

Dinwiddie County Finance and General Services

14010 Boydton Plank Road

Dinwiddie, Virginia 23841

Phone: 804-469-4500

FAX: 804-469-4503

MEMORANDUM

TO: Board of Supervisors

FROM: Anne Howerton, Deputy County Administrator

DATE: May 17, 2022

SUBJECT: BAPCC 2020 Disbursement #13 – Southside Elementary HVAC

Background

The Fire Truck and Southside Elementary HVAC replacement projects as approved in the FY 2021 CIP were financed with debt issued through Banc of America Public Capital Corp (BAPCC), which closed on December 2, 2020. Each project has its own disbursement forms per the Master Lease Agreement.

Southside HVAC #13 requests payment to Comfort Systems USA LLC for retainage due upon completion of the HVAC unit installation. The disbursement form and invoice are attached for your review.

Actions

We are asking for approval of the following resolution.

BE IT RESOLVED, that the Board of Supervisors of Dinwiddie County, Virginia does hereby authorize payment to Comfort Systems USA LLC per the attached invoice for a total disbursement of \$71,544.88.

Dinwiddie County - Restricted Account Agreement - Schedule 2 HVAC

DISBURSEMENT REQUEST NO. 13

I, the undersigned, hereby certify that I am the duly qualified and acting officer of the Lessee identified below. On Lessee's behalf, I hereby request a disbursement in the amount of **\$13,225.00** with respect to the Equipment listed below, which is subject to Master Equipment Lease/Purchase Agreement dated as of December 2, 2020 by and between Banc of America Public Capital Corp, ("*Lessor*") and County of Dinwiddie, Virginia ("*Lessee*") (hereinafter referred to as the "Lease"):

Comfort Systems USA LLC retainage \$71544.88

The disbursement should be made to:
(Contractor Information)

**Comfort Systems USA LLC
1057 Bill Tuck Hwy
South Boston VA 24592**

The undersigned hereby certifies as follows:

Lessee has incurred an obligation in the stated amount. That obligation is a proper charge against the Restricted Account for costs relating to the Equipment identified in the Lease, and has not been paid. Each item of Equipment relating to an obligation specified in the table herein titled as "Disbursement Amounts" has been delivered, installed and accepted by Lessee. Attached hereto is a copy of the original invoice with respect to this obligation.

The undersigned has no notice of any vendor's, mechanic's, or other liens or rights to liens, chattel mortgages, conditional sales contracts, or security interest that should be satisfied or discharged before the obligation is paid.

This requisition contains no item representing payment on account or any retained percentages that Lessee is, at the date hereof, entitled to retain.

The Equipment is insured in accordance with the Lease.

No Event of Default under the Lease, and no event that with notice or lapse of time, or both, would become an Event of Default, has occurred and is continuing at the date hereof. No Event of Non-appropriation has occurred (or is threatened by the governing board of the County) with respect to the Lease.

The disbursement will occur during the Acquisition Period.

The representations, warranties and covenants of Lessee set forth in the Lease are true and correct as of the date hereof.

No Material Adverse Change has occurred since the date of the execution and delivery of the Lease.

DATE 5/17/22

LESSEE: **County of Dinwiddie, Virginia**

By: 

Name: Anne R. Howerton

Title: Deputy County Administrator

Disbursement Authorized:
Banc of America Public Capital Corp

By: _____

Name: _____

Title: _____



AIA Document G702™ - 1992

DINWIDDIE PUBLIC SCHOOLS
APPROVED FOR PAYMENT

Application and Certificate for Payment

TO OWNER: DINWIDDIE CO PUBLIC SCHOOLS PROJECT: SOUTHSIDE ELEMENTARY SCHOOL
 14016 BOYDTON PLANK ROAD 10305 BOYDTON PLANK ROAD
 DINWIDDIE, VA 23841
FROM CONTRACTOR: COMFORT SYSTEMS USA (MIDATLANTIC) LLC VIA ARCHITECT: RRM ARCHITECTS
 1057 BILL TUCK HWY. 115 SOUTH 15TH STREET
 SOUTH BOSTON, VA 24592 SUITE 202 RICHMOND VA 23219

APPLICATION NO: 7
PERIOD TO: 04/30/22
CONTRACT FOR: ROOFTOP UNIT REPLACEMENT (IFE #21-030322)
CONTRACT DATE: 04/19/21
PROJECT NOS: /

Distribution to: OWNER ARCHITECT
 CONTRACTOR FIELD
 OTHER

SIGN. ACCT: [Signature] APR 21 2022

CONTRACTOR'S APPLICATION FOR PAYMENT
 Application is made for payment, as shown below, in connection with the Contract. AIA Document G703™, Continuation Sheet, is attached.

