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CONDITIONAL WAIVER AND RELEASE ON PROGRESS PAYMENT

PROJECT NAME: THE LAWN AT LAKEFRONT

APPLICATION FOR PAYMENT: 221217-015

PERIOD END DATE: 1/31/2024

JOB NO: 221217

On receipt by the signer of this document of a check from the TOWN OF LITTLE ELM in the sum SEVENTEEN THOUSAND SEVEN HUNDRED TWENTY-SIX DOLLARS AND EIGHTY-FIVE CENTS (\$17,726.85) payable to AUI PARTNERS, LLC and when the check has been properly endorsed and has been paid by the bank on which it is drawn, this document becomes effective to release any mechanic's lien right, any right arising from a payment bond that complies with a state or federal statute, any common law payment bond right, any claim for payment, and any rights under any similar ordinance, rule, or statute related to claim or payment rights for persons in the signer's position that the signer has on the property of THE LAWN AT LAKEFRONT located at 125 MAIN, LITTLE ELM, TX to the following extent: PARK CONSTRUCTION.

This release covers a progress payment for all labor, services, equipment, or materials furnished to the property or to the TOWN OF LITTLE ELM as indicated in the attached statement(s) or progress payment request(s), except for unpaid retention, pending modifications and changes, or other items furnished as briefly described below.

Before any recipient of this document relies on this document, the recipient should verify evidence of payment to the signer.

The signer warrants that the signer has already paid or will use the funds received from this progress payment to promptly pay in full all of the signer's laborers, subcontractors, materialmen, and suppliers for all work, materials, equipment, or services provided for or to the above referenced project in regard to the attached statement(s) or progress payment request(s).

February 2, 2024

AUI PARTNERS, LLC.

By: 

President

Attachment: Progress Billing thru Conditional Waiver Period End Date



TOWN OF LITTLE ELM PAYMENT APPLICATION

<div>PROJECT: <u>The Lawn at Lakefront</u></div> <div>CONTRACTOR: <u>AUI Partners, LLC</u></div> <div>Architect: <u>Dunaway Associates</u></div> <div>PAYMENT PERIOD: From <u>January 1, 2024</u> to <u>January 31, 2024</u></div> <div>Original Contract Amount \$ <u>3,775,605.00</u></div> <div>Approved Change Orders \$ <u>(37,637.25)</u></div> <div>Current Contract Amount with Change Orders \$ <u>3,737,967.75</u></div> <div>A. Total Value of Work this Estimate - Exhibit A: Column H \$ <u>18,659.84</u></div> <div>B Total Materials on Hand this Estimate - Exhibit A: Column I <u>0.00</u></div> <div>C Total A + B (Retainage Calculated) <u>18,659.84</u></div> <div>D. Amount Retained this Period (C x 5%) \$ <u>932.99</u></div> <div>E. Retainage Released 50% \$ <u>93,336.07</u></div> <div>F BALANCE DUE THIS STATEMENT (C - D) \$ <u>17,726.85</u></div> <div>G PREVIOUS PAYMENTS \$ <u>3,621,913.34</u></div> <div>H PERCENTAGE OF CONTRACT PAID TO DATE <u>96.90%</u></div> <div><small>The undersigned Owners Representative for the Contractor listed above certifies that all work, including materials on hand, covered by this Periodical Payment has been completed and delivered and stored in accordance with the Contract Documents, that all amounts have been paid by him for work, materials, and equipment for which previous Periodical Payments were issued and received from the Owner, and that the current payment shown herein is now due.</small></div>	<div>Pay App #</div> <div style="font-size: 2em; color: red; font-weight: bold;">15</div> <div style="background-color: yellow; border: 1px solid black; padding: 2px; font-weight: bold;">Contract 230000001</div>
<div><div><u>Christie L. Stehling</u> Signature</div><div><u>Christie L. Stehling, Project Manager</u> Printed Name & Title</div><div><u>2/2/2024</u> Date</div></div> <div>Subscribed and sworn to before me this <u>2nd</u> day of <u>February</u>, 20 <u>24</u></div> <div><div>Notary Public: <u>Michele Deaver</u> Commission Expires <u>3.18.24</u></div><div style="border: 1px solid black; padding: 5px; text-align: center;"><small>NOTARY PUBLIC STATE OF TEXAS</small> MICHELE DEAVER Notary Public, State of Texas Comm. Expires 03-18-2024 Notary ID 130580502</div></div> <div><div>Recommended for Payment by: _____ Architect of Record Date _____</div><div>Approved for Payment by: _____ Inspector Date _____</div><div>_____ Department Representative Date _____</div><div>_____ Wesley Brandon, P.E., Town Engineer Date _____</div></div>	

