

**APPROVAL OF A REDUCTION IN RETAINAGE**  
**ON THE CONSTRUCTION CONTRACT**  
**FOR THE RENOVATION AT**  
**SQUIRES ELEMENTARY SCHOOL**  
**BG 14-121**

**BACKGROUND AND RATIONALE:** KDE's 702 KAR 4:160 requires 10% retainage on construction contracts until the project is 50% complete, when a reduction to 5% retainage is allowed. The contract with D.W. Wilburn, Inc. for the renovation of Squires Elementary School in the amount of \$12,166,000.00 (including direct purchase orders) was accepted and approved by the Board at its October 13, 2014 meeting. Since that time the progress of the work has been reviewed by the Office of Facility Design & Construction, the design consultants, JRA Architects, and the local building code officials. More than 55% of the construction is currently complete, leaving \$4,810,336.13 for the remainder of the contract work, including the retainage amount. Currently, the contractor has requested with the approval of the surety, the recommendation of the architect and the concurrence of the FCPS Facility Design & Construction staff, a reduction of the retained amount to 5% of the total contract amount. The Kentucky Department of Education requires that this reduction of the retainage to 5% be approved by the Board. A full 10% retainage may be re-instated if satisfactory progress does not continue. Remaining payments to the contractor shall not be made until all work has been completed and accepted by the architect and the Office of Facility Design & Construction. Prior to final payment, a BG-4 Final Approval and Payment Application Form will be presented for signature by the Superintendent and acceptance of the work by the Board. Approval of this reduction of retainage complies with the intent of the requirements of 702 KAR 4:160 and the Kentucky Department of Education, District Facilities Branch.

**COST:** The remainder of contract amount (including retainage) due to the contractor is \$4,810,336.13.

**FUNDING SOURCE & BALANCE:**

<u>Fund</u>	<u>Organization Code</u>	<u>Project Code</u>	<u>Object Code</u>
Construction 360	0823603	14121	0450

**STAFF CONTACT:** William R. Wallace, AIA, Director, Facility Design & Construction @ 381.3824

**REFERENCE:** 702 KAR 4:160

**RECOMMENDATION:** A motion is in order to:

"Approve the reduction of the contract retainage to 5% of the contract with D.W. Wilburn, Inc. for the renovation of Squires Elementary School, per the provisions of 702 KAR 4:160."

On motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the Board approved the reduction of the contract retainage to 5% of the contract with D.W. Wilburn, Inc. for the renovation of Squires Elementary School, per the provisions of 702 KAR 4:160.

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John Price, Board Chair

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Emmanuel Caulk, Superintendent

September 28, 2015