



July 1, 2021

Mr. Marc Cawley
Operations Superintendent
Wastewater/Stormwater
Yakima Regional Wastewater Treatment Plant
2220 East Viola Street
Yakima, Washington 98901

**SUBJECT: RELEASE OF RETAINAGE ESTIMATE AND PROJECT
ACCEPTANCE, UV SLIDE GATE REPLACEMENT
CITY OF YAKIMA, YAKIMA COUNTY, WASHINGTON
G&O #17042.05**

Dear Mr. Cawley:

This letter provides the City with guidance regarding the release of retainage and accepting the project as complete.

1. PROJECT COMPLETION ACCEPTANCE

The project has been completed in compliance with the Contract. We therefore recommend the City accept the project as complete. Attached for your use is the “Notice of Completion of Public Works Contract” form.

After the City has accepted the project as complete, the City needs to forward the “Notice of Completion of Public Works Contract” form to the Washington State Department of Revenue, the Washington State Department of Labor and Industries, and the Washington State Employment Security Department.

After the City has accepted the project, please sign the enclosed “Final Contract Voucher” and forward a copy to the contractor and Gray & Osborne, Inc.

2. RELEASE OF RETAINAGE

We have also enclosed two copies of the release of retainage progress estimate for this project. One progress estimate is for the City files and the other copy should be forwarded to the contractor with the payment. The retainage should be released to the contractor contingent upon the following requirements being fulfilled:

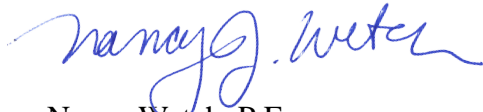
Mr. Marc Cawley
June 25, 2021
Page 2

1. Sixty days have elapsed since the date of project acceptance as indicated in the City meeting minutes.
2. The City receives the Washington State Department of Revenue "Certificate of Payment of State Excise Taxes by Public Works Contractor" (RCW 60.28).
3. The City receives the "Certificate of Payment of Contribution Penalties and Interest on Public Works Contract" from the Washington State Employment Security Department.
4. There are no claims or liens filed for labor and materials furnished on this Contract.
5. The City receives notification from the Washington State Department of Labor and Industries that the contractor and their subcontractors are current with payments of industrial insurance and medical aid premiums.

Please contact me if you have any questions or concerns regarding these matters.

Sincerely,

GRAY & OSBORNE, INC.



Nancy Wetch, P.E.

NW/sc
Encl.
By email

cc: Mr. Russ Twardowski, TML Construction, Inc.



Notice of Completion of Public Works Contract

Department Use Only	
Assigned to	Date Assigned

Date	Form Version	Revision Reason
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Awarding Agency Information			
Company Name City of Yakima		UBI Number 397 005 272	
Address 2220 East Viola Avenue		City Yakima	State Zip Code WA 98901
Contact Name Marc Cawley	Phone Number 509-249-6854	Email Address Marc.Cawley@yakimawa.gov	

Prime Contractor Information			
Company Name TML Construction, Inc.		UBI Number 601-975-177	
Address P.O. Box 2970		City Hayden	State Zip Code ID 83835
Contact Name Russ Twardowski	Phone Number (208) 762-3611	Email Address russ@tmlconst.com	

Project Information			
Project Name UV Slide Gate Replacement		Contract Number WF2525	Affidavit ID Number 1028721
Jobsite Address 2220 East Viola Street		City Yakima	State Zip Code WA 98901
Date Awarded 01/12/2021	Date Work Commenced 04/07/2021	Date Work Completed 06/10/2021	Date Work Accepted
Is this a Federally Funded Transportation Project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach the Contract Bond Statement			
Have Subcontractors been used? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, complete Addendum A			
<input checked="" type="checkbox"/> Contract/Payment Bond Waived? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Retainage Bond Waived? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Detailed Description of Work Completed This project required the removal and replacement of six slide gates that isolate the ultraviolet (UV) disinfection system.			

