

SECTION 01290
PAYMENT PROCEDURES

PART 1 - GENERAL

1.01 SUMMARY

- A. This Section specifies administrative and procedural requirements necessary to prepare and process Applications for Payment, including procedures applicable to unit prices.
- B. Related Sections include the following:
 - 1. Section 01250, "Contract Modification Procedures" for administrative procedures for handling changes to the Contract.
 - 2. Section 01320, "Construction Progress Documentation" for administrative requirements governing preparation and submittal of the Contractor's Construction Schedule and Submittals Schedule.

1.02 DEFINITIONS

- A. Schedule of Values: A statement furnished by Contractor allocating portions of the Contract Sum to various portions of the Work and used as the basis for reviewing Contractor's Applications for Payment.
- B. The "Schedule of Values" as described in this Section shall serve as the "Contract Cost Breakdown" which is required by Article 24 of the General Conditions.

1.03 SCHEDULE OF VALUES

- A. Coordination: Coordinate preparation of the Schedule of Values with preparation of Contractor's Construction Schedule.
 - 1. Correlate line items in the Schedule of Values with other required administrative forms and schedules, including the following:
 - a. Application for Payment forms with Continuation Sheets.
 - b. Submittals Schedule.
 - 2. Submit the Schedule of Values to Architect at earliest possible date but no later than seven days before the date scheduled for submittal of initial Applications for Payment.
- B. Format and Content: Use the Project Manual table of contents as a guide to establish line items for the Schedule of Values. Provide at least one line item for each Specification Section.
 - 1. Identification: Include the following Project identification on the Schedule of Values:
 - a. Project name and location.
 - b. Name of Architect.
 - c. Architect's project number.
 - d. Contractor's name and address.
 - e. Date of submittal.

2. Arrange the Schedule of Values in tabular form with separate columns to indicate the following for each item listed:
 - a. Related Specification Section or Division.
 - b. Description of the Work.
 - c. Name of subcontractor.
 - d. Name of manufacturer or fabricator.
 - e. Name of supplier.
 - f. Change Orders (numbers) that affect value.
 - g. Dollar value.
 - h. Percentage of the Contract Sum to nearest 0.01 percent, adjusted to total 100%.
3. Provide a breakdown of the Contract Sum in enough detail to facilitate continued evaluation of Applications for Payment and progress reports. Coordinate with the Project Manual table of contents. Provide several line items for principal subcontract amounts, where appropriate.
4. Round amounts to nearest whole dollar; total shall equal the Contract Sum.
5. Provide a separate line item in the Schedule of Values for labor and materials where Applications for Payment may include materials or equipment purchased or fabricated and stored, but not yet installed. Provide Labor and Materials breakdown for major portions of the Work such as sitework, concrete structure, masonry, windows, doors and frames, hardware, fire protection, plumbing, heating and ventilating, electrical and other work as requested by the Architect.
 - a. Differentiate between items stored on-site and items stored off-site. Include evidence of insurance or bonded warehousing if required.
6. Provide separate line items in the Schedule of Values for initial cost of materials, for each subsequent stage of completion, and for total installed value of that part of the Work.
7. Each item in the Schedule of Values and Applications for Payment shall be complete. Include total cost and proportionate share of general overhead and profit for each item.
 - a. Temporary facilities and other major cost items that are not direct cost of actual work-in-place may be shown either as separate line items in the Schedule of Values or distributed as general overhead expense, at Contractor's option.
8. Schedule Updating: Update and resubmit the Schedule of Values before the next Applications for Payment when Change Orders or Construction Change Directives result in a change in the Contract Sum.

1.04 APPLICATIONS FOR PAYMENT

- A. Each Application for Payment shall be consistent with previous applications and payments as certified by Architect and paid for by Owner.
 1. Initial Application for Payment, Application for Payment at time of Substantial Completion, and final Application for Payment involve additional requirements.
- B. Payment Application Times: The date for each progress payment is indicated in the Agreement between Owner and Contractor. The period of construction Work covered by each Application for Payment is the period indicated in the Agreement.

