

APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702

TO: Sylvan Union School District
 605 Sylvan Avenue
 Modesto, CA 95350

FROM: Robert E. Boyer Construction, Inc.
 19608 E. Mono Way
 Sonora, CA 95370

PROJECT: Ustach Middle School Modernization (LLB)

APPLICATION NO: 3
 PERIOD TO: 11/5/2019
 PROJECT NO.:
 CONTRACT DATE: 8/28/2019

Distribution to:
 DISTRICT
 ARCHITECT

APPLICATION FOR PAYMENT SUMMARY

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet is attached.

1. ORIGINAL CONTRACT SUM \$ 10,523,287.00
2. NET CHANGE BY CHANGE ORDERS \$ (525,607.00)
3. CONTRACT SUM TO DATE (Line 1+/-2) \$ 9,997,680.00
4. TOTAL COMPLETED & STORED TO DATE \$ 1,683,357.19

5. RETAINAGE:
 a. N/A \$ -

6. TOTAL EARNED LESS RETAINAGE \$ 1,683,357.19
 (Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 1,129,069.00
8. CURRENT PAYMENT DUE \$ 554,288.19
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 8,314,322.81

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes in previous months by Owner	-	(683,147.00)
Total approved this month	157,540.00	-
TOTAL	157,540.00	(683,147.00)

Net change by Change Orders (525,607.00)

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information, and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By: Robert Boyer Date: 10/22/2019

State of: _____ County of: _____

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public: _____

My Commission expires: _____

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 554,288.19

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

DISTRICT: _____
 By: [Signature] Date: 10/23/19

ARCHITECT: _____
 By: Joshua Gregoire Date: 10/23/19

FOR: _____
 By: Meredith Holloway Date: 10/23/19

CONDITIONAL WAIVER AND RELEASE ON PROGRESS PAYMENT

NOTICE: THIS DOCUMENT WAIVES THE CLAIMANT'S LIEN, STOP PAYMENT NOTICE, AND PAYMENT BOND RIGHTS EFFECTIVE ON RECEIPT OF PAYMENT. A PERSON SHOULD NOT RELY ON THIS DOCUMENT UNLESS SATISFIED THAT THE CLAIMANT HAS RECEIVED PAYMENT.

Identifying Information

Name of Claimant: Robert E. Boyer Construction, Inc.

Name of Customer: Sylvan Union School District

Job Location: Ustach Middle School, 2701 Kodiak Drive, Modesto, CA 95355

Owner: Sylvan Union School District

Through Date: 11/05/2019

Conditional Waiver and Release

This document waives and releases lien, stop payment notice, and payment bond rights the claimant has for labor and service provided, and equipment and material delivered, to the customer on this job through the Through Date of this document. Rights based upon labor or service provided, or equipment or material delivered, pursuant to a written change order that has been fully executed by the parties prior to the date that this document is signed by the claimant, are waived and released by this document, unless listed as an Exception below. This document is effective only on the claimant's receipt of payment from the financial institution on which the following check is drawn:

Maker of Check: Sylvan Union School District

Amount of Check: \$ 554,288.19

Check Payable to: Robert E. Boyer Construction, Inc.

Exceptions

This document does not affect any of the following:

- (1) Retentions.
- (2) Extras for which the claimant has not received payment.
- (3) The following progress payments for which the claimant has previously given a conditional waiver and release but has not received payment:
Date(s) of waiver and release: _____
Amount(s) of unpaid progress payment(s): \$ _____
- (4) Contract rights, including (A) a right based on rescission, abandonment, or breach of contract, and (B) the right to recover compensation for work not compensated by the payment.

Signature

Claimant's Signature: *Robert Boyer*

Claimant's Title: President

Date of Signature: 10/22/2019

SUBLEASE PAYMENT WORKSHEET

For Sublease Payment Number 3, due 11-5, 2019,
on the UMSM Contract at USTACH School of the Sylvan Union School District

Instructions to Owner:

- For the first sublease payment, use Section I. For subsequent sublease payments, use Sections I and II. Retain this worksheet for every sublease payment made.
- Any reference to a line item in the "Prior Worksheet" means the worksheet prepared for the most recent sublease payment prior to the sublease payment presently being calculated. If the sublease payment presently being calculated is the *first* sublease payment, then use '0' for that line item.
- For any amounts withheld from sublease payments, some or all of these amounts must be paid to contractor as the grounds for withholding are minimized or eliminated.

