

# USTACH MODERNIZATION/ ROOF PROJECT

Contract Name	Date	Object	Amount	Changes	Current	Exp & Ret	Balance
Amazon	4/9/2020	6401	\$309.94	\$0.00	\$309.94	\$0.00	\$309.94
BEST Contracting Services	5/8/2018	5813	\$204,000.00	\$4,021.00	\$208,021.00	\$208,021.00	\$0.00
Boyer **	9/5/2019	6270	\$10,523,287.00	(\$470,679.80)	\$10,052,607.20	\$5,575,383.73	\$4,477,223.47
CDW G	10/21/2019	6401	\$89,733.17	\$0.00	\$89,733.17	\$59,147.61	\$30,585.56
Department of Conservation	7/24/2019	6280	\$3,600.00	\$0.00	\$3,600.00	\$3,600.00	\$0.00
DSA	2/14/2019	6220	\$76,750.00	\$0.00	\$76,750.00	\$76,750.00	\$0.00
Meredith Holloway	4/25/2018	6290	\$123,850.00	\$0.00	\$123,850.00	\$52,975.00	\$70,875.00
One Diversified	10/4/2019	6401	\$13,546.77	\$0.00	\$13,546.77	\$13,546.77	\$0.00
	12/4/2019	6275	\$4,089.00	\$206.93	\$4,295.93	\$4,295.93	\$0.00
JPB Designs	7/1/2018	5813	\$93,000.00	\$5,511.00	\$98,511.00	\$98,511.00	\$0.00
Krazan & Associates	2/26/2019	6280	\$31,878.00	\$0.00	\$31,878.00	\$20,590.00	\$11,288.00
Kurey	11/14/2019	6279	\$35,680.00	\$0.00	\$35,680.00	\$11,760.00	\$23,920.00
Pro Tech	5/23/2018	6270	\$14,105.00	\$0.00	\$14,105.00	\$14,105.00	\$0.00
SKW	9/24/2018	6210	\$638,000.00	\$0.00	\$638,000.00	\$551,760.00	\$86,240.00
SKW-Other	9/24/2018	6210	\$7,231.85	\$0.00	\$7,231.85	\$7,231.85	\$0.00
Stanislaus County	5/6/2019	6245	\$57.00	\$0.00	\$57.00	\$57.00	\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
<b>TOTAL</b>			<b>\$11,859,117.73</b>	<b>(\$460,940.87)</b>	<b>\$11,398,176.86</b>	<b>\$6,697,734.89</b>	<b>\$4,700,441.97</b>

\*\* Boyer change order #1 (\$683,147) &amp; #2 \$157,540

\*\* Bover change order #3 (\$16,819.27) & #4 \$41,978.78

**\*\* Boyer change order #5 \$24,958.99**

TO: Sylvan Union School District  
605 Sylvan Avenue  
Modesto, CA 95350  
FROM: Robert E. Boyer Construction, Inc.  
19606 E. Mono Way  
Sonoma, CA 95370

PROJECT: Ustach Middle School Modernization (LLB)

APPLICATION NO: 10  
PERIOD TO: 6/5/2020  
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 \$ (470,679.80)
3. CONTRACT SUM TO DATE (Line 1+/-2) \$ 10,052,607.20
4. TOTAL COMPLETED & STORED TO DATE \$ 5,575,383.73

5. RETAINAGE:  
a. N/A

\$ -

CONTRACTOR:

By: Robert Boyer

Date: 05/15/2020

State of: \_\_\_\_\_ County of: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Notary Public: \_\_\_\_\_

My Commission expires: \_\_\_\_\_

6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total) \$ 5,575,383.73
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 5,015,730.80
8. CURRENT PAYMENT DUE \$ 559,652.93
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 4,477,223.47

## 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 \$ 559,652.93

(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.)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes in previous months by Owner	229,286.47	(699,966.27)
Total approved this month	-	-
<b>TOTAL</b>	<b>229,286.47</b>	<b>(699,966.27)</b>

Net change by Change Orders (470,679.80)

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.

