STATE OF WASHINGTON
DEPARTMENT OF ENTERPRISE SERVICES
1500 Jefferson St. SE, Olympia, WA 98501
PO Box 41476, Olympia, WA 98504-1476

RETAINAGE INVESTMENT

Job Order Contractor	___
Contract No.	___
Project Description	Job Order Contracting Services
Location	___

Pursuant to R.C.W. 60.28, you are required to exercise your option, IN WRITING, on whether or not monies reserved from the amounts due you on the above contract shall be placed in escrow. You are therefore directed to complete and return this form with the signed copy of the above contract to Engineering & Architectural Services. This form will be transmitted to the Client Agency for further action in preparing the escrow agreement.

Should you desire to have the retained monies invested, it will then be necessary that you enter into an escrow agreement with a bank, trust or savings and loan company, and the above Client Agency.

CONTRACTOR'S OPTION

_____ I do not request retainage on the above contract to be invested.

_____ I hereby request retainage on the above contract be invested.

_____ I hereby request retainage on the above contract be invested and converted into bonds and sureties.

_____ Retainage Bond

_____ _____
Signature Date

_____

SAMPLE

Contract No. _____
Project Description Job Order Contracting Services
Location _____
Date _____

STATE OF WASHINGTON PUBLIC WORKS
JOB ORDER CONTRACT (JOC)

For DEPT. OF ENTERPRISE SERVICES, FACILITY PROFESSIONAL SERVICES

THIS CONTRACT, made and entered into this ___ day of ___, ___, shall be the agreed basis for performing the following work by and between the State of Washington, Department of Enterprise Services, Engineering & Architectural Services, hereinafter referred to as the Owner, and

___
___
___
Telephone ___
E-mail ___

hereinafter referred to as the Job Order Contractor.

WITNESSETH: Whereas the parties hereto have mutually covenanted and by these presents do covenant and agree with each other as follows:

FIRST: Contents of Contract

The Job Order Contractor accepts the relationship of trust and confidence established by this Contract. The Job Order Contractor further agrees to cooperate with all interested parties and utilize the Job Order Contractor's best skills, efforts, and judgment in furthering the interests of the Owner.

The contract documents shall include, but shall not be limited to this Contract, the accepted Bid Proposal, the ___ (insert project number) Job Order Contract Manual, and the Request for Proposals.

SECOND: Time of Completion

The work as agreed to in this Contract shall commence upon the receipt of the Owner's Notice to Proceed. The Job Order Contract shall be completed at the end of twenty-four months from the date of the Owner's Notice to Proceed, unless modified and approved by the Owner and the Job Order Contractor.

The Job Order Contractor agrees to coordinate with the Owner to develop an acceptable schedule for the work under each Work Order and shall be required to adhere strictly to the performance schedule established in each Work Order. The Job Order Contractor further agrees that, from the compensation otherwise to be paid, the Owner may retain a specific monetary sum for each calendar day thereafter that the work for each Work Order remains uncompleted. The sum is agreed upon as the liquidated damages that the Owner will sustain in case of failure of the Job

SAMPLE

Order Contractor to complete the work prior to the date of substantial completion for the specific Work Order. This sum is not to be construed as a penalty in any sense.

THIRD: Contract Cost and Bid Coefficients

A. First Year Not to Exceed Contract = $ ___
B. Not to Exceed Contract over the first two years = $ ___
C. If extended one year, Not to Exceed Contract over three years = $ ___
D. Minimum Committed Contract Amount = $ ___
E. Coefficients to be applied to Unit Cost Manual:

Region	Work Hour	Bid Coefficient
Eastern	Standard	
	Non-standard	
Northwestern	Standard	
	Non-standard	
Southwestern	Standard	
	Non-standard	

FOURTH: Reporting Requirements

The contractor is required to register and create an account in the DES Diversity Compliance program (B2Gnow) at https://des.diversitycompliance.com. The contractor must maintain accurate and timely business contact information, contract, and payment information within the B2Gnow system until the contract in no longer active in the B2Gnow system.

