

Retainage Workgroup Survey Questions

For Owners:

1. How many days is the average release of your retainage, measured from the completion of the contract (often referred to as Final Acceptance, or filing of the Notice of Completion with Lnl, DOR, ESD)?
 - a. Within 90 Days
 - b. Within 120 Days
 - c. Within 240 Days
 - d. Anything greater than 365+ DaysAdditional Comments:
 - e. Please explain what caused the delay and where was it held up?
2. When you have retention questions who do you go to as an Owner?
 - a.
 - b.
 - c.
3. Describe the relationship between prevailing wage classifications and workers comp classifications?
4. Have you been made aware that you can file your Notice of Completion with ESD and DOR prior to LNI?
5. Describe your practice or procedure for tracking projects so that you are issuing Final Acceptance timely?

For Contractors/Subcontractors:

1. Are you made aware and fully understand the rules and laws in place as to when retention released?

Retention in the amount of up to 5% is held until the completion of a contract. Then notice is placed in a paper where the work completed, which launches a lien period for Subcontractors to file Claims against the retention. Notice of Completion to DOR, ESD, and LNI typically simultaneously occur and all three agencies must provide releases before retention on the contract can be released.
2. How many days is the average release of your retainage, measured from the completion of the contract (often referred to as Final Acceptance, or filing of the Notice of Completion with Lnl, DOR, ESD)?
 - a. Within 90 Days
 - b. Within 120 Days
 - c. Within 240 Days
 - d. Anything greater than 365+ Days
 - e. UnknownAdditional Comments:
3. Please explain what caused the delay and where was it held up

4. How many days is the average release of your retainage, measured from the completion of your onsite work?
 - a. Within 90 Days
 - b. Within 120 Days
 - c. Within 240 Days
 - d. Anything greater than 365+ Days
5. Are contractors aware that the owner cannot file the Notice of Completion with Labor and Industries until all Affidavits of Wages Paid have been filed by all tier of contract and subcontractors on the contract?
6. Do you have a checklist to follow on the requirements of the Notice of Completion with Labor and Industries until all Affidavits of Wages Paid have been filed by all tier of contract and subcontractors on the contract?
7. Were you reluctant or apprehensive in bidding on a project due to project duration with the understanding that retainage won't be released until the project is fully completed?
8. Retention bonds are a potential solution to not getting your retention very quickly. Are you aware of the RCWs related to retention bonds?
 - a. YES
 - b. NO

A response of YES follow up questions:

- c. Since you are aware of the ability to obtain retention bonds do you obtain them for your projects?
 - a. YES
 - b. NO
- d. How often do you elect to provide a Retention Bond?
We need to give them multiple choice, it is easier for them to answer.
- e. Do you use Retention Bonds due to having been educated about them?
 - a. YES
 - b. NO
- f. Is getting a retention bond a financially driven decision?
 - a. YES
 - b. NO
- g. Are you being charged additional fees for retainage bonds when you are obtaining them as a Subcontractor on a project that is not already covered by a retention bond by the Prime Contractor? For example, admin fee on top of premium pass down.

9. Are you made aware of the advertisement of Contract Completion is published by the Owner?
10. When you have retention questions who do you go to?
 - a. Prime
 - b. Subcontract Contractor
 - c. Subcontractor
 - d. Owner(Multiple answer is acceptable)
11. Describe the relationship between prevailing wage classifications and workers comp classifications?
12. Identify and describe positive, acceptable experience or best practice you have experience in your trade related to retainage. Please elaborate and state possible reasons if you were paid promptly?
13. Identify and describe barriers that you have experienced in your trade related to retainage? Please state possible reasons if there was a delay.
14. Potential Legislation Question – Of the following, which would you support?
 - a. Allow acceptance at halfway point of contract completion.
 - b. Extend the lien period statutory timelines to DOR, ESD and LNI.
 - c. Co-locate the RCWs related to retention.
 - d. Make Retainage Bond costs reimbursable.
 - e. Prohibit the charging of an admin fee for managing retainage bonds.
 - f. Exclude consultant services as being subject to retainage.