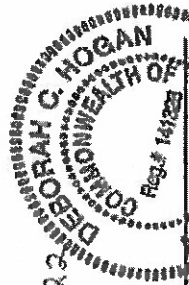
The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM \$ 1,078,910.00
 2. NET CHANGE BY CHANGE ORDERS \$ 70,865.03
 3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 1,099,775.03
 4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 1,099,775.03
 5. RETAINAGE:
 a. .00% of Completed Work (Columns B + E on G703) \$.00
 b. .00% of Stored Material (Column F on G703) \$.00

Total Retainage (Lines 5a + 5b, or Total in Column I of G703) \$.00

6. TOTAL EARNED LESS RETAINAGE \$ 1,099,775.03
 (Line 4 minus Line 5 Total)
 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 1,029,230.15
 (Line 6 from prior Certificate)
 8. CURRENT PAYMENT DUE \$ 71,544.88
 9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 minus Line 6) \$.00

CONTRACTOR: Regino & Cole
 By: [Signature] Date: April 20, 2022
 State of: Virginia
 County of: Halifax
 Subscribed and sworn to before me this 20 day of April 2022
 Notary Public: [Signature]
 My commission expires: July 31, 2024



ARCHITECT'S CERTIFICATE FOR PAYMENT
 In accordance with the Contract Documents, based on on-site observations and the information provided in this application, the Architect certifies to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 71,544.88
 (Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)
 ARCHITECT: [Signature] Date: 04/20/22

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$ 11,242.53	\$.00
Total approved this month	\$ 9,622.50	\$.00
TOTAL	\$ 20,865.03	\$.00
NET CHANGES by Change Order	\$ 20,865.03	\$.00

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

AIA Document G702™ - 1992. Copyright © 1993, 1983, 1971, 1978, 1989 and 1992 by The American Institute of Architects. All rights reserved. WARNING: This AIA® Document is protected by U.S. Copyright Law and International Treaties. Unauthorized reproduction or distribution of this AIA® Document, or any portion of it, may result in severe civil and criminal penalties, and will be prosecuted to the maximum extent possible under the law. Purchasers are permitted to reproduce ten (10) copies of this document when completed. To report copyright violations of AIA Contract Documents, e-mail The American Institute of Architects' legal counsel, copyright@aia.org.



AIA Document G703™ - 1992

Continuation Sheet

AIA Document G703™ - 1992, Application and Certificate for Payment, or G713™ - 2009.

Application and Certificate for Payment, Construction Manager as Adviser Edition.

containing Contractor's signed certification is attached.

In tabulations below, amounts are in US dollars.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 7

APPLICATION DATE: 04/20/22

PERIOD TO: 03/30/22

ARCHITECT'S PROJECT NO:

