

**VISION 2025
CITY OF BROKEN ARROW**

**STONE CREEK HOSPITALITY CORPORATION, LLC
HOTEL AND CONFERENCE CENTER
EARTH CHANGE ONLY PROJECT
SC-15001**

**TRI-STAR CONSTRUCTION, LLC
PAY REQUEST NO. 6
JANUARY 11, 2016**

Prepared By:

COWAN GROUP ENGINEERING, LLC

5416 S. YALE, SUITE 210
TULSA, OKLAHOMA 74135
918.949.6171 (O)
918.949.6174 (F)
CA NO. 6414 EXP. 06/30/16



STATEMENT OF CONTRACTOR TO OWNER AND ESCROWEE

Draw Request No. 6 for Payment under Attorneys' Title Guaranty Fund, Inc.

Project: STONEY CREEK HOTEL & CONFERENCE CENTER BROKEN ARROW

Owner(s): STONEY CREEK INVESTORS of BROKEN ARROW, LLC

Contractor: STONEY CREEK HOSPITALITY / SCI BUILDERS INC

Covers period from 1/1/2015 to _____

The undersigned JAMES H. THOMPSON

certifies that he is PRESIDENT/OWNER

(Nature of interest in or position with contracting company)

of STONEY CREEK HOSPITALITY / SCI BUILDERS INC

under Contract with STONEY CREEK INVESTORS of BROKEN ARROW, LLC

Owner(s), for GENERAL CONSTRUCTION

That, for the purpose of this work, the following orders have been placed and the following parties contracted with, and these are the only parties who have been contracted with and/or who have furnished materials or provided labor under the aforementioned Contract for said project: That the amounts of such orders or contracts are as stated below and that there are due and to become due these parties respectively the amounts set opposite their names for materials or labor or both, and the undersigned warrants that the amounts due these parties respectively (see Column No. 6) represents materials and/or labor incorporated into the project at this date:

1	2	3	4	5	6	7
CONTRACTOR WORK/MATERIALS	CONTRACTED BUDGET	<u>DRAW 4</u>	<u>DRAW 5</u>	<u>DRAW 6</u>	<u>Total Drawn</u>	<u>Total Remaining</u>
CONSTRUCTION COSTS						
201- SITEWORK						
GRADING/DIRT WORK						
Tri-Star Construction LLC	1,815,033.50	307,856.76	51,337.41	97,751.20	2,122,837.67	(307,804.17)
SITE UTILITIES						
PARKING LOT-ASPHALT						
SITE EXTRAS						

CONTRACTOR WORK/MATERIALS	CONTRACTED BUDGET	<u>DRAW 4</u>	<u>DRAW 5</u>	<u>DRAW 6</u>	<u>Total Drawn</u>	<u>Total Remaining</u>
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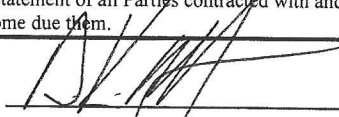
201-CONCRETE						
FOUNDATIONS						
FLATWORK						
CURB & GUTTER						
SIDEWALKS						
210-MATERIALS						
CONF CENTER-STEEL						
214-STRUCTURAL						
215-MECHANICAL						
216-ELECTRICAL						
PARKING LOT-LIGHTS						

CONTRACTOR WORK/MATERIALS	CONTRACTED BUDGET	<u>DRAW 4</u>	<u>DRAW 5</u>	<u>DRAW 6</u>	<u>Total Drawn</u>	<u>Total Remaining</u>
EXTERIOR SIGNAGE						
CONF CTR-TECHNOLOGY						
217-LANDSCAPING						
TOTAL - CONSTRUCTION COSTS	1,815,033.50	307,856.76	51,337.41	97,751.20	2,122,837.67	(307,804.17)
TOTAL:	1,815,033.50	307,856.76	51,337.41	97,751.20	2,122,837.67	(307,804.17)
DATE:		11/24/15	12/30/15	01/22/16		

The undersigned certifies further that this statement is made to Escrow and to said Owner for the purpose of procuring from same payment in accordance with the terms of said Contract and the ATTORNEYS' TITLE GUARANTY FUND, INC. Construction Loan Escrow and Disbursing Agreement, and is a True and Complete Statement of all Parties contracted with and of all Parties furnishing labor and/or materials, and of all amounts paid, due and to become due them.

