

**RESOLUTION 2021-01-01**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF SOUTHWEST SUBURBAN SEWER DISTRICT, KING  
COUNTY, WASHINGTON, RATIFYING AND CONFIRMING  
AS SUBSTANTIALLY COMPLETED, THE CONTRACT COMMONLY KNOWN  
AS THE SALMON CREEK WWTP SOLIDS HANDLING IMPROVEMENTS  
PROJECT, BETWEEN  
PROSPECT CONSTRUCTION, INC., AS  
CONTRACTOR, AND SOUTHWEST  
SUBURBAN SEWER DISTRICT, AS  
OWNER**

WHEREAS, the District entered into a contract known as the Salmon Creek WWTP Solids Handling Improvements Project ("Contract") with Prospect Construction, Inc., for construction and improvements to the District's Salmon Creek Wastewater Treatment Plan, including the new anaerobic digester tank, digester support equipment, seismic structural upgrades, electrical and control improvements, a new Lab/Office building, and site improvements; and

WHEREAS, the District has received a letter requesting substantial completion for the project from Prospect Construction, Inc. For additional consideration, the City of Burien issued Occupancy Certification, on December 10, 2020, and District has prepared an acceptable punch list of outstanding items. Thereby, a recommendation is made for acceptance of the project as substantially complete as of **December 10, 2020**, with acknowledgment that there are punch list items, outstanding contract work, and final costs to be resolved; and

WHEREAS, Southwest's Board of Commissioners accepts such contract as substantially complete in its regular board meeting held on January 19, 2021; and

WHEREAS, the District determined that there has been a total amount paid to date to Prospect Construction, Inc. of \$15,984,508.10 including tax representing the original contract amount of \$14,723,496.70 including tax and change orders previously authorized and paid to date in the amount of \$1,225,011.40 including tax; and

WHEREAS, contract language requires final completion within 60 calendar days from the date of District accepted substantial completion. This date shall be accepted as February 08, 2021.

NOW , THEREFORE , BE IT RESOLVED by the Board of Commissioners of Southwest Suburban Sewer District, King County, Washington, as follows: Prior action accepting as substantially complete the Contract commonly known as the Salmon Creek WWTP Solids Handling Improvements Project on January 19, 2021, is ratified and confirmed. Final acceptance shall be certified by the District within 60 calendar days of substantial completion (February 08, 2021). Contractor held retainage bond and final pay shall be held and released to the contractor on or after thirty (30) days from the date of final contract acceptance, as ratified by this resolution, provided that, prior to release of such retainage, the District receives no claims against said retainage from the Washington State Department of Labor and Industries. Employment Securities Department or the Department of Revenue, and that no liens have been filed against the retainage within 30 days from the completion of all contract work, or that any such claims or liens have been satisfied by the contractor within such thirty (30) days period.

ADOPTED by the Board of Commissioners of Southwest Suburban Sewer District, King County, Washington, at a regular meeting thereof held this 19 January 2021.

SOUTHWEST SUBURBAN SEWER DISTRICT  
KING COUNTY, WASHJNGTON

Individual Commissioner's  
Vote on Resolution

In Favor of:   X  

Opposed:       

Abstained:       

In Favor of:   X  

Opposed:       

Abstained:       

In Favor of:   X  

Opposed:       

Abstained:       

*Susan Genzale ON BEHALF OF SUZY GENZALE*

Susan Genzale,  
President and Commissioner

*William Tracy*

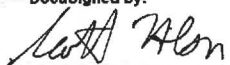
William Tracy,  
Vice-President and Commissioner

*Scott Hilson*

Scott Hilson,  
Secretary and Commissioner

**CERTIFICATE**

I, Scott Hilsen, Secretary of the Board of Commissioners of Southwest Suburban Sewer District, King County, Washington, DO HEREBY CERTIFY that the foregoing resolution is a true and correct copy of Resolution 2021-01-01 of said Board, duly adopted at a regular board meeting thereof held on the 19th day of January 2021, signed by the members of such Board in attendance at such meeting and attested by myself in authentication of such adoption.

DocuSigned by:  
  
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Scott Hilsen  
Secretary of the Board of Commissioners  
Southwest Suburban Sewer District