ITEM NO	DESCRIPTION OF WORK	C SCHEDULED VALUE	E WORK COMPLETED		F MATERIALS PRESENTLY STORED (Not in D or E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE (if variable rate)
			D FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD				
1	HVAC							
01	MOBILIZATION	18,732.00	18,732.00	.00	.00	18,732.00	.00	.00
02	DEMOLITION	637.00	637.00	.00	.00	637.00	.00	.00
03	BONDS	20,813.00	20,813.00	.00	.00	20,813.00	.00	.00
04	SUBMITTALS	20,813.00	20,813.00	.00	.00	20,813.00	.00	.00
05	DUCT AND AIR DISTRIBUTION MAT	4,258.00	4,258.00	.00	.00	4,258.00	.00	.00
06	DUCT FABRICATION LABOR	21,000.00	11,000.00	.00	.00	11,000.00	.00	.00
07	DUCT INSTALL LABOR	2,480.00	2,480.00	.00	.00	2,480.00	.00	.00
08	HVAC EQUIPMENT (RTU'S) MAT	523,376.00	523,376.00	.00	.00	523,376.00	.00	.00
09	INSTALL ROOFTOP UNITS LABOR	16,800.00	16,800.00	.00	.00	16,800.00	.00	.00
10	MOBILIZATION ELECTRICAL	2,062.00	2,062.00	.00	.00	2,062.00	.00	.00
11	DEMOLITION ELECTRICAL	1,375.00	1,375.00	.00	.00	1,375.00	.00	.00
12	ELECTRICAL RACEWAY & WIRE MAT	21,175.00	21,175.00	.00	.00	21,175.00	.00	.00
13	ELECTRICAL RACEWAY & WIRE LAB	13,795.00	13,795.00	.00	.00	13,795.00	.00	.00
14	ELECTRICAL FINAL CONNECTIONS	7,920.00	7,920.00	.00	.00	7,920.00	.00	.00
15	TEST AND BALANCE	5,000.00	5,000.00	.00	.00	5,000.00	.00	.00
16	CONTROLS ENGINEERING	36,000.00	36,000.00	.00	.00	36,000.00	.00	.00
17	CONTROLS MATERIALS	120,000.00	120,000.00	.00	.00	120,000.00	.00	.00
18	CONTROLS LABOR	39,600.00	39,600.00	.00	.00	39,600.00	.00	.00
19	CONTROLS CHECK & VERIFICATION	20,000.00	20,000.00	.00	.00	20,000.00	.00	.00
20	DUCT CLEANING SOB	29,300.00	29,300.00	.00	.00	29,300.00	.00	.00
21	LIFTS, CRANE, MISC EQPT RENTAL	11,000.00	11,000.00	.00	.00	11,000.00	.00	.00
22	OSW/PUNCHLIST	15,610.00	7,805.00	7,805.00	.00	15,610.00	.00	.00
	GRAND TOTAL	1,040,656.00	1,040,656.00	7,805.00	.00	1,040,656.00	.00	.00

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

AIA Document G703™ - 1992. Copyright © 1992, 1993, 1994, 1995, 1996, 1997, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022. All rights reserved. This AIA Document is protected by U.S. Copyright Law and international treaties. Unauthorized reproduction or distribution of this AIA Document or any portion of it, may result in severe civil and criminal penalties and will be prosecuted to the maximum extent possible under the law. Purchasers are permitted to reproduce ten (10) copies of this document when completed. To report copyright violations of AIA Contract Documents, e-mail The American Institute of Architects' legal counsel, copyright@aia.org.



AIA Document G703™ - 1992

Continuation Sheet

AIA Document G703™-1992, Application and Certificate for Payment, or G732™-2009, Application and Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached. In tabulations below, amounts are in US dollars. Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 7
 APPLICATION DATE: 04/20/22
 PERIOD TO: 04/30/22
 ARCHITECT'S PROJECT NO:

