Contract Completion Dates

<table>
<thead>
<tr>
<th>Substantial Completion</th>
<th>Physical Completion</th>
<th>Contract Completion</th>
<th>Final Acceptance</th>
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<tbody>
<tr>
<td>Starts the time when any liquidated damages caused by overruns of contract time are limited to direct engineering charges.</td>
<td>Establishes the date liquidated damages will no longer be charged to the contract.</td>
<td>Starts the 60-day time period for release of retainage. RCW 60.28</td>
<td>Start of 30-day period for laborers to file lien against retainage. RCW 39.12</td>
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<tr>
<td>1-08.9</td>
<td>1-08.5</td>
<td>1-08.5</td>
<td>1-08.5, 1-09.11(3)</td>
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<tr>
<td>1-05.11(1) APWA</td>
<td>1-05.11(2) APWA</td>
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Substantial Completion

When the contract work is completed to the extent that the agency has full and unrestricted use and benefit of the facilities ... and only minor incidental work ... remains to physically complete the total contract. Prior to physical completion, notify your Region H&LP Engineer that you are ready for a Final Inspection.

Physical Completion

When all of the work is physically completed on the project. All the documentation, required by the contract and required by law, need not be submitted by the Contractor by this date. Do not delay physical completion for paperwork.

Completion

When all work specified in the contract is completed and all the obligations of the Contractor under the contract are fulfilled by the Contractor. All required documentation has been submitted by the Contractor.
Final Acceptance

When the Engineer accepts both the completed contract, and the items of work shown in the final estimate, by signature of the Final Contract Voucher Certification.

Note: Although RCW 39.12 uses Final Acceptance to start the 30-day period for laborers to file liens against the bond, RCW 60.28 used Completion to start the 60-day period for release of the retainage. It is therefore essential that Final Acceptance occur as soon as possible after Completion to avoid conflicts.

Contractor Submittals

Immediately after the physical completion date:

- Notify the contractor of all outstanding documents that are required in order to establish a project completion date.
- Provide the contractor written notice of project completion, identifying the Completion Date established for the contract when all the obligations of the contract are complete.
- Establish the completion date after all documentation required by the contract, contact provisions, and the Standard Specifications has been received. The following documents are required for establishing the Completion Date or release of the contractors retained funds:

Affidavit of Wages Paid (All Projects)

The contractors, all subcontractors, and lower tier subcontractors are required to submit Affidavit of Wages Paid (AWP). While not having all AWP, will not prevent the establishment of the projects completion date, it will prevent the release of the contractor’s bond. In the event a subcontractor or lower tier subcontractor cannot or will not provide a completed AWP form, the prime contractor can submit for the subcontractor. If the prime is unwilling to take on this responsibility, they should consult or seek guidance from State L&I.

Final Contract Voucher Certificate (All Projects)

Prepare the Final Contract Voucher Certificate (FCVC), identifying the contract total amount, and submit to the contractor for signature.

Assemble the final estimate and send it to the contractor with the FCVC. The FCVC is the Contractor’s last chance to formally file a Claim. If there is no exception above the Contractor’s signature on the FCVC, there is no claim. The contract will be over as soon as it is returned and you accept it.
Quarterly Reports of Amounts Credited as DBE Participation

The prime contractor must complete the final quarterly report. When a DBE participates in a contract, only the value of the work actually performed by the DBE will be counted.

Certified Payrolls

The prime contractor, all subcontractors, and lower tier subcontractors must submit certified payrolls on federal funded projects. Make certain you have them all, including all requested payrolls corrections.

Material Acceptance Documents (All Projects)

Missing materials submittals is a principal source of delay in closing out the project. Review your ROM carefully to confirm you have all the required documents for the approval and acceptance of these materials.

Local Agency Responsibilities After Physical Completion

After physical completion, there are a few forms that your agencies must complete. They include:

- Final Contract Voucher Certificate (WSDOT Form 134-146) (see Figure 6-1).
- Materials Certification (sample form in Local Agency Guidelines Appendix 52.104) (see Figure 6-2). This form asks for yes or no answers to questions to confirm that all of the materials incorporated into the project were approved, inspected, sampled, tested and certified in accordance with the project plans and specifications and the Standard Specifications. This includes work added by change order.

The material certification reflects the project’s conformance with the Record of Material as adjusted by the Engineer for:

1. Actual project quantities.
2. Acceptance practices as provided for in the Construction Manual.
3. Adjusted sampling/testing frequencies as approved.
4. Change Order work added.

Any variance between the requirements of the Construction Manual, contract documents, Standard Specifications, and the actual outcome must be listed, explained, and resolved.

