

Final Payment Retainage for Punchlist Completion  
Optional Clause  
Fixed Fee Contract

Final Payment – A final payment of all unpaid portions of the Contract price, including any unpaid change orders, unforeseen site condition expenses, escalation charges, and fuel surcharges, shall be due and payable upon either issuance of the certificate of occupancy by the Authority Having Jurisdiction (AHJ), or if there is none, upon a certificate signed by the Contractor that the Home is substantially complete and ready for occupancy, or upon the occupancy of the Home by the Owner(s) or any third party. The amount withheld for retainage shall be due and payable upon completion of the punchlist work as provided in Section 13 of this Contract.

**Optional Clause – final payment retainage for punchlist work – cost-plus provision**

FINAL PAYMENT – A final payment of the remaining unpaid “Cost of Work” incurred, less \_\_\_\_\_ % of the final payment to be held as retainage for completion of punchlist items, shall be due and payable upon issuance of the certificate of occupancy by the Authority Having Jurisdiction (AHJ), or if there be none, upon a certificate signed by the Contractor that the Home is substantially complete and ready for occupancy, or upon the occupancy of the Home by the Owner(s) or any third party. The amount withheld for retainage shall be due and payable upon completion of Section 13 of this Contract. (Sect. 12 in the Cost- Plus form)

Sect. 13. FINAL INSPECTION and CERTIFICATE OF ACCEPTANCE (Sect. 12 in the Cost- Plus form)