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (Not in D or E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE (if variable rate)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD				
2	MECHANICAL							
01	MOBILIZATION	688.00	688.00	.00	.00	688.00	.00	.00
02	DEMOBILIZATION	23.00	23.00	.00	.00	23.00	.00	.00
03	BONDS	765.00	765.00	.00	.00	765.00	.00	.00
04	SUBMITTALS	765.00	765.00	.00	.00	765.00	.00	.00
05	PIPE DEMO LABOR ALT 1	2,758.00	2,758.00	.00	.00	2,758.00	.00	.00
06	PIPE VALVES FITTINGS MATERIAL	13,384.00	13,384.00	.00	.00	13,384.00	.00	.00
07	PIPE VALVES FITTINGS MAT ALT 1	2,817.00	2,817.00	.00	.00	2,817.00	.00	.00
08	PIPE VALVE FITTINGS PREFAB LAB	800.00	800.00	.00	.00	800.00	.00	.00
09	PIPE VALV FIT PREFAB LB ALT 1	800.00	800.00	.00	.00	800.00	.00	.00
10	PIPE VALV FITTING INST LAB	11,645.00	11,645.00	.00	.00	11,645.00	.00	.00
11	PIPE VALV FITTING INST LB ALT 1	3,235.00	3,235.00	.00	.00	3,235.00	.00	.00
12	O&M/PUNCHLIST	574.00	574.00	.00	.00	574.00	.00	.00
		38,254.00	38,254.00	.00	.00	38,254.00	.00	.00
100	CO#1.1-EXT RETURN AIR DUCT DRG	5,287.92	5,287.92	.00	.00	5,287.92	.00	.00
101	CO#1.2-REMOVE SCREEN WALL SECT	2,375.83	2,375.83	.00	.00	2,375.83	.00	.00
102	CO#1.3-REPL EXIST GAS PIPE, RE	3,578.78	3,578.78	.00	.00	3,578.78	.00	.00
103	CO#2.1-CRANE RIGGING UPCHARGE	6,371.00	.00	6,371.00	.00	6,371.00	.00	.00
104	CO#2.2-ADD DUCT DETECTOR	3,251.50	.00	3,251.50	.00	3,251.50	.00	.00
	GRAND TOTAL	1,099,775.03	1,082,347.53	17,427.50	.00	1,099,775.03	.00	.00

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

AIA Document G703™ - 1992, Copyright © 1963, 1965, 1966, 1967, 1970, 1978, 1983 and 1992 by The American Institute of Architects. All rights reserved. WARNING: This AIA® Document is protected by U.S. Copyright Law and International Treaties. Unauthorized reproduction or distribution of this AIA® Document, or any portion of it, may result in severe civil and criminal penalties, and will be prosecuted to the maximum extent possible under the law. Purchasers are permitted to reproduce ten (10) copies of this document when completed. To report copyright violations of AIA Contract Documents, e-mail The American Institute of Architects' legal counsel, copyright@aia.org. 167824004

AIA[®] Document G706[™] – 1994

Contractor's Affidavit of Payment of Debts and Claims

PROJECT: <i>(Name and address)</i> Southside Elementary School 10305 Boydton Plank Road Dinwiddie, VA 23841	ARCHITECT'S PROJECT NUMBER: IPB 21-030321	OWNER <input type="checkbox"/>
	CONTRACT FOR: Rooftop Unit Replacement	ARCHITECT <input type="checkbox"/>
		CONTRACTOR <input type="checkbox"/>
TO OWNER: <i>(Name and address)</i> Dinwiddie County Public Schools 14016 Boydton Plank Road Dinwiddie, VA 23841	CONTRACT DATED: April 13, 2021	SURETY <input type="checkbox"/>
		OTHER <input type="checkbox"/>

STATE OF: Virginia
COUNTY OF: Halifax

The undersigned hereby certifies that, except as listed below, payment has been made in full and all obligations have otherwise been satisfied for all materials and equipment furnished, for all work, labor, and services performed, and for all known indebtedness and claims against the Contractor for damages arising in any manner in connection with the performance of the Contract referenced above for which the Owner or Owner's property might in any way be held responsible or encumbered.

EXCEPTIONS:

SUPPORTING DOCUMENTS ATTACHED HERETO:

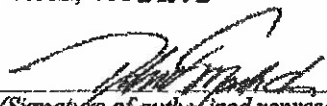
- Consent of Surety to Final Payment. Whenever Surety is involved, Consent of Surety is required. AIA Document G707[™], Consent of Surety to Final Payment, may be used for this purpose.

Indicate attachment: Yes No

CONTRACTOR: *(Name and address)*

Comfort Systems USA (MidAtlantic) LLC
1057 Bill Tuck Hwy
South Boston, VA 24592

BY:


(Signature of authorized representative)

Robert M. Hoggan, Jr./CFO
(Printed name and title)

The following supporting documents should be attached hereto if required by the Owner:

- Contractor's Release or Waiver of Liens, conditional upon receipt of final payment
- Separate Releases or Waivers of Liens for Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof
- Contractor's Affidavit of Release of Liens (AIA Document G706A[™])



Subscribed and sworn to before me on this date. April 20, 2022
Deborah C. Hoggan
Commission Expires July 31, 2024

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.



