

CONDITIONAL WAIVER AND RELEASE ON PROGRESS PAYMENT

Project: _____

Job No.: _____

On receipt by the signer of this document of a check from _____ in the sum of \$_____ payable to _____ and when the check has been properly endorsed and has been paid by the bank on which it is drawn, this document becomes effective to release any mechanic's lien right, any right arising from a payment bond that complies with a state or federal statute, any common law payment bond right, any claim for payment, and any rights under any similar ordinance, rule, or statute related to claim or payment rights for persons in the signer's position that the signer has on the property of _____ (owner) located at _____ to the following extent:

_____ (job description)

This release covers a progress payment for all labor, services, equipment, or materials furnished to the property or to _____ (person with whom signer contracted) as indicated in the attached statement(s) or progress payment request(s), **except for** unpaid retention, pending modifications and changes, other items furnished and/or claims for additional compensation and/or time, including, without limitation, all claims for delays, acceleration, loss of productivity, force majeure, disruption, impact, or similar claims, seeking direct costs, indirect costs, overhead costs (of any type and concerning any location), general and administrative costs, profits, fees, all effects (direct, indirect and consequential, including impacts and ripple effects) and all other claims that the signer of this document, as of the date this document is effective, has pending or could still assert under the applicable contract or law concerning the owner, property and/or job described in this document and any labor, services, equipment or materials furnished by the signer to any of them relating to the statement(s) or progress payment request(s).

Before any recipient of this document relies on this document, the recipient should verify evidence of payment to the signer.

The signer warrants that the signer has already paid or will use the funds received from this progress payment to promptly pay in full all the signer's laborers, subcontractors, materialmen, and suppliers for all work, materials, equipment, or services provided for or to the above referenced project in regard to the attached statement(s) or progress payment request(s).

Date: _____

_____ (company name)

By _____ (signature)

_____ (title)