- C. Payment Application Forms: Use Owner's form (Section 00850), provided in Contract Forms, as form for Applications for Payment.
- D. Application Preparation: Complete every entry on form. Notarize and execute by a person authorized to sign legal documents on behalf of Contractor. Architect will return incomplete applications without action.
 - 1. Entries shall match data on the Schedule of Values and Contractor's Construction Schedule. Use updated schedules if revisions were made.
 - 2. Include amounts of Change Orders and Construction Change Directives issued before last day of construction period covered by application.
- E. Transmittal: Submit 4 signed originals of each Application for Payment; deliver to Architect by a method ensuring receipt. One copy shall include waivers of lien and similar attachments if required.
 - 1. Transmit each copy with a transmittal form listing attachments and recording appropriate information about application.
- F. Waivers of Mechanic's Lien: With each Application for Payment, submit waivers of mechanic's liens from subcontractors, sub-subcontractors, and suppliers for construction period covered by the previous application.
 - 1. Submit partial waivers on each item for amount requested, before deduction for retainage, on each item.
 - a. Submit partial waivers in the form which is bound into this Project Manual as Section 00871, executed in a manner acceptable to Owner.
 - 2. When an application shows completion of an item, submit final or full waivers.
 - a. Submit full waivers in the form which is bound into this Project Manual as Section 00872, executed in a manner acceptable to Owner.
 - 3. The list of subcontractors, principal suppliers and fabricators shall be used to designate which entities involved in the Work must submit waivers. The list shall be approved by the Owner.
 - 4. Owner reserves the right to designate which entities involved in the Work must submit waivers.
 - 5. Waiver Delays: Submit each Application for Payment with Contractor's waiver of mechanic's lien for construction period covered by the application.
 - a. Submit final Application for Payment with or preceded by final waivers from every entity on the list of subcontractors, principal suppliers and fabricators. Submit the list for Owner's approval.
- G. Initial Application for Payment: Administrative actions and submittals that must precede or coincide with submittal of first Application for Payment include the following:
 - 1. List of subcontractors.
 - 2. Schedule of Values.
 - 3. Contractor's Construction Schedule (preliminary if not final).

4. Schedule of unit prices.
5. Submittals Schedule (preliminary if not final).
6. List of Contractor's staff assignments.
7. Copies of building permits.
8. Copies of authorizations and licenses from authorities having jurisdiction for performance of the Work.
9. Report of preconstruction conference.
10. Certificates of insurance and insurance policies.
11. Performance and payment bonds.
12. Data needed to acquire Owner's insurance.

H. Application for Payment at Substantial Completion: After issuing the Certificate of Substantial Completion, submit an Application for Payment showing 100 percent completion for portion of the Work claimed as substantially complete.

1. Include documentation supporting claim that the Work is substantially complete and a statement showing an accounting of changes to the Contract Sum.
2. This application shall reflect Certificates of Partial Substantial Completion issued previously for Owner occupancy of designated portions of the Work.

I. Final Payment Application: Submit final Application for Payment with releases and supporting documentation not previously submitted and accepted, including, but not limited, to the following:

1. Evidence of completion of Project closeout requirements.
2. Insurance certificates for products and completed operations where required and proof that taxes, fees, and similar obligations were paid.
3. Updated final statement, accounting for final changes to the Contract Sum.
4. Evidence that claims have been settled.
5. Final meter readings for utilities, a measured record of stored fuel, and similar data as of date of Substantial Completion or when Owner took possession of and assumed responsibility for corresponding elements of the Work.
6. Final, liquidated damages settlement statement.

1.05 UNIT PRICING PROCEDURES

A. When unit prices are stated in the Agreement, or subsequently agreed upon by the Owner and the Contractor, unless explicitly stated otherwise such unit prices include the entire cost of providing the work, including actual cost of the product to the Contractor, delivery to the site, applicable sales taxes, and Contractor's overhead, profit, insurance, compensation insurance, and all other direct or indirect expenses of Contractor or subcontractors, as applicable to that class of work.

- B. When Unit Prices are used to determine the value of a change to the Contract Price, follow the following procedures to substantiate actual quantities of work performed:
1. Notify Architect in advance of beginning work under a quantity allowance and, in consultation with the Architect, determine actual extent of work required.
 2. Maintain accurate records of actual units of work performed, or of time and materials, if applicable.
 3. When submitting application for payment, attach supporting information verifying actual quantities of work performed.
- C. Perform Unit Price work in accordance with the Contract Documents, providing materials of same type and work of same quality as is provided for work under the Base Bid.
- D. Unit prices included in the Contract, when used as the basis of payment for changes in the work, shall be the exact net amount per unit to be paid to the Construction Manager in the case of additions or increases; and the exact amount to be refunded to the Owner in the case of decreases.

PART 2 - PRODUCTS (Not Used)

PART 3 - EXECUTION (Not Used)

END OF SECTION 01290