

Subcontractor's Conditional Waiver and Release upon Progress Payment

Cover Sheet and Instructions

APPROVED DOCUMENT – This document is approved by the Office of the President and Office of the General Counsel for use by the Facility and is available on electronic media.

PURPOSE OF DOCUMENT:	Provides the University (as Owner) with a written statement that the subcontractor pledges to waive certain rights upon receipt of the amount owed from a progress payment.			
CROSS-REFERENCE TO FACILITIES MANUAL:	None			
CONTENTS:	Subcontractor's Conditional Waiver and Release upon Progress Payment form			
FOR USE WITH:	CM/Contractor Agreement			
COMPLETED BY:	✓	Filling in	✓	Adding Text
ITS USE IS:		Required	✓	Optional
				No Data Required

NOTE: To use the electronic file of this document, you must go to the "Tools" pull down menu in Microsoft Word, select "Options," select the "View" tab, and then put a check in the box "Hidden text." Most instructions and alternate language is displayed in hidden text. Do not print the hidden text for the final document.

Completion Instructions:

1. The subcontractor completes the form.

Modifications and Additions:

None

Comments:

None

EXHIBIT {NUMBER}

**SUBCONTRACTOR'S CONDITIONAL WAIVER AND
RELEASE UPON PROGRESS PAYMENT**

Upon receipt by the undersigned of a check from:

(Name of CM/Contractor or Subcontractor)

in the sum of \$ _____

payable to _____

and when the check has been properly endorsed and has been paid by the bank upon which it is drawn, this document shall become effective to release any lien, stop notice, or bond right the undersigned has on the Project of The Regents of the University of California located at:

(Facility and Project Name)

to the following extent. This release covers a progress payment for labor, services, equipment, or material furnished to

(Name of CM/Contractor or Subcontractor)

through _____ only and does not cover any retentions retained before or after the
(Date)

release date; extras furnished before the release date for which payment has not been received; extras or items furnished after the release date. Rights based upon work performed or items furnished under a written change order which has been fully executed by the parties prior to the release date are covered by this release unless specifically reserved by the claimant in this release. This release of any lien, stop notice, or bond right shall not otherwise affect the contract rights, including rights between parties to the contract based upon a rescission, abandonment, or breach of the contract, or the right of the undersigned to recover compensation for furnished labor, services, equipment, or material covered by this release if that furnished labor, services, equipment, or material was not compensated by the progress payment. Before any recipient of this document relies on it, that party should verify evidence of payment to the undersigned.

Dated: _____

(Company Name)

By: _____
(Name)

(Title)