AIA[®] Document G706A[™] – 1994

Contractor's Affidavit of Release of Liens

PROJECT: <i>(Name and address)</i> Southside Elementary School 10305 Boydton Plank Road Dinwiddie, VA 23841	ARCHITECT'S PROJECT NUMBER: IFB 21-030321	OWNER <input type="checkbox"/>
	CONTRACT FOR: Rooftop Unit Replacement	ARCHITECT <input type="checkbox"/>
		CONTRACTOR <input type="checkbox"/>
TO OWNER: <i>(Name and address)</i> Dinwiddie County Public Schools 14016 Boydton Plank Road Dinwiddie, VA 23841	CONTRACT DATED: April 13, 2021	SURETY <input type="checkbox"/>
		OTHER <input type="checkbox"/>

STATE OF: Virginia

COUNTY OF: Halifax

The undersigned hereby certifies that to the best of the undersigned's knowledge, information and belief, except as listed below, the Releases or Waivers of Lien attached hereto include the Contractor, all Subcontractors, all suppliers of materials and equipment, and all performers of Work, labor or services who have or may have liens or encumbrances or the right to assert liens or encumbrances against any property of the Owner arising in any manner out of the performance of the Contract referenced above.

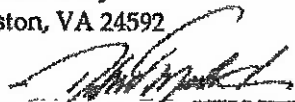
EXCEPTIONS:

SUPPORTING DOCUMENTS ATTACHED HERETO:

- Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
- Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.

CONTRACTOR: *(Name and address)*
Comfort Systems USA (MidAtlantic) LLC
1057 Bill Tuck Hwy
South Boston, VA 24592

BY:


(Signature of authorized representative)

Robert M. DeLoe / CEO
(Printed name and title)

Subscribed and sworn to before me on this date: April 20, 2021

Notary Public: *Deborah C. Hogan*

My Commission Expires: *July 31, 2024*



CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

DINWIDDIE COUNTY PUBLIC SCHOOLS

Date: 04/14/21



PURCHASE ORDER NO. 82271

INVOICE:

This order number must appear on all packages, correspondence, invoices and shipping papers.

DINWIDDIE COUNTY PUBLIC SCHOOLS
P.O. BOX 7 / 14016 Boydton Plank Road
Dinwiddie, VA 23841

TO: Comfort Systems, USA (MidAtlantic) LLC
1057 Bill Tuck Highway
South Boston, VA. 24595
Email: joe.bowman@comfortsystemsusa.com

SHIP TO: Dinwiddie County Public Schools
P.O. Box 7
Dinwiddie, VA. 23841
Phone-804-469-4190

Please enter our order for materials or services listed below:

ITEM	QUANTITY ORDER.	REC.	DESCRIPTION	PRICE	PER	AMOUNT
	1	Lot	Lump Sum price to furnish all labor, materials and equipment to provide for the removal and replacement of seven (7) rooftop HVAC units. Remove & Replace all existing propane gas piping complete. Clean all existing to remain metal HVAC ductwork complete. In accordance with the Plans, Drawings and Specifications in IFB #21-030321	\$1,078,910.00		\$1,078,910.00
			work to be performed at Southside Elementary School, 10305 Boydton Plank Road, Dinwiddie, VA. 23841			
				# 1,078,910.00		
				+ 11,242.53		
						#1,090,152.53
					7/21/21	- 180,234.95
					8/12/21	- 72,743.40
					9/9/21	- 727,009.35
					10/7/21	- 37,876.05
					11/2/21	- 5,378.90
					4/21/21	+ 9,622.50
						\$1,078,910.00
NOTE: PUBLIC SCHOOLS ARE EXEMPT FROM PAYING VIRGINIA SALES TAX						

IFB#21-030321 SES Rooftop Unit Replacement

AUTHORIZED PURCHASING OFFICIAL

REQUESTED BY:

	FUND	FUNCTION	ACCOUNT	COST CENTER	PROGRAM CODE	PROJECT CODE	AMOUNT
	302	66200	810 ^P	205	00	000	1,078,910.00
:PRINCIPAL/SUPERVISOR							
:FINANCE							
:SUPT/DESIGNEE							

White-School/Dest Copy

Yellow-SBO

Pink-Attach to Invoice