

Polk State College

District Board of Trustees Rule

| Rule Number | Subject | Rule Making Authority | Statutory Reference | SBE Rule Reference | Effective Date |
|---------------|--|-----------------------|---------------------|--------------------|----------------|
| 6Hx21 2.21 | Construction Change Orders, Payments to Contractors During Construction, and Authorization for Final Payment to Contractor | FS 1001.64 | | 6A-2.0010 | 6/22/15 |

The District Board of Trustees has set forth this rule with regard to construction change orders, payments to contractors during construction, and authorization for final payment to contractors upon completion of construction, to be applied to all projects which exceed \$25,000.

1. Construction Change Orders

The President or designee is authorized to approve change orders in an amount not to exceed the signature authority established in Board Rule 1.09. Approval beyond this authority is for the purpose of expediting the work in progress and shall be confirmed at the next regular meeting of the District Board of Trustees.

2. Payments to Contractors During Construction and Authorization for Final Payment to Contractor

It shall be the policy of the District Board of Trustees of Polk State College to make payments to contractors during and upon completion of a project as follows:

- A. A notarized invoice from the contractor, approved for payment by the project architect, must precede any payment during construction.
- B. Payments during construction will be based on the work completed and materials properly stored on the job site. Ten percent (10%) shall be withheld as retainage.

3. Reduction of Retainage

Retainage may be reduced to as little as five percent (5%) of the total contracted cost upon certification by the architect and appropriate College personnel that the job is substantially complete, and upon approval by the President.

4. Final Payment

- A. Unless directed by the Board, the President shall withhold final payment until a Certificate of Substantial Completion is received from the project architect and a Certificate of Occupancy is received from the appropriate Building Code authority.
- B. Should any items from the contract documents remain unfinished, incomplete, and/or in dispute, the President shall withhold from the final payment a sum appropriate to assure satisfactory completion of the outstanding items.
- C. The Board may authorize the President to withhold from final payment the Board Attorney's estimate of liquidated damages.

History:

Adopted: April 28, 1980

Revised: October 30, 1987; February 24, 1992; May 23, 1994; February 22, 2010
and June 22, 2015