



WORK COMPLETION CERTIFICATE FOR TOWN ROAD PROJECTS

When contracting for road construction or improvement projects, town boards must keep in mind that they must receive certification before making a final payment on road contracts that are required to be let by sealed bids. The requirement arises out of Minn. Stat. § 160.17, subd. 3, which says:

“Subd. 3. **Final payment.** A county or town board shall not make final payment on any road construction or improvement contract, the amount for which sealed bids are required under section 471.345, until the engineer or person in charge of the work has certified to the county board or the town board, as the case may be, that the work has been done and performed according to contract and the certificate has been filed in the office of the county auditor or town clerk.”

This requirement is part of a larger statute imposing several requirements on road contracts. The first require plans and specifications for the project to be on file before letting the bids; the second imposes a specific notice period for the advertisement for bids, and; the third discusses the best value alternative. Additionally, the requirement to obtain a work completion certificate formerly to applied to any road work contract, regardless of the cost of the service provided.

However, the legislature amended the statute at the Association’s request so that the requirement to obtain a completion certificate before making a final payment only applies to road construction or improvement contracts that are required to be let by sealed bid under Minn. Stat. § 471.345 (meaning the amount of the contract was estimated to exceed \$175,000). The statute was also changed to remove the criminal penalty they incurred by the clerk for the town’s failure to obtain such certificates before making final payments. The change also clarified that the requirement does not apply to road maintenance contracts.

For additional information on contract requirements, refer to the other contract-related documents in the Information Library (www.mntownships.org). A sample completion certificate is attached. Town officers with questions about this issue or the sample are welcome to contact the Association.

TOWN ROAD WORK CONTRACT COMPLETION CERTIFICATE

The following certificate is being issued to comply with the requirements of Minn. Stat. § 160.17, subd. 3 and is to be filed with the town clerk once completed.

I, _____,
_____, having been directed by the town board of
_____ Township, _____ County, Minnesota to
inspect the road work described below, have inspected same and I hereby certify that the work was
done and performed according to the contract.

General description of the road work to be performed under the contract:

Location of the work:

Contractor Name & Address:

Date inspected: _____

Signature

Date Signed