

6.6.4

CHANGE ORDERS, RETENTION AND FINAL PAYMENTS

ADOPT: APRIL 8, 1985

REVISED: DECEMBER 12, 2000

REVISED: MARCH 11, 2008

Necessary change orders shall require Board of Trustees' approval. Change orders will be reviewed by the consultant (architect, engineer or construction manager) prior to submission to the District. The District staff may recommend approval and provide supporting data to the Board for its action.

Ten percent (10%) of progress payment requests will be held as retention payments which are due and payable upon the completion and final acceptance of the project. Retention funds may, by mutual consent, be held in a separate interest bearing escrow account until after the Notice of Completion is filed with the County of Sonoma.

It is mutually understood and agreed that when under any provision of a construction contract, the District shall charge any sum of money against the contractor, the amount of such charge shall be deducted and retained by the District from the amount of the contract.

As soon as practicable and after all required work is completed in accordance with the construction contract, the contractor will make a final estimate of the total cost of the work done in accordance with the contract. Said estimate will be subject to review and approval by the District and its representatives. Not less than 35 days after the Notice of Completion is recorded, the District will pay contractor the unpaid balance of the contract price of the work, or the whole contract price of the work if no progress payment has been made, determined in accordance with the terms of the construction contract as approved by the Board of Trustees, less such sums as may be lawfully retained under any provisions of the construction agreement.