SUBMIT BY THE 10TH OF EACH MONTH WITH EXHIBITS

PAYMENT REQUEST - EXHIBIT A: PAYMENT DETAILS											
The Lawn at Lakefront Bid #/Project Name						AUI Partners, LLC CONTRACTOR				Pay App #:	15
BASE BID											
A	B	C	D	E	F	G	H	I	J	K	L
ITEM	ITEM DESCRIPTION	QTY	UOM	UNIT PRICE	CONTRACT AMOUNT	Quantity This Estimate	Total Value of Work Completed this Period	Materials Presently Stored	Total Value of Work from Previous Applications	Total Value of Work Completed & Stored to Date	% of Work Completed
BASE BID											
1	Site Prep/Earthwork/Demo	1	LS	\$84,500.00	\$84,500.00	0.00	0.00	0.00	84,500.00	84500.00	100.00%
2	Pavement Markings	1	LS	\$4,525.00	\$4,525.00	0.00	0.00	0.00	0.00	0.00	0.00%
3	Site Utilities	1	LS	\$252,685.00	\$252,685.00	0.00	0.00	0.00	252,685.00	252685.00	100.00%
4	Landscaping/Irrigation	1	LS	\$283,526.00	\$283,526.00	0.00	0.00	0.00	283,526.00	283526.00	100.00%
5	Concrete	1	LS	\$545,820.00	\$545,820.00	0.00	0.00	0.00	545,820.00	545820.00	100.00%
6	Masonry	1	LS	\$247,662.00	\$247,662.00	0.00	0.00	0.00	247,662.00	247662.00	100.00%
7	Structural Steel	1	LS	\$298,655.00	\$298,655.00	0.00	0.00	0.00	298,655.00	298655.00	100.00%
8	Wood Joists/Deck	1	LS	\$24,650.00	\$24,650.00	0.00	0.00	0.00	24,650.00	24650.00	100.00%
9	Roofing	1	LS	\$103,211.00	\$103,211.00	0.00	0.00	0.00	103,211.00	103211.00	100.00%
10	Joint Sealants/Waterproofing	1	LS	\$19,636.00	\$19,636.00	0.00	0.00	0.00	19,636.00	19636.00	100.00%
11	Doors/Frames/Hardware	1	LS	\$12,560.00	\$12,560.00	0.00	0.00	0.00	12,560.00	12560.00	100.00%
12	Interior Finishes	1	LS	\$115,990.00	\$115,990.00	0.00	0.00	0.00	115,990.00	115990.00	100.00%
13	Plumbing	1	LS	\$90,211.00	\$90,211.00	0.00	0.00	0.00	90,211.00	90211.00	100.00%
14	HVAC	1	LS	\$18,796.00	\$18,796.00	0.00	0.00	0.00	18,796.00	18796.00	100.00%
15	Electrical	1	LS	\$1,100,000.00	\$1,100,000.00	0.00	0.00	0.00	1,100,000.00	1100000.00	100.00%
16	Site Furnishings Allowance	1	LS	\$100,000.00	\$100,000.00	0.00	0.00	0.00	100,000.00	100000.00	100.00%
17	GCS/Supervision	1	LS	\$215,455.00	\$215,455.00	0.00	0.00	0.00	215,455.00	215455.00	100.00%
18	Insurance/Fee/Overhead	1	LS	\$219,939.00	\$219,939.00	0.00	0.00	0.00	219,939.00	219939.00	100.00%
19	Bonds	1	LS	\$37,784.00	\$37,784.00	0.00	0.00	0.00	37,784.00	37784.00	100.00%
	Total				\$3,775,605.00		\$0.00	\$0.00	\$3,771,080.00	\$3,771,080.00	99.88%
Change Orders											
1	PCO 1 - Addendum 2	0		0.00	(2,500.84)	0.00	0.00	0.00	(2,500.84)	-2500.84	100.00%
2	PCO 2 - Artificial Turf	0		0.00	178,662.08	0.00	0.00	0.00	178,662.08	178662.08	100.00%
3	PCO 3 - Addendum 3 Irrigation Modifications	0		0.00	8,098.37	0.00	0.00	0.00	8,098.37	8098.37	100.00%
4	PCO 4 - Electrical Credit	0		0.00	(344,683.00)	0.00	0.00	0.00	(344,683.00)	-344683.00	100.00%
5	PCO 5 Rev1 - Addendum 3 Electrical and Utility Modifications	0		0.00	40,591.01	0.00	0.00	0.00	40,591.01	40591.01	100.00%
6	PCO 6 - Electrical for Scada Box Relocation - Approval TBD Before	0		0.00	11,035.96	0.00	0.00	0.00	11,035.96	11035.96	100.00%
7	PCO 7 - Electrical for Red Carpet Signage - Approval TBD Before	0		0.00	532.07	0.00	0.00	0.00	532.07	532.07	100.00%
8	PCO 8 - Credit for 4% Lime Instead of 6%	0		0.00	(3,413.15)	0.00	0.00	0.00	(3,413.15)	-3413.15	100.00%
9	PCO 9 - Exit Device for Electrical Room	0		0.00	1,429.04	0.00	0.00	0.00	1,429.04	1429.04	100.00%
10	PCO 10 - Hardie Ceilings	0		0.00	925.53	0.00	0.00	0.00	925.53	925.53	100.00%
11	PCO 11 - Additional Electrical Conduit into Building	0		0.00	6,902.01	0.00	0.00	0.00	6,902.01	6902.01	100.00%
12	PCO 12 - Power for LETX Sign - Approval TBD Before Adding	0		0.00	7,516.18	0.00	0.00	0.00	7,516.18	7516.18	100.00%
13	PCO 13 - 10 GFCI Duplex Receptacles - Approval TBD Before Add	0		0.00	25,751.64	0.00	0.00	0.00	25,751.64	25751.64	100.00%
14	PCO 14 - Traffic Rated Clean Out	0		0.00	1,152.64	0.00	0.00	0.00	1,152.64	1152.64	100.00%
15	PCO 16 - Below Grade Double Checks	0		0.00	(524.61)	0.00	0.00	0.00	(524.61)	-524.61	100.00%
16	PCO 19 - Credit for Wall Boxes in Lieu of Floor Boxes	0		0.00	(216.45)	0.00	0.00	0.00	(216.45)	-216.45	100.00%
17	PCO 20 - Credit for Tower Lighting	0		0.00	(41,536.80)	0.00	0.00	0.00	(41,536.80)	-41536.80	100.00%

