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## CERTIFICATION

### Progress payments

Any contractor submitting an 'Application for Payment' is looking for as much money as possible, and typically the client is trying to spend as little as possible.

Deciding what certification or recommendation to send the client can make the design professional's life difficult. If the design professional recommends a payment that is higher than justified and the contractor defaults, the result could be a suit against the design professional for over-certification.

One solution is to require a schedule of values from the contractor associating sums of money with various aspects of the work. With that agreement, the design professional can review the percentage of work completed, multiply that by the agreed value and come up with the amount due for each portion of the work. The design professional should make sure the schedule of values is not 'front-end loaded' to make early payments unrealistically high.

### Mortgages and surety firms

There is a growing trend for outside interests to dictate payment procedures on a project. Lenders will ask the design professional to certify that there is enough money left to complete the work. The design professional should be careful not to indicate to the lender in any way that they are approving or certifying events or situations with which they do not agree.

The contractor's surety will sometimes ask the design professional to report on the percentage of work completed and the amount of money paid and retained. The design professional is under no obligation to file such a report and doing so could shift the risk from the surety to the design professional if the contractor defaults and there is not enough money to finish the job.