

The engineer reported that the contract No. 4 on the pump station was substantially completed with approximately \$50.00 work remaining on the control installation and that he recommended completion certificate on this contract be given upon the contractor depositing with the Secretary a certified check in the sum of \$100.00 to cover costs.

It was moved by Commissioner Carter, seconded by Commissioner O'Connor and unanimously carried that Resolution No. 48 be adopted as follows:

RESOLUTION NO. 48

A RESOLUTION of King County Water District No. 90 acknowledging completion of Contract No. 4 for Utility Local Improvement District No. 2 directing the giving of notices thereof and authorizing release of retained percentage payments under certain conditions.

WHEREAS, Hill and Ingman, engineers for the Water District, have presented to the Water District Commissioners that Contract No. 4 of Utility Local Improvement District No. 2 has been completed by the Shoreline Construction Company except for minor details of installation on the control panel, and

WHEREAS, Shoreline Construction Company has agreed to keep and retain in effect its indemnifying bond for a period of one year unless liability therefor is sooner terminated, and

WHEREAS, said contractor has also agreed to deliver to the Water District a certified check in the sum of \$100.00 payable to the Water District to be held as security for completion of said control panel which sum is in addition to its surety bond now in effect.

NOW, THEREFORE, it is by the Commissioners of the Water District

RESOLVED, that acknowledgment is hereby given that Shoreline Construction Company has completed performance of Contract No. 4 of U.L.I.D. No. 2 except as hereinafter set forth, and that said contractor is now entitled to receive payment in full for work performed under said contract under the terms and conditions hereinafter set forth, and it is further

RESOLVED, that said payment will be made to the contractor not less than 30 days from date hereof upon delivery by the contractor to the Water District or its engineers, Hill and Ingman, of the following all of which pertain to said Contract No. 4:

- (1) Release from the Washington State Tax Commission of all tax liability.
- (2) Release from the Washington State Department of Labor and Industries of labor claims.
- (3) Affidavit of the contractor that all materials, parts, subcontractors and employees have been paid in full.
- (4) Certified check to the order of King County Water District No. 90 in the sum of \$100.00 as security deposit for completion of the control panel according to the specifications of Contract No. 4.
- (5) Continuance or extension of all performance and surety bonds heretofore required of the contractor upon said contracts which bonds shall remain effective for a term of one year from date hereof.

and it is further

RESOLVED, that at such time as said control panel installation has been completed to the satisfaction of the engineers, Hill and Ingman, then the aforesaid \$100.00 certified check shall be delivered to the contractor, provided, however, that such completion shall have been accomplished on or before the 1st day of April, 1956, and if such completion has not been accomplished on or before said date, it shall then be the option of the Water District to itself complete said panel and deduct the reasonable cost thereof from the proceeds of said certified check and to collect any additional obligations reasonably and necessarily incurred therefrom from the contractor or his surety. Any balance of said certified check remaining after completion of said control panel, shall be repaid to the contractor, and it is further

RESOLVED, that nothing herein contained shall be construed to be any discharge of the contractor or release by the Water District of any of the original contractual obligations other than completion of performance of workmanship and that all warranties and suitability shall remain in full force and effect under the original full term thereof, and it is further

RESOLVED, that the engineers, Hill and Ingman, are hereby authorized to take such steps and issue such certificates as are customarily issued and as may be required by law to acknowledge completion of said contracts as herein designated.

There being no further business to come before the meeting, it was upon the motion of Commissioner O'Connor, seconded by Commissioner Carter and unanimously carried, adjourned at 9:30 P.M.

Secretary and Commissioner

Commissioner