

# **VILLAGE OF OAK BROOK GENERAL REQUIREMENTS REGARDING WAIVERS**

June 22, 2004

A waiver package submitted for payment concerning Village of Oak Brook projects shall utilize waiver forms supplied by the Village and shall meet the following requirements:

## **A. General Contractor**

### **1. Upper part of the Waiver Form must:**

- a) Describe the work or material furnished
- b) State the name of the project
- c) Recite the full consideration for amount received (\$1.00 waivers are not acceptable)
- d) Be properly executed by the person furnishing the waiver and be currently dated

### **2. Lower part of the Waiver Form (Contractor's Affidavit) must:**

- a) State the name of the person executing it
- b) State the person's position in the company
- c) State the company's name
- d) Describe the work or material furnished
- e) State the name of the project
- f) State the total amount of the project including extras
- g) State the amount received to date
- h) List in the table the names of all subcontractors and/or material suppliers, their work or material furnished, their contract amount, amount previously paid to them, the amount being paid to them with this payout, and any balance due after this payout. The General would also list itself.
- i) Be properly executed by the person furnishing the Affidavit and be currently dated
- j) Be notarized and sealed

## **B. Subcontractors and/or Material Suppliers**

A Waiver and Affidavit must be submitted for every subcontractor and material supplier listed on the General Contractor's Affidavit starting with Payout No. 2.

### **1. Upper part of the Waiver Form must:**

- a) Identify the company with whom the contract was made to furnish work or material
- b) Describe the work or material furnished
- c) State the name of the project
- d) Recite the full consideration for amount received from the previous payout to the General Contractor (\$1.00 waivers are not acceptable)
- e) Be properly executed by the person furnishing the waiver and be currently dated

2. Lower part of the Waiver Form (Contractor's Affidavit) must:

- a) State the name of the person executing it
- b) State the person's position in the company
- c) State the company's name
- d) Describe the work or material furnished
- e) State the name of the project
- f) State the total amount of the project including extras
- g) State the amount received to date
- h) List in the table the names of all subcontractors and/or material suppliers, their work or material furnished, their contract amount, amount previously paid to them, the amount being paid to them with this payout, and any balance due after this payout. The sub would also list itself.
- i) Be properly executed by the person furnishing the Affidavit and be currently dated
- j) Be notarized and sealed

A subcontractor may have sub-subcontractors or material suppliers listed in its Affidavit. Each listed entity must supply the necessary waivers.

**NOTE FOR BOTH GENERAL CONTRACTOR AND SUBCONTRACTORS:**  
If all materials are taken from fully paid stock, the table in the Affidavit should recite:

“All materials taken from fully paid stock and delivered to the jobsite in our own trucks.”

Attached are :

- 1. Partial Waiver of Lien to Date – General Contractor
- 2. Final Waiver of Lien – General Contractor
- 3. Partial Waiver of Lien to Date – Subcontractors and Material Suppliers
- 4. Final Waiver of Lien - Subcontractors and Material Suppliers