I. Prior Sublease Payments

A. Amount of Prior Payments

- | | |
|---|------------------------------|
| 1. Original Total Sublease Amount (less contingency and allowances)
<i>[Article 4 of Agreement]</i> | \$ <u>10,523,287.00</u> |
| 2. Amount of Previous Board-Approved Change Orders and Authorized Allowance or Contingency Expenditure (From Prior Worksheet: Line 2 + Line 12) | \$ <u><525,607.00></u> |
| 3. Adjusted Total Sublease Amount
(Line 1 + Line 2) | \$ <u>9,997,680.00</u> |
| 4. Base Amount of Previous Sublease Payments
(From Prior Worksheet: Line 4 + Line 18) | \$ <u>1,129,069.00</u> |
| 5. Amount Withheld as of Prior Worksheet
(From Prior Worksheet: Line 5 - Line 19 + Line 20) | \$ <u>0</u> |
| 6. Amount of Actual Previous Sublease Payments
(Line 4 - Line 5) | \$ <u>1,129,069.00</u> |

B. Number of Prior Payments

- | | |
|--|-----------|
| 7. Original Number of Sublease Payments
<i>[Section 6(a) of Sublease]</i> | <u>18</u> |
| 8. Number of Sublease Payments Previously Added <i>[Section 6(d) of Sublease]</i> (From Prior Worksheet: Line 8 + Line 15) | <u>0</u> |
| 9. Adjusted Number of Sublease Payments
(Line 7 + Line 8) | <u>18</u> |
| 10. Number of Sublease Payments Previously Made
(if this worksheet is for the first sublease payment, enter '0'; otherwise, enter Line 10 from the Prior Worksheet + 1) | <u>2</u> |

II. Remaining Sublease Payments (including this sublease payment)

A. Total Amount of Remaining Payments

11. Total of Remaining Sublease Payments (Line 3 – Line 4) \$ 8,868,611.00
12. Board-Approved Change Orders and Authorized Allowance and Contingency Expenditures Since Prior Worksheet \$ 0
13. Adjusted Total of Remaining Base Sublease Payments (Line 11 + Line 12) \$ 8,868,611.00

B. Number of Remaining Payments

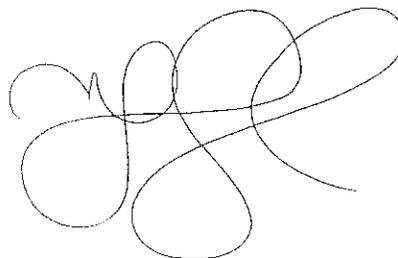
14. Number of Remaining Sublease Payments (Line 9 – Line 10) 16
15. Number of Sublease Payments Added Since Prior Worksheet [Section 6(d) of Sublease] 0
16. Adjusted Number of Remaining Sublease Payments (Line 14 + Line 15) 16

C. Amount of Each Remaining Payment

17. Adjusted Amount of Each Remaining Base Sublease Payment (Line 13 ÷ Line 16) \$ 554,288.19

III. Amount of This Sublease Payment

18. Base Amount of this Sublease Payment (Line 17) \$ 554,288.19
19. Previous Withhold Items That Have Been Resolved Since Prior Worksheet (see Withhold Log) \$ 0
20. New Withhold Items Since Prior Worksheet (see Withhold Log) \$ 0
21. Adjusted Amount of this Payment (Line 18 + Line 19 – Line 20) \$ 554,288.19
22. Total of Actual Sublease Payments (Including this Payment) (Line 6 + Line 21) \$ 1,683,357.19



10/23/19

EXHIBIT A

SCHEDULE OF SUBLEASE PAYMENTS

The Total Sublease Amount shall be \$10,523,287.00. - \$683,147.00 (CO #1) = \$9,840,140.00 + \$157,540 (CO #2) = \$9,997,680

The Schedule of Sublease Payments shall be as follows:

