

PARTIAL LIEN WAIVERS

Good protection for both the Contractor and the Owner.

Submission of lien waivers from the General Contractor's suppliers and subcontractors can extend monthly payments well beyond the intended pay schedule unless their timing is properly established.

- The payment bond is the Owner's ultimate protection from unpaid bills by the Contractor or Subcontractors, but it is in the Owner's best interest to require partial lien waivers.
- Applications for monthly payments may be made independent of submission of lien waivers. Lien waivers should be submitted by the General Contractor from subcontractors and suppliers within 14 days of receipt of payment from the owner.
- Subsequent payments to the General Contractor should be released after submission of lien waivers from prior payments.

REFERENCES:

AIA A201 General Conditions

ConsensusDOCS 200 Owner/General Contractor Agreement and General Conditions (lump sum)

Consensus DOCS 291 and 292 Application for Payment (GMP and Lump Sum)

CSI Project Resource Manual

Supplemental General Conditions

Construction Guideline on "Progress Payments"

Local and state lien laws

Issued: 2007

Revised: 2008, 2013, 2016

Copyright 2016 by the following, all rights reserved.

St. Louis Council of Construction Consumers
American Institute of Architects, St. Louis Chapter
American Council of Engineering Companies of Missouri
Associated General Contractors of Missouri
Greater St. Louis Chapter, Construction Specifications Institute
St. Louis Chapter of International Facilities Management Association