

Memorandum:

Recommendation for Termination of Contract #23310 –
Meadow Heights Concrete Panel Replacement Street
Repair

Exhibit 7:

Finance Report for What is Still Owed vs
Damaged Installation



Engineering and Construction Department
485 North Poplar Avenue
Broken Arrow, OK. 74012
Ph. (918) 259-7000 ~ Fax (918) 259-84 53

Periodical Estimate for Payment Change Order Summary

1. ORIGINAL CONTRACT PRICE.....	\$	1,495,084.75
2. Net change by Change Orders.....	\$	
3. Current Contract Price (Line 1 + 2).....	\$	1,495,084.75
4. TOTAL COMPLETED AND STORED TO DATE		
(Total Installed to Date + Total Stored Materials Remaining)	\$	262,473.74
5. RETAINAGE:		
a. 5% X 262,473.74 Work Completed.....	\$	13,123.69
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c).....	\$	249,350.05
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application). \$		128,731.04
8. LESS LIQUIDATED DAMAGES.....	\$	
9. AMOUNT ELIGIBLE THIS APPLICATION.....	\$	120,619.01
10. VENDOR AMOUNT DUE THIS APPLICATION.....	\$	N/A
11. CONTRACTOR AMOUNT DUE THIS APPLICATION.....	\$	120,619.01

Is Recommended By:

Contractors Certification:

The undersigned Contractor certifies that to the best of its knowledge: (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 Work covered by prior Applications for Payments (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 Liens, security interests or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: (Signature & Title)

Date: 8/29/25 By: (Signature & Title)

Signature Joseph R. Vardacoe Date 7-30-95
Contract Administrator (Print) Joseph R. Vardacoe

Signature	Date	
Nathanael Kohl	7/30/2025	Nathanael Kohl, PE Construction Division Manager

Signature	8/2/2025	Charlie Bright, PE
Date		Director of Engineering and

Signature	Date	8/5/2025	Kenneth Schwab Assistant City Manager Operations	Kenneth Schwab, PE Assistant City Manager Operations	Construction Division
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IMPORTANT

THIS AFFIDAVIT MUST BE ATTACHED AND RETURNED WITH THE PAYMENT APPLICATION

DESCRIPTION		DATE	PAYMENT APPLICATION AMOUNT
PROJECT NAME	HEIGHTS CONCRETE PANEL REPLACEMENT STRE	7/24/2025	\$120,619.01
CONTRACT NO.	ST23310		
PAY ESTIMATE	2		

AFFIDAVIT OF CLAIMANT

STATE OF Oklahoma
COUNTY OF TULSA

The undersigned (engineer or supervisory official), of lawful age, being first duly sworn, on oath says that this (invoice, claim, or contract) is true and correct. Affiant further states that the (work, services or materials) as shown by this invoice or claim have been (completed or supplied) in accordance with the plans, specifications, orders, or requests furnished to the affiant. Affiant further states that (s)he has made no payment, given, or donated or agreed to pay, give, or donate, either directly or indirectly, to any elected official, officer, or employee of the State of Oklahoma, of money or any other thing of value to obtain payment or the award of this contract.

[Signature]
(SIGNATURE OF CONTRACTOR, SUPPLIER, ENGINEER, ARCHITECT)

Tyler Ellis
(PRINTED NAME)

Owner
(TITLE)

Subscribed and sworn to before me this 27 day of July, 2025, Respectfully submitted,

[Signature]
NOTARY PUBLIC

(seal here)

Periodical Estimate - Unit Price Work

Contractor's Application

For (Contract):	Concrete Panel Replacement Street Repair - Meadow Heights		Contract Number:		ST23310			Application Period:		To	
Contractor:	Ellis Concrete and Construction LLC		Application Number:		Payment due for Work Performed			Application Date:			
Bid Item No.	Item	Units	Bid Item Quantity	Unit Price	Bid Item Value (\$)	Quantity Installed Previously	Quantity Installed This Period	Total Earned This Period (\$)	Total Installed to Date	% Installed	Balance to Finish
1	Temporary Fiber Log	LF	77.00	\$5.00	\$385.00						\$385.00
2	Remove and Replace P.C. Concrete Street Section * Concrete along W. El Paso Pl. was measured and divided by 2 sense there was no install.	SY	13917.00	\$69.00	\$960,273.00	395.95			\$27,320.55	2.8%	\$932,952.45
3	Full Depth PCC Patching	SY	54.00	\$175.00	\$9,450.00						\$9,450.00
4	Remove and Replace P.C. Concrete Barrier Curb	LF	6985.00	\$20.00	\$139,700.00	223.08			\$4,461.60	3.2%	\$135,238.40
5	Remove and Replace P.C. Concrete Sidewalk * Includes areas removed and not installed, divided by 2 for payment.	SY	669.00	\$60.00	\$40,140.00	75.43			\$4,525.80	11.3%	\$35,614.20
6	Remove and Replace 6" Concrete Driveway (H.E.S.) - Driveways were dug out to between 3 and 4 inches, and at some places 5 inches. I informed the contractor the concrete will need to be 6 inches deep so Ellis called off the concrete. Ellis hand dug one driveway to grade prior to the Work Stop Order. * Driveway measurements divided by 2. There was no install.	SY	736.00	\$75.00	\$55,200.00	39.25			\$2,943.75	5.3%	\$52,256.25
7	Install Curb Ramp (Type "B")	EA	14.00	\$500.00	\$7,000.00						\$7,000.00
8	Install Curb Ramp (Type "D")	EA	2.00	\$750.00	\$1,500.00						\$1,500.00
9	Remove and Replace Inlet with CICI (DIE: 2)	EA	5.00	\$4,000.00	\$20,000.00						\$20,000.00
10	Adjust Valve Box to Grade (Including Concrete Collars)	EA	8.00	\$500.00	\$4,000.00						\$4,000.00
11	Solid Slab Sodding	SY	500.00	\$10.00	\$5,000.00						\$5,000.00
12	Subgrade Method B - This work was not performed. Contractor stated no subgrade method b has been done throughout the whole project. After this statement from Tyler I paid particular attention to this and Tyler is correct. There for, there will not be any payment. * THIS WORK AND ANY WORK ABOVE IT WOULD BE CONSIDERED BREACH OF CONTRACT, AS WELL AS THE WHOLE CONTRACT WOULD BE IN VIOLATION.	SY	13917.00	\$7.00	\$97,419.00						\$97,419.00
13	Aggregate Base Type A	CY	2320.00	\$42.00	\$97,440.00	62.84			\$2,639.28	2.7%	\$94,800.72
14	Separator Fabric	SY	16221.00	\$1.75	\$28,386.75						\$28,386.75
15	Unclassified Excavation * Quantities include W. El Paso Pl.	CY	2320.00	\$12.00	\$27,840.00	378.69			\$4,544.28	16.3%	\$23,295.72
16	Unclassified Borrow/Fill	CY	10.00	\$35.00	\$350.00						\$350.00
17	Unclassified Borrow/Fill	LF	91.00	\$11.00	\$1,001.00						\$1,001.00
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Periodical Estimate - Unit Price Work

