



### **Prompt Pay Clause**

- (1) Subject to the provisions on retainage provided by Charleston County and Charleston County RoadWise, when a subcontractor has satisfactorily performed a work item of the subcontract, the Contractor must pay the subcontractor for the work item within seven (7) calendar days of the Contractor's receipt of payment from CC RoadWise. A subcontractor shall be considered to have "satisfactorily performed a work item of the subcontract" "when CC RoadWise pays the Contractor for that work item.
- (2) The Contractor may withhold as retainage up to five (5%) percent of a subcontractor's payment until satisfactory completion of all work items of the subcontract. "Satisfactorily completion of all work items of the subcontract" shall mean when CC RoadWise pays the Contractor for the last work item of the subcontract. The Contractor must release to the subcontractor any retainage withheld within seven (7) calendar days from the date the Contractor receives payment from CC RoadWise for the last work item of the subcontract.
- (3) Prior to receiving payment of each monthly estimate, the Contractor shall certify to CC RoadWise that the construction estimate is complete and that all subcontractors have been paid for work covered by previous estimates.
- (4) Failure to comply with any of the above provisions shall result in one or more of the following sanctions: (1) no further payments to the Contractor unless and until compliance is achieved; (2) the Contractor being placed in default; and/or (3) the Contractor being declared delinquent, such delinquency being subject to procedures and penalties provided in 108.08 of the Standard Specifications.