<u>Payment No.</u>	<u>Date Payment Is Due</u>	<u>Amount of Payment</u>		
1	September 5, 2019	\$584,627.06	Paid	
2	October 5, 2019	\$584,627.06	\$544,441.94 - Paid	
3	November 5, 2019	\$584,627.06	 \$554,288.19	
4	December 5, 2019	\$584,627.06		
5	January 5, 2020	\$584,627.06		
6	February 5, 2020	\$584,627.06		
7	March 5, 2020	\$584,627.06		
8	April 5, 2020	\$584,627.06		
9	May 5, 2020	\$584,627.06		
10	June 5, 2020	\$584,627.06		
11	July 5, 2020	\$584,627.06		
12	August 5, 2020	\$584,627.06		
13	September 5, 2020	\$584,627.06		
14	October 5, 2020	\$584,627.06		
15	November 5, 2020	\$584,627.06		
16	December 5, 2020	\$584,627.06		
17	January 5, 2021	\$584,627.06		 \$554,288.15
18	February 5, 2021	\$584,626.98		

PO# 200858

October 22, 2019

Ms. Lizette Aguilar
Superintendent Business Services
Sylvan Union School District
605 Sylvan Ave.
Modesto, CA 95350

RE: Inspection Services for: Ustach Modernization

Ms. Aguilar;

02-117460 – Ustach Modernization

69

DSA Required documents, Maintenance of DSA Box Documents, Inspection, coordination of Lab services, progress meetings, review Time and Material items added to scope of project, Review plans and Specification, CCD, RFI and Change orders

Through October 22, 2019

Total Hours

69

Hourly rate

\$65.00

Total Due

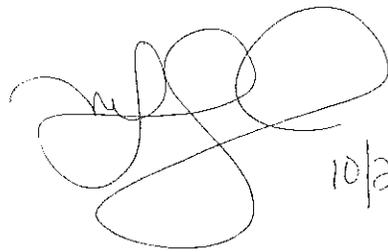
\$4485.00

Please make Payable to: Meridith Holloway
5314 Smith Road
Oakdale, CA 95361

OK To Pay

Thank you for your time and consideration.

Meridith Holloway
DSA Inspector, II
209-988-0742
antmerdo@aol.com



10/23/19

Please remit to:

Krazan & Associates, Inc.
 215 West Dakota Avenue
 Clovis, California 93612

Phone: (209) 572-2200
 Fax: (209) 572-2206

KA Tax I.D. No: 77-0039491

Client: Sylvan Union School District
Attn: Accounts Payable
 605 Sylvan Avenue
 Modesto, CA 95350

Project: Ustach Middle School
Location: 2701 Kodiak Drive
 Modesto, Ca

Client Job No:

P.O. No: ~~192365~~ 193137

Permit No:

KA Proj. No: 07219017

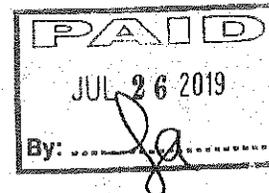
KA Client Nos: 8233: 1290

Invoice Date: July 17, 2019

KA Proj. Mgr: Jarosz II, David

Date	Detailed Description of Services	Units	Rate	Amount
	Lump Sum for Geohazard Engineering Investigation -- Change Order 001	1.00	3,000.00	\$3000.00

Total Amount Due: \$3,000.00



*ok to pay
 7/23/19*

Please Pay This Amount: \$3,000.00

10/1/19

Payable upon receipt of invoice. Overdue accounts charged 1.5% per month (18% annually)
Remit copy of invoice with payment and include our invoice number on your check. **F-PAS**

Please remit to:

Krazan & Associates, Inc.
215 West Dakota Avenue
Clovis, California 93612

Phone: (209) 572-2200
Fax: (209) 572-2206

KA Tax I.D. No: 77-0039491

Client: Sylvan Union School District
Attn: **Accounts Payable**
605 Sylvan Avenue
Modesto, CA 95350

Project: **Modernization & Upgrades to Ustach Middle School**
Location: **2701 Kodiak Ave. Modesto, CA95355**

Proj. No: 07619212
Client Nos: 8233: 1290

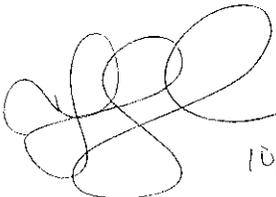
Client Job No:
P.O. No: 192365
Permit No:

