ACCEPTANCE OF COMPLETED CONSTRUCTION PROJECT

This policy applies only those project in excess of $100,000.

For purposes of authorizing the release of retained contract monies (retainage), the board shall formally approve final acceptance of a completed capital project subject to the following:

A. Written final acceptance by the school board;

B. The architect's letter of inspection indicating that the work has been completed; and

C. Certification by the superintendent that no liens have been filed on the project, or if liens have been filed, a certified list of the liens and their respective order of priority.

Pursuant to statute, final payment shall not be made until the district has received from the state department of revenue, state department of employment security, and state department of labor and industries certification that all taxes due, or to become due by the project's contractor, have been paid in full. The superintendent shall notify each department listed that the work is completed and officially accepted so that a determination of tax liabilities of the contractor may be made.

The contract shall provide that a percentage of the project cost shall be retained by the district as required by law to ensure that the project shall remain free and clear of any materialmen, subcontractor or tax liens. The district will accept a bond submitted by the contractor for any portion of the retainage in a form acceptable to the district, and the superintendent of public instruction if state funds are part of the project, from a bonding company registered with the Washington state insurance commissioner and on the currently authorized insurance list published by the Washington state insurance commissioner, unless the district can demonstrate good cause for refusing to accept the bond.

Legal Reference:  
RCW 60.28 Lien for Labor, Materials, Taxes on Public Works  
RCW 39.04.155 Small works roster contract contract procedures, limited public work process  
WAC 180-29-147 Retained Percentage Law Related Requirements

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