Contractor's Application

For (Contract):	Concrete Panel Replacement Street Repair - Meadow Heights			Contract Number:		ST23310			Application Period:		To	
Contractor:	Ellis Concrete and Construction LLC			Application Number:		Cost of Damages or Unfinished Work			Application Date:			
Bid Item No.	Item		Units	Bid Item Quantity	Unit Price	Bid Item Value (\$)	Quantities Damaged, or not Installed	Quantity Installed This Period	Total Earned This Period (\$)	Total Damage to Date	% Installed	Balance to Finish
	Description											
1	Temporary Fiber Log		LF	77.00	\$5.00	\$385.00						\$385.00
2	Remove and Replace P.C. Concrete Street Section - Will need replaced full depth repair due to no subgrade method (B) per Tyler Ellis statement, and excessive water in concrete and not meeting the correct slump. * Existing concrete removed along W. El Paso Pl.		SY	13917.00	\$69.00	\$960,273.00	590.52			\$40,745.88	4.2%	\$919,527.12
3	Full Depth PCC Patching		SY	54.00	\$175.00	\$9,450.00						\$9,450.00
4	Remove and Replace P.C. Concrete Barrier Curb - Will need full depth repair due to no subgrade method (B) per Tyler Ellis statement, and not excavating additional 1' past curb according to contract. * Existing curb along W. El Paso Pl. was measured and divided by 2 sense there was no install.		LF	6985.00	\$20.00	\$139,700.00	206.50			\$4,130.00	3.0%	\$135,570.00
5	Remove and Replace P.C. Concrete Sidewalk * Existing sidewalk has been removed but not placed. Measure was divided by 2 to pay for		SY	669.00	\$60.00	\$40,140.00	29.62			\$1,777.20	4.4%	\$38,362.80
6	Remove and Replace 6" Concrete Driveway (H.E.S.) - Driveways were dug out to between 3 and 4 inches, and at some places 5 inches. I informed the contractor the concrete will need to be 6 inches deep so Ellis called off the concrete. Ellis hand dug one driveway to grade prior to the Work Stop Order. * Driveway measurements divided by 2. There was no install. Plus 1 existing driveway damaged.		SY	736.00	\$75.00	\$55,200.00	61.25			\$4,593.75	8.3%	\$50,606.25
7	Install Curb Ramp (Type "B") - Ramp removed but not installed.		EA	14.00	\$500.00	\$7,000.00	0.50			\$250.00	3.6%	\$6,750.00
8	Install Curb Ramp (Type "D")		EA	2.00	\$750.00	\$1,500.00						\$1,500.00
9	Remove and Replace Inlet with CICI (DES 2)		EA	5.00	\$4,000.00	\$20,000.00						\$20,000.00
10	Adjust Valve Box to Grade (Including Concrete Collars		EA	8.00	\$500.00	\$4,000.00						\$4,000.00
11	Solid Slab Sodding		SY	500.00	\$10.00	\$5,000.00						\$5,000.00
12	Subgrade Method B * Was not performed this period. Aggregate Base Type A		SY	13917.00	\$7.00	\$97,419.00						\$97,419.00
13	* After 5 weeks of no response from Ellis to get residents access to their homes. The City of BA had to step in and aggregate base the open road of W. El paso Pl and clean up the project.		CY	2320.00	\$42.00	\$97,440.00	391.57			\$16,445.94	16.9%	\$80,994.06
14	Separator Fabric * City installed fabric under installed aggregate base material.		SY	16221.00	\$1.75	\$28,386.75	930.73			\$1,628.78	5.7%	\$26,757.97
15	Unclassified Excavation		CY	2320.00	\$12.00	\$27,840.00						\$27,840.00
16	Unclassified Borrow/Fill		CY	10.00	\$35.00	\$350.00						\$350.00
17	Unclassified Borrow/Fill		LF	91.00	\$11.00	\$1,001.00						\$1,001.00

NOTE:	Aggregate Base Type (A) and Separator Fabric quantities installed by the City of Broken Arrow has been applied. There were some residents that had no direct access to their property by vehicle or by foot for 5 weeks. This prompted an emergency response from the City of BA.									
Totals							\$1,495,084.75		\$69,571.55	\$1,425,513.20