DOR Tax Information	
Calculated Amount	\$142,100.00
Additions (+)	\$38,698.00
Reductions (-)	(\$2,330.00)
Sub-Total	\$178,468.00
Sales Tax Amount	\$14,812.84
Total	\$193,280.84
Liquidated Damages	
Amount Disbursed	\$184,357.44
Amount Retained	\$8,923.40
Other	
Sales Tax Rate	
Total	\$193,280.84
Both totals must to be equal - If multiple sales tax rates, attach a list	

Apprentice Utilization Information	
Was apprentice utilization required? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Engineer's Estimate:
Utilization %:	If utilization did not meet or exceed 15%, was a Good Faith Estimate approved? <input type="checkbox"/> Yes <input type="checkbox"/> No

Comments

The Disbursing Officer must submit this completed notice immediately after acceptance of the work done under this contract. **No payment shall be made from the retained funds** until receipt of all release certificates and affidavits.

Complete and submit for by email to all three agencies below



RELEASE OF RETAINAGE PROGRESS ESTIMATE 5
JUNE 24, 2021

CITY OF YAKIMA
YAKIMA COUNTY
WASHINGTON

PROJECT:
CITY OF YAKIMA
UV SLIDE GATE REPLACEMENT
G&O JOB #17042.05

CONTRACTOR:
TML CONSTRUCTION, INC.
P.O. BOX 2970
HAYDEN, ID 83835

BID ITEMS				QUANTITIES		PROJECT COSTS		PERCENT OF CONTRACT QUANTITY	
NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL THIS PERIOD	TOTAL TO DATE	AMOUNT THIS PERIOD		AMOUNT TO DATE
1	Mobilization and Demobilization	1	LS	\$7,000.00	0.00%	100.00%	\$0.00	\$7,000.00	100%
2	Unexpected Site Changes	1	LS	\$10,000.00	0.00%	76.70%	\$0.00	\$7,670.00	77%
	Grating	1	LS	\$618.00					
	Spalled Concrete	1	LS	\$243.00					
	Electrical	1	LS	\$5,222.00					
	Spare Parts	1	LS	\$1,587.00					
3	UV Slide Gate Replacement	1	LS	\$125,100.00	0.00%	100.00%	\$0.00	\$125,100.00	100%
CHANGE ORDERS:									
CO1	Item 1 - Supply and Install New Walkway and Handrail	1	LS	\$38,698.00	0.00%	100.00%	\$0.00	\$38,698.00	100%

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JUNE 24, 2021

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YAKIMA COUNTY
WASHINGTON

PROJECT:
CITY OF YAKIMA
UV SLIDE GATE REPLACEMENT
G&O JOB #17042.05

CONTRACTOR:
TML CONSTRUCTION, INC.
P.O. BOX 2970
HAYDEN, ID 83835

	PROJECT COSTS	
	AMOUNT THIS PERIOD	AMOUNT TO DATE
SUBTOTAL EARNED TO DATE	\$0.00	\$178,468.00
SALES TAX	8.30% \$0.00	\$14,812.84
MATERIALS ON HAND	\$0.00	\$0.00
TOTAL	\$0.00	\$193,280.84
LESS 5% RETAINED (BEFORE TAX)	(\$8,923.40)	\$0.00
TOTAL EARNED TO DATE LESS RETAINAGE		\$193,280.84
<u>LESS AMOUNTS PREVIOUSLY PAID</u>		
PROGRESS ESTIMATE 1		\$4,132.00
PROGRESS ESTIMATE 2		\$18,362.71
PROGRESS ESTIMATE 3		\$160,223.36
PROGRESS ESTIMATE 4		\$1,639.37
TOTAL PAYMENT NOW DUE:	\$8,923.40	\$8,923.40
ORIGINAL CONTRACT AMOUNT	\$142,100.00	
CONTRACT AMOUNT WITH CHANGE ORDER 1	\$180,798.00	
CONTRACT PERCENTAGE TO DATE	99%	

