
	ADMINISTRATIVE PROCEDURE MANUAL		
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## Purpose

The purpose of this procedure is to establish the process by which the College shall process timely payments to construction contractors in accordance with Florida Statute 1013.37 and State Requirements for Educational Facilities (SREF) Chapter 4, Sections 4.1, 4.2, and 4.3.

## Procedure

- A. The timely payment to construction contractors performing work under construction, remodeling, renovation and repair of College Facilities is the responsibility of the College within the limitation of existing rules and regulations.
- B. In compliance with State Statutes and State Department of Education rules, the following rules for payments to construction contractors shall apply to all facilities construction contracts unless otherwise provided by action of the Board:
  1. Progress payments typically are made to prime contractors on a monthly basis.
  2. Progress payments to contractors shall be made on the basis of satisfactory work completed in place and the cost of materials and equipment not incorporated in the work but delivered and suitably stored at the construction site or in a pre-approved bonded warehouse. The College typically retains 10% of the gross amount due until such time as the project is determined by the College to be substantially complete.
  3. The contractor shall provide a contractor's affidavit to owner with each partial payment attesting that all sub-contractors and material suppliers have been paid in full for the completed construction.
  4. At such time as the contractor has substantially completed the work on projects contracts of \$300,000 or more for which a substantial completion inspection report has been executed by the Architect/Engineer, and a final punch list has been prepared, the retainage may be reduced to not less than 5% of the gross amount due.
  5. In accordance with F.S. 1013.37 and SREF Chapter 4, Sections 4.1, 4.2, and 4.3, final payment may be made to the contractor after the construction project has been both inspected and certified in writing by the architect and/or engineer. The College President, Vice President, Business Services, or the Associate Vice President of Facilities may accept projects with a contract value under \$300,000 and authorize the final payment to the contractor. Projects with a contract value over \$300,000 will be presented to the District Board of Trustees for acceptance and approval of final payment.

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6. The contractor shall submit the following with their request for final payment:
  - a. A Contractor's Affidavit to Owner stating that all lienors have been paid in full, or stating the name of each lienor who has not been paid in full and the amount expected to become due for labor, services, or materials furnished. If any subcontractor, fabricator or supplier fails or refuses to furnish a release or waiver in full, the prime construction contractor will furnish an indemnity bond for release of lien to the College, or other collateral satisfactory to the College, to indemnify the College.
  - b. A Consent of Surety Company to Final Payment (AIA Document G707).
  - c. A Contractor's Affidavit of Payment of Debts and Claims (AIA Document G706).
  - d. A Contractor's Affidavit of Release of Liens (AIA Document G706A).
7. After acceptance of the project and final payment to the contractor, the required forms and data on the project will be forwarded to the Office of Educational Facilities at the Florida Department of Education.

REFERENCES: F.S. 1001.64, 1001.65, 1013.37, 1013.371, 1013.50, SBE Rule 6A-1.011, State Requirements for Educational Facilities (SREF) Chapter 4, Sections 4.1, 4.2, and 4.3

Adopted Date: March 10, 2015  
 Review Date: March 14, 2018