Signed this 22nd day of January 20 16.

By:

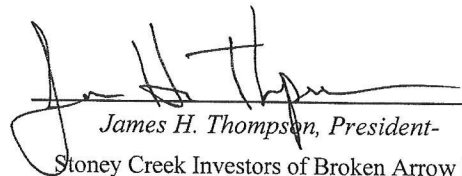

D. Kevin McCarty, Executive VP / CDO
Stoney Creek Hospitality

OWNER'S APPROVAL OF REQUESTED DISBURSEMENT

The undersigned Owner(s), or his designated architect or inspector, certifies that he has inspected the progress of the construction and that the work covered by this Request for Payment has been completed and the materials put in place in accordance with the plans, specifications and Construction Contract, that all amounts shown herein as due and owing to the named subcontractors and that he hereby approves the requested disbursement under the terms of Construction Loan Escrow and Disbursing Agreement No. _____.

Signed this 22nd day of January 20 16.

By:


James H. Thompson, President
Stoney Creek Investors of Broken Arrow LLC

APPLICATION AND CERTIFICATE FOR PAYMENT

PROJECT: Stoney Creek (SC-15001)
 OWNER: Stoney Creek Hospitality Corp., LLC
 COMMUNITY: Broken Arrow, OK

ENGINEER: Cowan Group Engineering, LLC
 CONTRACTOR: Tri-Star Construction, LLC
 APPLICATION DATE: 1/8/2016 APPLICATION NO: SC-15001-06
 PERIOD FROM: 11/30/2015 TO: 1/4/2016

CHANGE ORDER SUMMARY

CHANGE ORDERS APPROVED IN PREVIOUS MONTHS BY OWNER

CHANGE ORDER NUMBER	APPROVED DATE	ADDITION \$	DEDUCTION \$
1	11/20/2015	\$ 580,000.00	
2	11/20/2015	\$ 72,649.04	
3	1/8/2016	\$81,818.10	
Subtotals		\$ 734,467.14	\$ -

Net change by Change Orders: \$ 734,467.14

Application is made for Payment, as shown below, in connection with Contract. The present status of the account for this Contract is as follows:

ORIGINAL CONTRACT SUM	\$ 1,815,033.50
NET CHANGE BY CHANGE ORDERS	\$ 734,467.14
CONTRACT SUM TO DATE	\$ 2,549,500.64
TOTAL WORK COMPLETED TO DATE	\$ 2,259,717.46
RETAINAGE	\$ 112,985.87
TOTAL EARNED LESS RETAINAGE	\$ 2,146,731.59
LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$ 2,025,086.47
CURRENT PAYMENT DUE	\$ 121,645.12

The undersigned Contractor certifies that the work covered by the Application for Payment has been completed in accordance with the Contract Documents, and that all amounts have been paid by him for work for which previous Certificates for Payment were issued and payment received from the Owner, and that the current payment shown herein is now due.

CONTRACTOR:

By: [Signature] Date: 1-8-16

In accordance with the Contract Documents, based upon on-site observations and the data comprising the above application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED \$ 121,645.12.

