

Warren County Board of Supervisors

RESOLUTION NO. 389 OF 2017

RESOLUTION INTRODUCED BY SUPERVISORS VANSELOW, FRASIER, MCDEVITT, BROCK, SEEBER, MONTESI, LEGGETT, MACDONALD AND HYDE

AMENDING THE WARREN COUNTY PLANS AND POLICIES TO INCLUDE REVISIONS TO THE WARREN COUNTY PURCHASING POLICY

WHEREAS, the Purchasing Agent for Warren County has recommended adding language to the Warren County Purchasing Policy regarding retainage, and

WHEREAS, the Warren County Purchasing Policy has been codified in the Warren County Plans and Policies in Chapter XI (Sections .001 to .090), now, therefore, be it

RESOLVED, that Chapter XI Section II(B)(2)(f) of the Warren County Plans and Policies be, and hereby is, amended as follows:

f. Retainage:

Retainage is a form of security for proper completion of the work under construction contracts. Under General Municipal Law section 106-b(1), the County will retain five percent of each progress payment to the Contractor if the Contractor is required to provide a performance bond and a labor and material bond in the full amount of the contract. In all other cases, the County will retain 10 percent of each progress payment. The contract dollar amount that will be subject to this provision will follow the capitalization threshold as follows:

<u>Contract Purpose</u>	<u>Retainage Threshold</u>
<u>Land Improvements</u>	<u>\$25,000</u>
<u>Buildings & Improvements</u>	<u>\$50,000</u>
<u>Infrastructure</u>	<u>\$250,000</u>

Exceptions - This policy does not apply to the following:

- 1. Unit price contracts where Contractors are paid per unit of work when complete and approved by the County.**
- 2. Contracts subject to administrative requirements for Disadvantaged Business Enterprise Programs for Federally-assisted contracts.**
- 3. Contracts which require only one payment in full after the County has reviewed and approved work.**
- 4. Term agreement contracts which cover emergency work and work as needed during the term of the contract.**