The contractor has the option of utilizing Washington Electronic Businesses Solution (WEBS) website to certify as a small business at https://fortress.wa.gov/ga/webs/home.html, certifying as a Veteran-owned Businesses with the Department of Veterans Affairs at http://www.dva.wa.gov/program/certified-veteran-and-servicemember-owned-businesses, or certifying as a minority or woman owned business with the Office of Minority and Women's Business Enterprises (OMWBE) at http://omwbe.wa.gov.

When requested by the Owner, the Job Order Contractor agrees to provide the following information (reference RCW 39.10.460):

- a list of Work Orders issued
- the cost of each Work Order
- a list of the subcontractors hired under each Work Order
- the cost of each subcontract under each Work Order

IN WITNESS WHEREOF: The said Department of Enterprise Services, Engineering & Architectural Services, has caused this Contract to be subscribed in its behalf, and the said Job Order Contractor has signed this Contract the day and year first above written.

Contractor:
___

Owner:
Department of Enterprise Services

SAMPLE

Engineering & Architectural Services

By _____

Title _____

Date _____

By _____
William J. Frare, P.E.

Title Assistant Director

Date _____

Washington State Contractor's
License No. _____
UBI. NO. _____

contract

SAMPLE

Contract Transmittal

Date

RE: Contract No.

Contract Title

Department of Enterprise Services

The Instructions for Bidders require that the signed contract, payment and performance bond, and certificate of insurance be returned to the Department of Enterprise Services within fifteen (15) days after your receipt of these documents.

Find enclosed:

1. The Job Order Contract for your signature.
2. The Certificate of Insurance and memo for your insurance agent to complete.
4. The Retainage Investment form for your signature.

Please return or have these documents to this office for verification and signature by our Contracting Officer. Copies of the contract will be distributed when executed. NOTE: Transmittal of the contract for signature and the request for insurance and bond does not obligate the State to proceed with award. The contract is not binding upon the State of Washington until it has been duly signed by the State's contracting officer.

Sincerely,

John Doe

JOC Program Coordinator

Enclosures

SAMPLE

Bond and Insurance Notification Form

Date

TO: Insurance Agent for

Job Order Contractor Firm

RE: Contract No.

Contract Description

Department of Enterprise Services

Job Order Contract Firm has been awarded a construction contract with the State of Washington for the above-referenced project.

The bid documents for this contract require that the Job Order Contract Firm provide the State of Washington with a signed contract, bond and insurance within fifteen (15) days of receipt. It is therefore essential that you provide the contractor with the bonds and insurance as soon as possible. Please refer to the attached Insurance and Bonding Requirements.

Please note that the payment and performance bonds shall be written on the AIA Form A312 for the amount of four million dollars ($ 4,000,000) and that Builder's Risk or Installation Floater insurance coverage is required in the amount of $4,000,000. Include the contract number and project name on all documents.

We would like a preview a scanned copy of these documents before finalizing. My email address is: john.doe@des.wa.gov.

Should you have questions, please contact me. Thank you for your assistance.

Sincerely,

John Doe

JOC Program Coordinator

Attachments

SAMPLE

STATE OF WASHINGTON
DEPARTMENT OF ENTERPRISE SERVICES
1500 Jefferson St. SE, Olympia, WA 98501
PO Box 41476, Olympia, WA 98504-1476

__

__
__
__

RE: Contract No. __, Work Order No. __
Project No. __
__

NOTICE TO PROCEED

This is your official notice to proceed with the work for Work Order No. __ on __. Enclosed is a copy of our executed Work Order.

Please complete and have approved by L & I the "Intent to Pay Prevailing Wages" forms for yourself and any Subcontractors. These forms must be submitted to me with your first invoice voucher.

In accordance with the *"General Conditions for Washington State Facility Construction*, PART 5.20", the Contractor shall provide all subcontractor/supplier and payment data on a monthly basis. This information must be entered into the DES Diversity Compliance system (B2Gnow) at https://des.diversitycompliance.com. Failure to do so may result in Owner withholding payment. Invoice voucher forms and instructions can be obtained at http://www.des.wa.gov/services/facilities/Construction/Forms/Pages/Forms.aspx.

Should you have any questions or concerns, please call me at (360) 407-__.

Sincerely,

pm
title

__:__

cc: agency

conntpJOC

SAMPLE