



UNCOMPLETED WORK AGREEMENT

AGREEMENT FOR PROVIDING SECURITY FOR THE PERFORMANCE OF UNCOMPLETED WORK

Contract No. D _____ /TA _____

County _____

This Agreement, entered into this ___ day of _____, 20__ by the New York State Thruway Authority, hereinafter referred to as the "Authority" and _____

1. a corporation organized and existing under the laws of the State of _____,
2. a partnership consisting of _____,
3. an individual trading as _____ of the City of _____, State of _____ hereinafter called "Contractor", as follows

WHEREAS, the Engineer who is in charge of the above identified project for and on behalf of the Authority has certified to the Authority that the essential items in the contract of the said project have been completed in accordance with the terms of the said contract (see attached letter of acceptance) and

WHEREAS, in the judgment of the Authority, keeping the contract open and maintaining the contract bonding and/or, the withholding of the retained percentage would be an injustice to the Contractor,

NOW, THEREFORE, in consideration of the mutual covenants and agreements between the parties hereto,

WITNESSETH:

Article 1.

The Authority shall include in the final account the uncompleted items listed on the attached sheet and shall pay therefore at the item prices in the contract.

Article 1(A).

All provisions of the Contract applicable to the listed items are hereby incorporated into this Uncompleted Work Agreement.

Article 2.

The Contractor agrees and does herewith deposit with the Authority, a certified check equal to double the estimated value of such uncompleted work in the amount of \$ _____. The Contractor shall make the certified check payable to "NYS Thruway Authority", write "UWA" and the "Contract D#" in the certified check's memo and send it along with a copy of Page 1 of the Uncompleted Work Agreement to 200 Southern Blvd., Albany, NY 12209, Office of Revenue Accounting, Attention: Accounts Receivable Supervisor.

UNCOMPLETED WORK AGREEMENT

Contract D No. _____

(Acknowledgment by individual Contractor)

TA _____

STATE OF NEW YORK }
County of _____ } ss.:

On this _____ day of _____ 20____, before me personally came _____ known to me to be the person described in and who executed the foregoing instrument, and acknowledge that he/she executed the same.

Notary Public County

(Acknowledgment by co-partnership Contractor)

STATE OF NEW YORK }
County of _____ } ss.:

On this _____ day of _____ 20____, before me personally came and appeared _____ known to me to be the person who executed the above instrument, who, being duly sworn by me, did for himself/herself depose and say that he/she is a member of the firm of _____ consisting of himself/herself and _____ and that he/she executed the foregoing instrument in the firm name of _____ and that he/she had authority to sign same, and did duly acknowledge to me that he/she executed the same as the act and deed of said firm of _____ for the uses an purposes mentioned therein.

Notary Public County

(Acknowledgment by Contractor, if a Corporation)

STATE OF NEW YORK }
County of _____ } ss.:

On this _____ day of _____ 20____, before me personally came _____ to me known, who being duly sworn, did depose and say that he/she resides in _____ that he/she is the _____ of the _____, the corporation described in and which executed the foregoing instrument; that he/she knew the seal of said corporation; that the seal affixed to said instrument was such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he/she signed his/her name thereto by like order.

Notary Public County

(SEAL)