

CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE	ADMIN 0500-14-03 LGL 2005-0009
TITLE: PUBLIC WORKS FINAL ACCEPTANCE EFFECTIVE DATE; September 1997 REVISION EFFECTIVE DATE: February 6, 2014	

1.0 GENERAL

1.1 State law requires that completed public work projects be accepted by an affirmative action of the governmental agency. This policy and procedure explains the conditions and methods by which administrative final acceptances may be made without city council action.

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2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy shall apply to all City departments and divisions except the Library.

3.0 REFERENCES

RCW 39.08.030
SMC 07.06.264
Executive Order 2009-02

4.0 DEFINITIONS

4.1 "Public Works" means all work, construction, alteration, repair, or improvement, other than ordinary maintenance, executed at the cost of the City or which is by law a lien or charge on any real property thereof.

5.0 POLICY

- 5.1 It is the policy of the City of Spokane that completed public work projects shall be accepted by an affirmative action of the City in an expeditious and efficient manner.

Pursuant to authorization by the Spokane municipal code, the Mayor has delegated authority to the City Administrator or division directors, as appropriate, to finally accept certain public works projects without individual action by the City Council. The Director of Parks and Recreation is authorized to finally accept public works projects for his/her departments.

6.0 PROCEDURE

- 6.1 These procedures should be followed for public work contracts regardless of dollar amount; **except** for:

- a. unit price public work contracts where the final contract cost is greater than one hundred ten percent (110%) of the original bid cost, including all change orders (these contracts require city council or park board approval of a final adjustment change order); or
- b. public work contracts over the "minor contract" threshold (including change orders) that have unapproved change orders that exceed ten percent (10%) of the original contract cost, not to exceed one hundred thousand dollars (\$100,000) or the predetermined administrative reserve (these change orders require city council or park board approval); or

- 6.2 Final Acceptance Form Preparation (See attached memo form and corresponding field numbers)

- (1) City Clerk's No.: Insert the City Clerk's contract file number.
- (2) Date: Insert the date the using department head signs the form.
- (3) To: Insert the name of the City Administrator or division director as appropriate.
- (4) Project: Insert short statement identifying the scope of work in the contract. This is usually the same as the title of the specifications, if any, or as described in the "Performance" provision of the contract.

- (5) Contractor: Insert the name of the contractor exactly as stated in the contract.
- (6) Final Payment Amount: Insert the amount of payment to be made to the contractor at time of final acceptance.
- (7) Retainage: Insert the amount of retainage (either 5% or 50% of final contract price excluding sales tax) to be withheld until receipt of all required releases or forty-five days after final acceptance, whichever is later. If the Contractor posted a retainage bond, insert \$0.00.
- (8) Deferred Payment Due: Insert the amount of any payment holdback for uncompleted work.
- (9) Total: Insert final contract payment amount, including filing fees and sales tax, if applicable.
- (10) Subcontractors: Insert the names of all subcontractors working on the project.
- (11) Budget Account: Insert the budget account from which warrants will be drawn. The account number should be the same as stated on the minor contract authorization form.
- (12) Director: Insert the name of the using department.
NOTE: For the Parks and Recreation departments, the appropriate division manager title should be placed in this place.

6.3 Acceptance Form Administration

- 6.3.1 Prepare final acceptance memo and obtain department head signature.
NOTE: For the Parks and Recreation departments, the appropriate division manager should sign in this place.
- 6.3.2 Obtain City Administrator or division director approval on the final acceptance form.
NOTE: For the Parks and Recreation departments, the Director of Parks and Recreation approves final acceptances for his/her departments.
- 6.3.3 Submit the Final Acceptance Memo to City Clerk. Does not need a Minor Contract Summary Form.

6.3.4 Prepare and send Contractor's final billing, plus a voucher for payment, to the Accounting Department.

7.0 RESPONSIBILITIES

Not Applicable

8.0 APPENDICES

Final Acceptance of a Public Works Contract Memo



City Attorney

1/17/14

Date



Assistant City Attorney

1-17-14

Date



City Administrator

1/22/14

Date

PUBLIC WORKS CONTRACT FINAL ACCEPTANCE MEMO

City Clerk's No. _____ (1)
 Date: _____ (2)

TO: _____ (3)

SUBJECT: Final Acceptance of a Public Works Contract

PROJECT: _____ (4)

CONTRACTOR: _____ (5)

Under Section 7.06.264 of the Spokane Municipal Code, the Mayor or his/her designee is authorized to finally accept public work contracts without individual action by the City Council. The above project has been satisfactorily completed and I recommend that it be finally accepted by you and by this form, authorization be given to make final payment to the contractor.

Final Payment Amount	\$ (6)
Statutory Retainage	\$ (7)
Deferred Payment Due	\$ (8)
Total Payment	\$ (9)

Project Subcontractors are:

(10)

Budget Code: _____ (11)

Director of _____ (12)

Project Accepted by:

 Title: _____

 Date

Distribution: Department
 Contractor
 Accounting