

# SOUTHERN ILLINOIS UNIVERSITY

## FINAL

### WAIVER OF LIEN TO DATE

#### Waiver of Lien No.

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss

TO WHOM IT MAY CONCERN:

Whereas the undersigned has been employed by

SIU Contract No.  
Contractor's Contract No.

To furnish for the premise known as

Project:

Project No.:

of which the State of Illinois, acting through Southern Illinois University is the owner.

The undersigned, for and in consideration of

\_\_\_\_\_ (\$ \_\_\_\_\_) Dollars,

and other good and valuable considerations, the receipt whereof is hereby acknowledged, do(es) hereby waive and release any and all lien or claim of, or right to, lien, under the statutes of the State of Illinois, relating to Liens Against Public Funds on the monies, bonds or warrants due or to become due from the State, on account of labor, services, material, fixtures, apparatus or machinery heretofore furnished, or which may be furnished at any time hereafter, by the undersigned for the above-described premises.

Given under \_\_\_\_\_ hand and seal

this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

(Affix Corporate Seal Here)

\_\_\_\_\_  
(Company Name)

ATTEST: \_\_\_\_\_  
(Signature of Secretary of Corporation)

\_\_\_\_\_  
(Signature)

ITS: \_\_\_\_\_ (SEAL)  
(Title)

NOTE: All waivers must be for the full amount paid. If waiver is for a corporation, name should be used, corporate seal affixed and title of officer signing waiver should be set forth; if waiver is for a partnership, the partnership name should be used, partner should sign and designate himself as partner.

## WAIVER OF LIEN PROCEDURES

### Definitions:

**CONTRACTOR.** Contractor is the individual, partnership, firm, corporation, or other business entity entering into the Contract with SILI to perform the Work under the Contract Documents and is identified as such in the Owner-Contractor Agreement.

**SUBCONTRACTOR.** Subcontractor is a party having a direct contract with the Contractor to perform any of the Work.

**SUB-SUBCONTRACTOR.** Sub-subcontractor is a party having a direct or indirect contract with the Subcontractor to perform any of the Work.

**SUPPLIER.** Supplier is a party having a direct contract with the Contractor, Subcontractor, or Sub-subcontractor to furnish material or equipment for the Work.

### Partial Lien Waivers:

1. Lien waivers are not required with first payment application if payment is less than 50% of the contract amount. Each subsequent payment application shall be accompanied by the Contractor's partial waiver, and by partial waivers from all subcontractors and suppliers who were included in the immediately preceding payment application, to the extent of that payment.
2. Lien waivers from the Contractor and all subcontractors and suppliers shall accompany the first payment application when the amount of payment exceeds 50% of the total contract amount.

**Note:** SIU or the Architect-Engineer may furnish to any Subcontractor or Supplier information regarding percentages of completion or amounts used as basis of payments on account of Work by such Subcontractors or Suppliers.

### Final Lien Waivers:

1. Final lien waivers in the full amount of their contracts from all subcontractors and suppliers for which final lien waivers have not previously been submitted.
2. Final lien waivers are not required for subcontractors and suppliers whose subcontracts and purchase orders or agreements are less than \$500 unless otherwise requested by the A/E and/or SIU.

### Use of SIU Lien Waiver Forms

**All waivers shall be submitted on SIU Forms.**

**IMPORTANT NOTICE**  
DISCLOSURE OF THIS INFORMATION IS  
MANDATORY. FAILURE TO COMPLETE THIS  
WILL PREVENT PAYMENT FOR WORK  
COMPLETED AND/OR BE A MATERIAL  
BREACH OF CONTRACT.