

# CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner: City of Marshalltown Owner's Project No.: PRK21-001  
Engineer: City of Marshalltown Engineer's Project No.: PRK21-001  
Contractor: ConStruct, Inc. Contractor's Project No.:  
Project: Elks Park Grading and ADA Accessibility  
Contract Name: Base Bid Plus Change Orders 1, 2 and 3

This  Preliminary  Final Certificate of Substantial Completion applies to:  
 All Work  The following specified portions of the Work:

Date of Substantial Completion: **September 15, 2022**

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Work or portion thereof designated above is hereby established, subject to the provisions of the Contract pertaining to Substantial Completion. The date of Substantial Completion in the final Certificate of Substantial Completion marks the commencement of the contractual correction period and applicable warranties required by the Contract.

A punch list of items to be completed or corrected is attached to this Certificate. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

Amendments of contractual responsibilities recorded in this Certificate should be the product of mutual agreement of Owner and Contractor; see Paragraph 15.03.D of the General Conditions.

The responsibilities between Owner and Contractor for security, operation, safety, maintenance, heat, utilities, insurance, and warranties upon Owner's use or occupancy of the Work must be as provided in the Contract, except as amended as follows:

Amendments to Owner's Responsibilities:  None  As follows:

Amendments to Contractor's Responsibilities:  None  As follows:

The following documents are attached to and made a part of this Certificate:

**None**

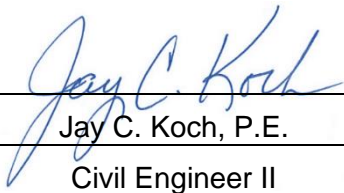
This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents, nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

Engineer

By (signature):

Name (printed):

Title:

  
\_\_\_\_\_  
Jay C. Koch, P.E.  
\_\_\_\_\_  
Civil Engineer II  
\_\_\_\_\_

# NOTICE OF ACCEPTABILITY OF WORK

Owner: City of Marshalltown Owner's Project No.: PRK21-001  
Engineer: City of Marshalltown Engineer's Project No.: PRK21-001  
Contractor: ConStruct, Inc. Contractor's Project No.:  
Project: Elks Park Grading and ADA Accessibility  
Contract Name: Base Bid Plus Change Orders 1, 2 and 3  
Notice Date: September 29, 2022 Effective Date of the Construction Contract: July 25, 2022

The Engineer hereby gives notice to the Owner and Contractor that Engineer recommends final payment to Contractor, and that the Work furnished and performed by Contractor under the Construction Contract is acceptable. This Notice of Acceptability of Work (Notice) is made expressly subject to the following terms and conditions to which all who receive and rely on said Notice agree:

This Notice has been prepared with the skill and care ordinarily used by members of the engineering profession practicing under similar conditions at the same time and in the same locality.

This Notice reflects and is an expression of the Engineer's professional opinion.

This Notice has been prepared to the best of Engineer's knowledge, information, and belief as of the Notice Date.

This Notice is based entirely on and expressly limited by the observation of the Contractor's Work and applies only to facts that are within Engineer's knowledge or could reasonably have been ascertained by Engineer as a result of carrying out the responsibilities specifically assigned to Engineer.

This Notice is not a guarantee or warranty of Contractor's performance under the Construction Contract, an acceptance of Work that is not in accordance with the Contract Documents, including but not limited to defective Work discovered after final inspection, nor an assumption of responsibility for any failure of Contractor to furnish and perform the Work thereunder in accordance with the Contract Documents, or to otherwise comply with the Contract Documents or the terms of any special guarantees specified therein.

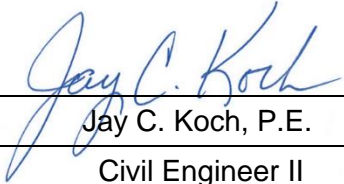
This Notice does not relieve Contractor of any surviving obligations under the Construction Contract, and is subject to Owner's reservations of rights with respect to completion and final payment.

Engineer

By (signature):

Name (printed):

Title:

  
\_\_\_\_\_  
Jay C. Koch, P.E.  
\_\_\_\_\_  
Civil Engineer II  
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