

## **RESOLUTION 2010-10**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF SOUTHWEST SUBURBAN SEWER DISTRICT, KING  
COUNTY, WASHINGTON, RATIFYING AND CONFIRMING  
ACCEPTANCE, AS COMPLETED, THE CONTRACT  
COMMONLY KNOWN AS THE 30<sup>TH</sup> AVENUE SW BACKWATER  
VALVE PROJECT, BETWEEN RP & COMPANY  
AS CONTRACTOR, AND SOUTHWEST SUBURBAN SEWER  
DISTRICT, AS OWNER**

WHEREAS, the District entered into a contract known as the 30<sup>th</sup> Avenue SW Backwater Valve Project ("Contract") with RP & Company for the installation of Backwater Valves on 30<sup>th</sup> Avenue SW; and

WHEREAS, the District has certified that the contractor has completed the contract and recommend acceptance of the project as complete; and

WHEREAS, Southwest's Board of Commissioners accepted such contract as complete in its regular meeting held on November 9, 2010; and

WHEREAS, the District determined that there was a total amount paid to RP & Company, of \$115,183.73, representing the original contract amount of \$85,433.43 and bid item additions and deletions previously authorized in the amount of \$25,320.16, which, including sales tax of \$9,967.82, totaled \$120,721.41; and of such sums \$115,183.73, was paid to RP & Company, by the District; and

WHEREAS, it was determined that the Retainage in the amount of \$5,537.68 shall be released upon receiving the following information:

- a) Receipt of the releases from the Department of Labor and Industries and the tax commission, including receipt of the Department of Revenue certificate;
- b) Verification that no liens have been filed against this public work improvement for thirty (30) days from the date of completion of the contract work; and
- c) On completion of (a) and (b), then said retainage may be released by the District on or after thirty (30) days from the date of completion of the contract work.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Southwest Suburban Sewer District, King County, Washington, as follows: Prior action accepting as complete the Contract commonly known as the 30<sup>th</sup> Avenue SW Backwater Valve Project on November 9, 2010, is ratified and confirmed. There is retainage which is still due to be released to the contractor. The retainage shall be held and released to the contractor on or after thirty (30) days from the date of contract acceptance (November 9, 2010) 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 or the Department of Revenue, and that no liens have been filed against the retainage within 30 days from the completion of 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 9th day of November, 2010.

SOUTHWEST SUBURBAN SEWER DISTRICT  
KING COUNTY, WASHINGTON

Individual Commissioner's  
Vote on Resolution

In Favor of:    
 Opposed:    
 Abstained:

  
 William A. Tracy,  
 President and Commissioner

In Favor of:    
 Opposed:    
 Abstained:

  
 Tony Genzale,  
 Vice-President and Commissioner

In Favor of:    
 Opposed:    
 Abstained:

  
 Scott Hilsen,  
 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 2010-10 of said Board, duly adopted at a regular meeting thereof held on the 9th of November, 2010, signed by the members of such Board in attendance at such meeting and attested by myself in authentication of such adoption.



Scott Hilsen  
Secretary of the Board of Commissioners  
Southwest Suburban Sewer District