
City of Broken Bow

Monday, August 27, 2012

City Council Regular Session

Approval of Recommendation of Acceptance of Aquatic Facility

Approval of Recommendation of Acceptance of Broken Bow Aquatic Facility which work has been inspected by JEO, the City Engineer, who declares that all work is complete in accordance with the Contract Documents dated on August 10, 2012

Staff Contact: City Administrator

EXHIBIT "E"
RECOMMENDATION OF ACCEPTANCE

DATE OF ISSUANCE: August 10, 2012

OWNER: City of Broken Bow, Nebraska

CONTRACTOR: Carrothers Construction Co., LLC

Contract: 2010 Broken Bow Aquatic Center

Project: 2010 Broken Bow Aquatic Center

OWNER's Contract No.: _____

ENGINEER's Project No.: 090863

This Recommendation of Acceptance applies to all Work under the Contract Documents or to the following specified parts thereof:

To: City of Broken Bow, Nebraska
OWNER

And To: Carrothers Construction Co., LLC
CONTRACTOR

The Work to which this Recommendation of Acceptance applies has been inspected by authorized representatives of OWNER, CONTRACTOR and ENGINEER, and that Work is hereby declared to be complete in accordance with the Contract Documents on August 10, 2012, expressly subject to the provisions of the related Agreement documents and the terms and conditions set forth herein.

CONDITIONS OF RECOMMENDATION OF ACCEPTABILITY OF WORK

The Recommendation of Acceptability of Work ("Recommendation") on the front side of this sheet is expressly made subject to the following terms and conditions to which all persons who receive said Recommendation and rely thereon agree:

1. Said Recommendation is given 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.
2. Said Recommendation reflects and is an expression of the professional judgment of ENGINEER.
3. Said Recommendation is given as to the best of ENGINEER's knowledge, information, and belief as of the date hereof.
4. Said Recommendation is based entirely on and expressly limited by the scope of services ENGINEER has been employed by OWNER to perform or furnish during construction of the Project (including observation of the CONTRACTOR's work) under ENGINEER's Agreement with OWNER and under the Construction Contract referenced herein, 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 under ENGINEER's Agreement with OWNER and the Construction Contract referenced herein.

5. Said Recommendation is not a guarantee or warranty of CONTRACTOR's performance under the Construction Contract referenced herein nor an assumption of responsibility for any failure of CONTRACTOR to furnish and perform the Work thereunder in accordance with the Contract Documents. The responsibilities between OWNER and CONTRACTOR for security, operation, safety, maintenance, heat, utilities, insurance and warranties and guarantees shall be as follows:

OWNER: Responsible for security, operation, safety and maintenance.

CONTRACTOR: Responsible for the two-year warranty and guarantee shall commence to run as of the date of acceptance by the OWNER shown below.

The following documents are attached to and made a part of this Recommendation of Acceptance:
Payment Application No. 16 and Final

This Recommendation of Acceptance 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.

Executed by ENGINEER on August 14, 2012
Date

JEO Consulting Group, Inc.

ENGINEER

By: David C. Hunt
(Authorized Signature)

CONTRACTOR accepts this Recommendation of Acceptance on

8/16/12
Date

Carrothers Construction Co., LLC

CONTRACTOR

By: [Signature]
(Authorized Signature)

OWNER accepts this Recommendation of Acceptance on _____
Date

City of Broken Bow, Nebraska

OWNER

By: _____
(Authorized Signature)

EJCDC No. 1910-8-D (1996 Edition)

Prepared by the Engineers' Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specifications Institute.