

**CITY OF PROSSER, WASHINGTON
RESOLUTION NO. 12-1382**

**A RESOLUTION ACCEPTING THE VILLAGE PARK
IMPROVEMENTS PROJECT AS COMPLETE AND, PURSUANT
TO RCW 39.12 AND RCW 60.28, SUBSEQUENT RELEASE OF
RETAINAGE UPON SATISFACTORY FULFILLMENT AND
COMPLETION OF THE SPECIFIC REQUIREMENTS AND
CONDITIONS**

WHEREAS, the City of Prosser's project engineer, Huibregtse Louman Associates, Inc., (HLA) has inspected and reviewed the project and believe it is satisfactory and complete in accordance with City of Prosser Construction Standards and WSDOT Standard Specifications for Road, Bridge, and Municipal Construction 2010 M-41-10; and,

WHEREAS, the City's project engineer, HLA, recommends acceptance of the project as complete; and,

WHEREAS, the Contractor, Premier Excavation, Inc., (Contractor) has met the requirements for providing necessary documentation assuring there are no liens or claims for labor and materials furnished on this project filed against the retainage; and,

WHEREAS, a full sixty (60) days have elapsed since the official acceptance of this project by the City of Prosser; and,

WHEREAS, the City has received Notice of Completion clearance from the Department of Revenue, the Employment Security Department, and the Department of Labor and Industry relative to this project; and,

WHEREAS, the City has received from HLA the following:

- Confirmation that all punch list items identified during the final walk-through inspection have been completed
- Confirmation that the Contractor has delivered a neatly marked full-size set of record drawings to HLA
- A notarized certificate from the Contractor which states all labor and materials furnished on this project have been paid for
- Statement of Intent to pay prevailing wages approved by the State Department of Labor and Industries
- Certified payroll(s) of the Contractor and Subcontractors
- Affidavits of Wages Paid completed by the Contractor and Subcontractors and approved by the State Department of Labor and Industries
- Verification that the Contractor and Subcontractors are current in payment of all industrial insurance premiums; and,

WHEREAS, the City retained \$23,651.31 relative to this project, pursuant to RCW 39.12 and RCW 60.28; and,

WHEREAS, upon fulfillment of the specific requirements and conditions as outlined, the retainage amount of \$23,651.31 to be released to the Contractor; and,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Prosser hereby accepts the Village Park Improvements Project as complete and subsequently approves of the release of retainage only upon satisfactory fulfillment and completion of the specific requirements and conditions.

ADOPTED by the City Council of the City of Prosser and **APPROVED** by the Mayor of the City of Prosser this 28th day of February, 2012.

Paul Warden

Mayor Paul Warden

ATTEST:

Rachel M. Shaw

Rachel Shaw, City Clerk



APPROVED AS TO FORM:

Howard Saxton

Howard Saxton, City Attorney