PAYMENT REQUEST - EXHIBIT A: PAYMENT DETAILS											
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BASE BID											
A	B	C	D	E	F	G	H	I	J	K	L
18	PCO 21 - Replacement Grate at Restroom Catch Basin	0		0.00	816.77	0.00	0.00	0.00	816.77	816.77	100.00%
19	PCO 22 - Two Receptacles at Stage Roof	0		0.00	1,112.13	0.00	0.00	0.00	1,112.13	1112.13	100.00%
20	PCO 23 - Water Tower Painting	0		0.00	18,659.84	0.00	18659.84	0.00	0.00	18659.84	100.00%
21	PCO 24 - Anti-Graffiti at CMU and Travertine	0		0.00	4,378.13	0.00	0.00	0.00	4,378.13	4378.13	100.00%
22	PCO 25 - Additional Pavilion and Tower Electrical	0		0.00	20,636.71	0.00	0.00	0.00	20,636.71	20636.71	100.00%
23	PCO 26 - Mini-Split for Electrical Room	0		0.00	7,902.17	0.00	0.00	0.00	7,902.17	7902.17	100.00%
24	PCO 27 - Sycamore Tree Upcharge	0		0.00	1,343.51	0.00	0.00	0.00	1,343.51	1343.51	100.00%
25	PCO 28 - Beams for Video Wall	0		0.00	5,198.10	0.00	0.00	0.00	5,198.10	5198.10	100.00%
26	PCO 29 - Alternate Wall Heaters	0		0.00	2,852.29	0.00	0.00	0.00	2,852.29	2852.29	100.00%
27	PCO 30 - Additional Electrical Work for Video Wall	0		0.00	4,673.41	0.00	0.00	0.00	4,673.41	4673.41	100.00%
28	PCO 31 - Electrical and Roofing for Mini-Split at Elec. Room	0		0.00	4,321.62	0.00	0.00	0.00	4,321.62	4321.62	100.00%
29	PCO 32 - Fascia and Soffit Changes	0		0.00	746.39	0.00	0.00	0.00	746.39	746.39	100.00%
		0									
	Total Change Orders				-\$37,637.25		\$18,659.84	\$0.00	-\$56,297.09	-\$37,637.25	
	Total All Items				\$3,737,967.75		\$18,659.84	\$0.00	\$3,714,782.91	\$3,733,442.75	