WE'RE DONE, YOU'RE PLAYIN"***INVOICE**

89 SOUTH VILLAGE AVE.
 EXTON, PA 19341
 Phone: 800-524-1158
 Fax: 610-524-4105

INVOICE #558
DATE: OCTOBER 1, 2010

TO:

CITY OF GRAND ISLAND
 CITY HALL
 100 EAST FIRST STREET
 GRAND ISLAND, NEBRASKA 68802

PROJECT

PORTABLE ARTIFICIAL TURF

SALESPERSON	P.O. NUMBER	REQUISITIONER	SHIPPED VIA	TERMS
JOE FERRY				Due on receipt

DESCRIPTION	TOTAL
CONTRACT: \$211,030.00	
INSTALLATION OF ARTIFICIAL TURF	211,030.00

Voucher #

PO #	
Vendor #	
Invoice #	558
Description	Installation of artificial turf
Approved by	JDF
Org-obj#	
Date	10-13-10
Amount	211,030.00

Wells Fargo Escrow Acct.

SUBTOTAL	211,030.00
SALES TAX	
SHIPPING & HANDLING	
TOTAL DUE	211,030.00

make all checks payable to **ALL SPORTS ENTERPRISES, INC.**

If you have any questions concerning this invoice, contact – JOE FERRY or LINDA DEXTER @ 800-524-1158

Thank you for your business!