



**SPECIAL PROVISIONS
FOR
PARTIAL PAYMENTS**

**Black Hawk County
NRT-8155(780)--9G-07**

**Effective Date
July 19, 2022**

THE STANDARD SPECIFICATIONS, SERIES 2015, ARE AMENDED BY THE FOLLOWING MODIFICATIONS AND ADDITIONS. THESE ARE SPECIAL PROVISIONS AND THEY SHALL PREVAIL OVER THOSE PUBLISHED IN THE STANDARD SPECIFICATIONS.

Make the following revisions to the Standard Specifications:

1109.05, A, 1.

Replace the Article:

For work extending over a period of more than one month, the Contractor will receive monthly progress estimate payments based on the amount of work completed. ~~For Primary and Secondary projects in which the Contracting Authority is the Department or a county Board of Supervisors, these progress payments will be bi-weekly if requested by the Contractor. For late payment, the Contracting Authority will pay a penalty of 1.0% per month (or part of a month), or a minimum of \$250, whichever is the greater amount, on any work completed but not processed for payment within 14 calendar days after completion of the work. Completion of the work includes physical completion of the work and submittal of all paperwork required by the contract. Failure of the Contracting Authority to make a progress payment that is approved by the Engineer within 30 days after receipt will cause interest to accrue and additional payment to be made in accordance with Iowa Code 573.~~

1109.05, C, 1.

Replace the Article:

~~Three~~ Five percent of each progress estimate will be deducted and held as Contractor retainage on the first \$1,000,000 paid on a contract. Additional Contractor retainage will be withheld to a maximum of ~~\$30,000~~ \$50,000 following Contractor retainage release if subsequent work is performed. This Contractor retainage is held exclusively for claims filed in accordance with Iowa Code 573 and shall not be considered as an encumbrance on work performed by a subcontractor.

1109.05, D, 4.

Replace the Article:

If the initial attempt to resolve the issue does not result in satisfactory payment for completed work, the Contractor or subcontractor shall submit a written complaint to ~~OES Civil Rights DNR~~ on Form ~~650197~~ 542-0275. The written complaint shall include copies of the correspondence with the Project Engineer or Contractor that provides the details stated above. The Department will investigate and provide written response to the complainant within 15 business days of receipt of the complaint.