INSPECTOR:

[Signature]
 Signature 11 JAN 2016
 Date

PROJECT MANAGER:

[Signature]
 Signature 01-11-16
 Date

OWNER:

[Signature]
 Signature 1-22-16
 Date

A Item No.	B Description of Item	C SCHEDULED VALUE (EXTENSION)	D FROM PREVIOUS APPLICATION (D+E)	E THIS PERIOD	WORK COMPLETED			H PERCENT COMPLETE % (G/C)	I BALANCE TO FINISH (C-G)
					F MATERIALS PRESENTLY STORED (NOT IN D or E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)			
BASE BID									
1	Clearing and Grubbing	\$ 50,000.00	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00	\$0.00	\$0.00
2	Unclassified Excavation, Hauled Off-Site	\$ 977,900.00	\$647,174.55	\$6,272.00	\$6,272.00	\$0.00	\$653,446.55	\$0.00	\$324,453.45
3	Unclassified Excavation, Placed On-Site	\$ 145,500.00	\$167,747.08	\$12,355.00	\$12,355.00	\$0.00	\$180,102.08	\$0.00	(\$34,602.08)
4	Rock Excavation	\$ 153,000.00	\$916,109.96	\$13,125.00	\$13,125.00	\$0.00	\$929,234.96	\$0.00	(\$776,234.96)
5	Type A Salvage Topsoil	\$ 25,000.00	\$21,250.00	\$0.00	\$0.00	\$0.00	\$21,250.00	\$0.00	\$3,750.00
6	Temporary Silt Fence	\$ 4,710.00	\$4,710.00	\$0.00	\$0.00	\$0.00	\$4,710.00	\$0.00	\$0.00
7	Temporary Inlet Barrier	\$ 800.00	\$200.00	\$200.00	\$200.00	\$0.00	\$400.00	\$0.00	\$400.00
8	Temporary Sediment Barrier	\$ 900.00	\$1,200.00	\$0.00	\$0.00	\$0.00	\$1,200.00	\$0.00	(\$300.00)
9	Temporary Sediment Basin	\$ 4,500.00	\$4,500.00	\$0.00	\$0.00	\$0.00	\$4,500.00	\$0.00	\$0.00
10	Temporary Rock Dam	\$ 2,400.00	\$3,600.00	\$0.00	\$0.00	\$0.00	\$3,600.00	\$0.00	(\$1,200.00)
11	Solid Slab Sod	\$ 14,750.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$14,750.00
12	Vegetative Mulch	\$ 10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00
12A	Seeding Method B	\$ 10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00
13	Class AA Concrete	\$ 31,000.00	\$20,000.00	\$0.00	\$0.00	\$0.00	\$20,000.00	\$0.00	\$11,000.00
14	Reinforcing Steel	\$ 9,400.00	\$5,489.00	\$0.00	\$0.00	\$0.00	\$5,489.00	\$0.00	\$3,911.00
15	4' ID Manhole	\$ 4,000.00	\$4,000.00	\$0.00	\$0.00	\$0.00	\$4,000.00	\$0.00	\$0.00
16	Adjust Existing Utility Manhole to Grade	\$ 1,500.00	\$1,500.00	\$0.00	\$0.00	\$0.00	\$1,500.00	\$0.00	\$0.00
17	18" Round, HDPE Pipe	\$ 1,440.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,440.00
18	Removal of Structures and Obstructions	\$ 14,000.00	\$14,000.00	\$0.00	\$0.00	\$0.00	\$14,000.00	\$0.00	\$0.00
19	Removal of Existing 48" (Double) HDPE Pipe	\$ 2,000.00	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00	\$0.00	\$0.00
20	Mobilization	\$ 25,000.00	\$21,250.00	\$2,500.00	\$2,500.00	\$0.00	\$23,750.00	\$0.00	\$1,250.00
21	Construction Staking	\$ 9,000.00	\$7,650.00	\$900.00	\$900.00	\$0.00	\$8,550.00	\$0.00	\$450.00
22	Construction Traffic Controls	\$ 5,000.00	\$4,250.00	\$750.00	\$750.00	\$0.00	\$5,000.00	\$0.00	\$0.00
23	12" PVC- C900	\$ 32,550.00	\$32,200.00	\$0.00	\$0.00	\$0.00	\$32,200.00	\$0.00	\$350.00
24	12" DIP	\$ 8,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,600.00
Sub-Total									\$ 1,964,932.59