Invoice Date: **September 30, 2019**

Proj. Mgr: Baker, Shawn

Date	Detailed Description of Services	Units	Rate	Amount
<u>Construction Testing & Inspection Services</u>				
20-Sep-19	Compaction & Moisture Testing	2.00	105.00	\$210.00
24-Sep-19	Compaction & Moisture Testing	2.00	105.00	\$210.00
26-Sep-19	Epoxy/Anchor Inspection & Testing	4.00	110.00	\$440.00
27-Sep-19	Compaction & Moisture Testing	2.00	105.00	\$210.00
	Engineer Review/Clerical/Report Prep	1.00	100.00	\$100.00
			Subtotal:	\$1,170.00
<u>Laboratory Testing Services</u>				
23-Sep-19	Maximum Density Curves (Sample #133711)	1.00	150.00	\$150.00
			Subtotal:	\$150.00

Total Amount Due: \$1,320.00

OK To Pay  10/18/19
Please Pay This Amount: \$1,320.00
F-PAS

Payable upon receipt of invoice. Overdue accounts charged 1.5% per month (18% annually)
Remit copy of invoice with payment and include our invoice number on your check.

F-PAS

SKW & Associates
 Architectural, Engineering & Surveying
 Post Office Box 579570
 Modesto, CA 95357

Invoice

DATE	INVOICE #
10/2/2019	204552

(209)523-8323

BILL TO
Sylvan School District 605 Sylvan Avenue Modesto, CA 95350

Project	TERMS	SKW JOB #
	Due on receipt	18M065

DESCRIPTION	HOURS	RATE	AMOUNT
Ustach Middle School 2701 Kodiak Dr Modesto, CA 95355 Architectural Services for Modernization and ADA Upgrades PO# 191045 August 26, 2018 thru September 25, 2019 Progress Billing: Construction Administration		13,740.00	13,740.00

DUE ON RECEIPT. FINANCE CHARGE ON PAST DUE AMOUNT 1.5% PER MONTH, (18% APR).

Total \$13,740.00

Balance Due \$13,740.00

Web Site
www.skwassociates.com

[Handwritten Signature]
 10/8/19 *[Handwritten Initials]*

PO# 191045

SKW & Associates
Architectural, Engineering & Surveying
Post Office Box 579570
Modesto, CA 95357

Invoice

DATE	INVOICE #
10/2/2019	204554R

(209)523-8323

BILL TO

Sylvan School District
605 Sylvan Avenue
Modesto, CA 95350

Project	TERMS	SKW JOB #
	Due on receipt	18M065

DESCRIPTION	HOURS	RATE	AMOUNT
Ustach Middle School 2701 Kodiak Dr Modesto, CA 95355			
Architectural Services for Modernization and ADA Upgrades PO# August 26, 2018 thru September 25, 2019			
In House Printing		2,308.40	2,308.40
Printing - ARC - Bidding material		1,922.69	1,922.69
Courier-GSO 9/4/2019 Williams & Associates		20.52	20.52

DUE ON RECEIPT. FINANCE CHARGE ON PAST DUE AMOUNT 1.5% PER MONTH, (18% APR).

Total	\$4,251.61
Balance Due	\$4,251.61

Web Site

www.skwassociates.com

[Handwritten Signature]
10/8/19

SKW & Associates
 Architectural, Engineering & Surveying
 Post Office Box 579570
 Modesto, CA 95357

Invoice

DATE	INVOICE #
8/5/2019	204440R

(209)523-8323

BILL TO
Sylvan School District 605 Sylvan Avenue Modesto, CA 95350

Project	TERMS	SKW JOB #
	Due on receipt	18M065

DESCRIPTION	HOURS	RATE	AMOUNT
Ustach Middle School 2701 Kodiak Dr Modesto, CA 95355			
Architectural Services for Modernization and ADA Upgrades PO# 191045 June 26, 2018 thru July 25, 2019			
Printing - ARC		395.98	395.98
In House Printing		731.54	731.54
Printing -ARC Scanning		37.59	37.59
18M065A			
Printing - ARC Scanning		223.46	223.46
Reimbursable expense-City of Modesto Fire Prevention Ck#19948		165.00	165.00
Courier - GSO 7/24/2019 Boyer		26.44	26.44

DUE ON RECEIPT. FINANCE CHARGE ON PAST DUE AMOUNT 1.5% PER MONTH, (18% APR).

Total \$1,580.01

Balance Due \$1,580.01

Web Site
www.skwassociates.com

[Handwritten Signature]
 10/23/19