

RESOLUTION NO. 86-66J

A RESOLUTION ACCEPTING AS COMPLETED CERTAIN WORK DONE BY MDF/CORRECTIONS FACILITIES, INC., PROVIDING FOR PUBLICATION OF NOTICE OF FINAL SETTLEMENT, SETTING A DATE FOR FINAL PAYMENT OF BALANCE DUE CONTRACTOR, AND ESTABLISHING A PENALTY FOR FAILURE TO TIMELY COMPLETE FACILITY.

WHEREAS, at a regular meeting of the board held on February 18, 1986, the commissioners unanimously voted to accept the work of MDF/Corrections Facilities, Inc. as completed according to plans and specifications and rules set forth in the contract, and determined that final settlement should be made and that the contractor is entitled to final payment thereon.

WHEREAS, it was determined at said meeting that a balance of \$13,785.00 of the contract price is being retained, determined as follows: \$238,000.00 total contract price, \$23,800.00 retained by county under contract; less \$10,000.00 payment to contractor on 11-20-85, plus wire service transfer fee of \$15.00, equals a present net retainage of \$13,785.00

WHEREAS, the contract provided that the facility would be completed within 116 days after the filing of its completion and performance bond with the county clerk; that the bond was filed on April 12, 1985; that the county took possession of the facility on September 25, 1985; that 116 days after April 12th was August 6th, covering a period of 49 days; that the contract provides for a penalty of \$100.00 per day for the contractor's failure to complete the facility when agreed; and that the commissioners unanimously agreed to charge the contractor a penalty of \$4,900.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SUBLETTE COUNTY, WYOMING:

1. That having received the contractor's statement required by law, the board accepts the work of MDF/Corrections Facilities, Inc. as completed in accordance with the plans, specifications and rules set forth in the contract, that final settlement should be made, and that final payment should be made to the contractor upon completion of the requirements of Section 16-6-114, W.S., 1982.

2. That upon compliance with the afore-mentioned notice statute, the treasurer shall pay the contractor the net sum of \$8,885.00 in full settlement and payment of the contract balance due it after penalty adjustment as aforesaid.

3. That the county clerk shall cause notice of final settlement to be published in The Pinedale Roundup, commencing on February 27, 1986, for a total of 3 consecutive weeks, and to post such notice in 3 conspicuous places in the county, stating among other things that payment of \$8,885.00 to the contractor will be made on the 41st day after the first publication date of such notice.

PASSED AND ADOPTED this 18th day of February, 1986.

BOARD OF COUNTY COMMISSIONERS OF  
SUBLETTE COUNTY, WYOMING

By

Gordon R. Johnston  
Gordon R. Johnston, Chairman,

And

Louis Tomassi  
Louis Tomassi, Member,

And

Moyd E. Bousman  
Moyd E. Bousman, Member.

Lois J. Yake  
Lois J. Yake, County Clerk

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