RELEASE OF RETAINAGE PROGRESS ESTIMATE 5
JUNE 24, 2021

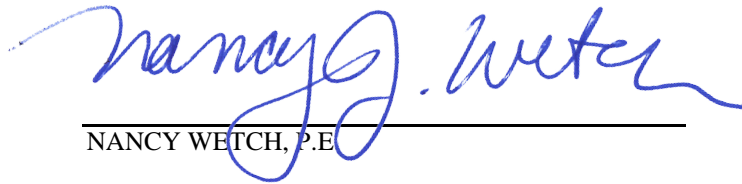
CITY OF YAKIMA
 YAKIMA COUNTY
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PROJECT:
 CITY OF YAKIMA
 UV SLIDE GATE REPLACEMENT
 G&O JOB #17042.05

CONTRACTOR:
 TML CONSTRUCTION, INC.
 P.O. BOX 2970
 HAYDEN, ID 83835

I HEREBY CERTIFY THE ABOVE ESTIMATE IS A
 TRUE AND CORRECT STATEMENT OF THE
 WORK PERFORMED UNDER THIS CONTRACT.

GRAY & OSBORNE, INC.



NANCY WETCH, P.E.

SUMMARY AND DISTRIBUTION OF PAYMENTS

PAY EST NO.	PROGRESS ESTIMATE PERIOD DATES	TOTAL		SALES		MATERIALS ON HAND	RETAINAGE (5%)	TOTAL PAYMENT
		EARNED PER PERIOD	SALES TAX RATE	TAX AMOUNT				
1	DECEMBER 1, 2020 TO DECEMBER 26, 2020	\$4,000.00	8.30%	\$332.00		\$0.00	\$200.00	\$4,132.00
2	DECEMBER 27, 2020 TO MARCH 16, 2021	\$1,309.50	8.30%	\$108.69		\$17,010.00	\$65.48	\$18,362.71
3	MARCH 17, 2021 TO MAY 14, 2021	\$171,571.50	8.30%	\$14,240.43		(\$17,010.00)	\$8,578.58	\$160,223.36
4	MAY 14, 2021 TO JUNE 10, 2021	\$1,587.00	8.30%	\$131.72		\$0.00	\$79.35	\$1,639.37
5	JUNE 24, 2021	\$0.00	8.30%	\$0.00		\$0.00	(\$8,923.40)	\$8,923.40
TOTAL:		\$178,468.00		\$14,812.84		\$0.00	\$0.00	\$193,280.84

Final Contract Voucher Certificate

Contractor TML Construction, Inc.			
Street Address P.O. Box 2970			
City Hayden	State ID	Zip 83835	Date 6/16/2021
Project Number (Owner) WP2525			
Job Description (Title) UV Slide Gate Replacement			
Date Work Physically Completed 6/10/2021		Final Amount (including Sales Tax) \$193,280.84	

Contractor's Certification

I, The undersigned, having first been duly sworn, certify that I am authorized to sign for the claimant; that in connection with the work performed and to the best of my knowledge no loan, gratuity or gift in any form whatsoever has been extended to any employee of the City of Yakima nor have I rented or purchased any equipment or materials from any employee of the City of Yakima; I further certify that the attached final estimate is a true and correct statement showing all the monies due me from the City of Yakima for work performed and material furnished under this Contract; that I have carefully examined said final estimate and understand the same; have paid all labor, material, and other costs for this project; and that I hereby release the City of Yakima from any and all claims of whatsoever nature which I may have, arising out of the performance of said contract, which are not set forth in said estimate.



X Sydney Pet
Contractor Authorized Signature Required

Sydney Petersen
Type Signature Name

Subscribed and sworn to before me this 23 day of June 2021

X [Signature] Notary Public in and for the State of Idaho

Residing at Hayden, ID

City of Yakima Certification

I, certify the attached final estimate to be based upon actual measurements, and to be true and correct. Approved Date _____

X Nancy J. Weter
Project Engineer

X _____
City of Yakima

This Final Contract Voucher Certification is to be prepared by the Engineer and the original forwarded to the City of Yakima for acceptance and payment.

Contractors Claims, if any, must be included and the Contractors Certification must be labeled indicating a claim attached.