DISTRICT:

By: \_\_\_\_\_

Date: 5/20/20

ARCHITECT:

By: \_\_\_\_\_

Date: 05/20/20

IOR:

By: \_\_\_\_\_

Date: 05/20/20

## 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: 06/05/2020

### 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: \$ 559,652.93

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: 05/15/2020

## SUBLEASE PAYMENT WORKSHEET

For Sublease Payment Number 10, due 6-5, 2020  
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)<br>[Article 4 of Agreement]   | \$ <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>470,679.80</u>    |
| 3. Adjusted Total Sublease Amount<br>(Line 1 + Line 2)  | \$ <u>10,052,607.20</u> |
| 4. Base Amount of Previous Sublease Payments<br>(From Prior Worksheet: Line 4 + Line 18)  | \$ <u>5,015,730.80</u>  |
| 5. Amount Withheld as of Prior Worksheet<br>(From Prior Worksheet: Line 5 - Line 19 + Line 20)  | \$ <u>0</u>             |
| 6. Amount of Actual Previous Sublease Payments<br>(Line 4 - Line 5)   | \$ <u>5,015,730.80</u>  |

#### B. Number of Prior Payments

- |  |           |
|--|-----------|
| 7. Original Number of Sublease Payments<br>[Section 6(a) of Sublease]  | <u>18</u> |
| 8. Number of Sublease Payments Previously Added [Section 6(d) of Sublease] (From Prior Worksheet: Line 8 + Line 15)  | <u>0</u>  |
| 9. Adjusted Number of Sublease Payments<br>(Line 7 + Line 8)   | <u>18</u> |
| 10. Number of Sublease Payments Previously Made<br>(if this worksheet is for the first sublease payment, enter '0'; otherwise, enter Line 10 from the Prior Worksheet + 1) | <u>9</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) \$ 5,036,876.40
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) \$ 5,036,876.40

**B. Number of Remaining Payments**

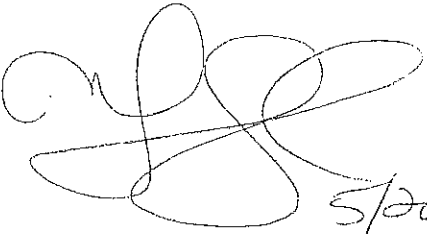
14. Number of Remaining Sublease Payments (Line 9 – Line 10) 9
15. Number of Sublease Payments Added Since Prior Worksheet [Section 6(d) of Sublease] 0
16. Adjusted Number of Remaining Sublease Payments (Line 14 + Line 15) 9

**C. Amount of Each Remaining Payment**

17. Adjusted Amount of Each Remaining Base Sublease Payment (Line 13 ÷ Line 16) \$ 559,652.93

**III. Amount of This Sublease Payment**

18. Base Amount of this Sublease Payment (Line 17) \$ 559,652.93
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) \$ 559,652.93
22. Total of Actual Sublease Payments (Including this Payment) (Line 6 + Line 21) \$ 5,575,383.73

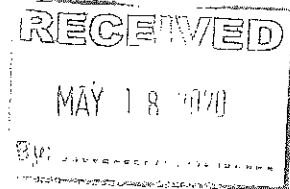
  
5/20/20

Please remit to:

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

KA Tax I.D. No: 77-0039491

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



**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, CA 95355

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

**Proj. No:** 07619212  
**Client Nos:** 8233: 1290

**Invoice Date:** April 30, 2020

**Proj. Mgr:** Baker, Shawn

Date	Detailed Description of Services	Units	Rate	Amount
<b>Construction Testing &amp; Inspection Services</b>				
16-Apr-20	Compaction & Moisture Testing	4.00	105.00	\$420.00
21-Apr-20	Compaction & Moisture Testing	4.00	105.00	\$420.00
23-Apr-20	Compaction & Moisture Testing	4.00	105.00	\$420.00
27-Apr-20	Epoxy/Anchor Inspection & Testing	4.00	110.00	\$440.00
29-Apr-20	Compaction & Moisture Testing	4.00	105.00	\$420.00
	Engineer Review/Clerical/Report Prep	1.00	100.00	\$100.00
			<b>Subtotal:</b>	<b>\$2,220.00</b>

**Total Amount Due: \$2,220.00**

EX BOD  
4/15/20

**Please Pay This Amount: \$2,220.00**

**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**