A Item No.	B Description of Item	C SCHEDULED VALUE (EXTENSION)	D FROM PREVIOUS APPLICATION (D+E)	E THIS PERIOD	WORK COMPLETED			H PERCENT COMPLETE % (G/C)	I BALANCE TO FINISH (C-G)
					F MATERIALS PRESENTLY STORED (NOT IN D or E)	G COMPLETED AND STORED TO DATE (D+E+F)	G TOTAL		
BASE BID									
25	12"- 11-1/4 Degree Bend	\$ 500.00	\$500.00	\$0.00	\$0.00	\$500.00	\$500.00	\$0.00	\$0.00
26	12"- 22-1/2 Degree Bend	\$ 1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	\$1,000.00	\$0.00	\$0.00
27	12"- 45 Degree Bend	\$ 1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	\$1,000.00	\$0.00	\$0.00
28	12" x 12" x 12" Tee	\$ 700.00	\$700.00	\$0.00	\$0.00	\$700.00	\$700.00	\$0.00	\$0.00
29	12" Solid Sleeve	\$ 600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$600.00	\$600.00
30	12" x 6" Reducer	\$ 500.00	\$500.00	\$0.00	\$0.00	\$500.00	\$500.00	\$0.00	\$0.00
31	12" Gate Valve	\$ 4,000.00	\$4,000.00	\$0.00	\$0.00	\$4,000.00	\$4,000.00	\$0.00	\$0.00
32	Fire Hydrant Assembly	\$ 6,000.00	\$6,000.00	\$0.00	\$0.00	\$6,000.00	\$6,000.00	\$0.00	\$0.00
33	Type 1 Valve Box	\$ 400.00	\$400.00	\$0.00	\$0.00	\$400.00	\$400.00	\$0.00	\$0.00
34	24" Steel Casing and Bore	\$ 24,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$24,000.00	\$24,000.00
35	6'x4' RCB Precast	\$ 69,000.00	\$59,800.00	\$0.00	\$0.00	\$59,800.00	\$59,800.00	\$9,200.00	\$9,200.00
36	10'x4' RCB Precast	\$ 85,000.00	\$85,000.00	\$0.00	\$0.00	\$85,000.00	\$85,000.00	\$0.00	\$0.00
37	4'x3' BA Standard Inlet	\$ 6,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,000.00	\$6,000.00
37A	CO#2 Additional Excavation for Hotel Revs	\$ 5,800.00	\$0.00	\$4,060.00	\$0.00	\$4,060.00	\$4,060.00	70.0%	\$1,740.00
37B	CO#2 Add Excavation for Site Revisions	\$ 30,920.00	\$0.00	\$21,645.00	\$0.00	\$21,645.00	\$21,645.00	70.0%	\$9,275.00
37B	CO#2 Add Fill for Hotel Revs-(SCH Pay)	\$ 35,929.04	\$0.00	\$25,151.49	\$0.00	\$25,151.49	\$25,151.49	70.0%	\$10,777.55
37C	CO#3 Select Fill - Building Pads	\$ 81,818.10	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$81,818.10
							Sub-Total		\$209,756.49
							Total Base Bid	\$	2,174,689.08