Ideally, your paperwork is in good order and you can answer yes to each question. If there are any NO answers, these deficiencies must be explained in writing and resolved before certification can be completed.
If you are a CA agency, the materials certification must be signed by the person who fills the position shown on line 2i of your CA agreement, not the inspector or a consultant. If you are not a CA agency, the CA agency who is administering your project must sign the certification.

**Final Records**

Keep **all project records** for three years from the date shown on the administrative review letter you will receive at the end of the project from H&LP.

This retention date will begin after your agency closes the project. If a project spends one year in limbo, three years in design, two years in construction, and another six months to get closed, the retention date may be as much as ten years after the start. Many departments will have discarded key documents that relate to your project. Get a copy for your files at the beginning of the project.

As a condition of receiving money from FHWA, you must have ALL records available until the retention date.

These include the following records:

- All design files
- Right of way files
- Consultant selection process documents
- Advertisement, Award, Bid, Execution documents
- All construction records, files, diaries
- Estimate Payments
- Test reports
- As-Built Plans
- Final Contract Voucher
- Affidavit of Wages Paid
- FHWA 47
- Field Notebooks
- Photographs
As-Built Plans (*Construction Manual* Section 10-3.11)

As-builts are a record of what was actually constructed, not what was planned. All deviations or changes to the original intended physical product of a contract must be included.

Many agencies prepare their own as-builts. If your contractor prepares them, you need to keep checking weekly to be sure they are doing the work and that it is accurate. When the contractor is gone, your agency is responsible to meet the requirements of the state law. RCW 19.122 mandates that owners of “underground facilities” be able to locate these facilities within 600 mm (24 inches) of the outside dimensions.

The only way to have records this accurate is to keep them up-to-date as the work progresses.

Keep a copy as part of your project records.

**The Final Steps**

*Region Local Program Project Review or Final Field Inspection*

The Region Local Programs Office will conduct a final field inspection. Ideally, this can be scheduled to coincide with the final walk through with the contractor. If the final inspection reveals items that must be corrected or resolved before the project can be closed, the Region Local Programs Engineer will work with you until it can be confirmed that outstanding issues are resolved. If there is an unresolved item, a portion of the work may be ineligible for FHWA reimbursement. In that case, you will receive a letter advising which work is ineligible. This may result in some work not being paid or even for reimbursement by your agency for work already billed and paid to you.

*What You Need to Send to Region Local Programs*

**CA Agency**

- Physical Completion Letter
- Materials Certification
- Final Billing

**Non-CA Agency**

- Substantial Completion Letter
- Physical Completion Letter
- Final Voucher Certification
- Materials Certification
- Final Billing
Completion Letter

Within ten calendar days of completion as defined in the *Standard Specifications*, you must submit a physical completion letter to the Region Local Programs Office.

Final Billing

You can send in a final bill anytime after the project is completed. However, you must send it in within 90 calendar days from receipt of the 90-day closure letter. Your agency must submit the following documents to the Region Local Programs Office, clearly marked “Final Billing.”

Your final billing on Form PPC2. Do not ask for more than is authorized. The bill will not be processed. If you need more money, submit a request for additional funding to the Region H&LP Engineer. There is no assurance that additional funding will be available.

Upon receipt of the final billing, the final amount claimed will be paid and preparations begun for project closure.

Contact your Region Local Programs Office if there are reasons you are not able to submit the final bill within 90 days. Sometimes a time extension is allowed.

Project Approval

You will receive an administrative review letter signed by the Director of Highways and Local Programs. The letter will say when the project was accepted and will explain what records must be retained and for how long.
### Final Contract Voucher Certificate

**Contractor**

**Street Address**

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<tr>
<th>City</th>
<th>State</th>
<th>Zip</th>
<th>Date</th>
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<th>Date Work Physically Completed</th>
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**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 Department of Transportation nor have I rented or purchased any equipment or materials from any employee of the Department of Transportation; I further certify that the attached final estimate is a true and correct statement showing all the monies due me from the State of Washington for work performed and material furnished under this contract; that I have carefully examined said final estimate and understand the same and that I hereby release the State of Washington 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.

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**Department of Transportation Certification**

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

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**Headquarters Use Only**

Secretary of Transportation hereby accepts the completed contract pursuant to Section 1-05.12 of the Contract provisions.

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**Final Contract Voucher Certificate**

*Figure 6-1*
Project __________________________________________  Contract No. ____________________

### Checklist for Project Certification

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Note: Any “No” answers on this checklist must be fully explained and documented. Attach test reports representing nonspecification material as well as an explanation of the circumstances leading to acceptance of said material. All seven items must be completed before the project can be certified.

Certified Signature __________________________________________ Date ________________

(Approving Authority)

### Sample Materials Certification

*Figure 6-2*