A	B	C	D	E	F	G	H	I
Item No.	Description of Item	SCHEDULED VALUE (EXTENSION)	FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD	MATERIALS PRESENTLY STORED (NOT IN D or E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)		
ADD ALTERNATE NO. 1								
38	Aggregate Base	\$ 12,600.00	\$12,139.20	\$400.00	\$0.00	\$12,539.20	99.5%	\$ 60.80
39	Subgrade Method B	\$ 2,830.50	\$2,731.34	\$0.00	\$0.00	\$2,731.34		\$ 99.16
40	Separator Fabric	\$ 3,441.00	\$2,972.34	\$2,625.00	\$0.00	\$5,597.34	162.7%	\$ (2,156.34)
41	Tack Coat	\$ 1,842.00	\$0.00	\$0.00	\$0.00	\$0.00		\$ 1,842.00
42	Super Pave, Type S3 (64-22)	\$ 35,850.00	\$0.00	\$37,704.00	\$0.00	\$37,704.00	105.2%	\$ (1,854.00)
43	PC Concrete (Placement)	\$ 2,640.00	\$2,430.00	\$0.00	\$0.00	\$2,430.00		\$ 210.00
44	PC Concrete for Pavement	\$ 3,300.00	\$2,986.50	\$0.00	\$0.00	\$2,986.50		\$ 313.50
45	Concrete Curb and Gutter	\$ 20,560.00	\$20,360.00	\$200.00	\$0.00	\$20,560.00	100.0%	\$ -
46	Removal of Existing Curb and Gutter	\$ 320.00	\$320.00	\$160.00	\$0.00	\$480.00	150.0%	\$ (160.00)
						Sub-Total		\$85,028.38
						TOTAL WORK COMPLETED TO DATE		\$2,259,717.46

CONTRACT CHANGE ORDER

Change Order Number:	#3	Engineer:	Cowan Group Engineering
Date:	January 8, 2016	Address:	5416 S. Yale, Suite 210
Bid Number:	SC-15001		Tulsa, OK 74135
		Phone:	(918) 949-6171
Project Name:	Stoney Creek Hotel & Conference Center - Earth Change Project	Fax:	(918) 949-6174
Contractor:	Tri-Star Construction, LLC	Owner (Grantor):	Stoney Creek Hospitality Corporation
Address:	1880 N. 166th East Avenue Tulsa, OK 74116	Address:	5291 Stoney Creek Court Johnston, IA 50131
Phone:	(918) 439-9155	Phone:	515-559-2200
Fax:	(918) 439-5802	Fax:	

THE FOLLOWING CHANGES ARE HEREBY AMENDED INTO THE CONTRACT PLANS AND SPECIFICATIONS

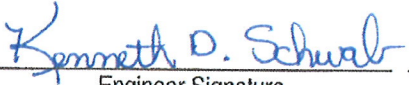


ITEM	DESCRIPTION	UNIT	UNIT PRICE	CONTRACT QUANTITY	AMENDED QUANTITY	COST
Base Bid						
37C	Select Fill - Building Pads	CY	\$12.95	0	6,318	\$81,818.10
Net Change Order Amount						\$81,818.10
Original Contract Amount						\$1,815,033.50
Total of Previous Change Order(s)						\$652,649.04
Total Contract Amount To Date						\$2,549,500.64

This Change Order **INCREASES** Contract Time by **21** Days

Justification:	This change order is required to have the Earthwork Contractor construct the Building Pads from on-site Select Fill. This scope of work was not a part of the bid scope of work. Item 37C is subject to the Oklahoma Competitive Bid Act Section 121.B. The cumulative increase for this project including all previous change orders (public funding only) is \$91,818.00, which equates to 5.06% of the original contract amount.
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CONTRACT CHANGE ORDER

Change Order Number: #3
Date: January 8, 2016
Bid Number: SC-15001
Project Name: Stoney Creek Hotel & Conference

RECOMMENDED:	 Engineer Signature	Cowan Group Engineering Engineer	
BY:	Kenneth D. Schwab Printed Name	Project Manager Title	01-11-16 Date
ACCEPTED:	 Contractor Signature	Tri-Star Construction, LLC Contractor	
BY:	Mark Huff Printed Name	Managing Member Title	1-8-16 Date
APPROVED:	 Owner Signature	Stoney Creek Hospitality Corporation Owner	
BY:	Kevin McCarty Printed Name	Vice-President Title	1-22-16 Date