

Driving Success Together

Guidance for Subcontractors by Field Reports

ARIZONA DEPARTMENT OF TRANSPORTATION



Objectives

> Subcontracting

- Key guidelines and compliance requirements
- > Partial and Progress Payments
 - Project Documentation and Key factors on timeliness
- > Monthly Pay Estimates
 - Approval process and how to retrieve quantities



Specification 108.01

Subletting of Contract



When is a subcontract required?

A subcontract is required for any work that the prime contractor cannot or does not perform directly.



Subcontractors

- Most subcontractors must be licensed with the Arizona Registrar of Contractors
- Professional Services and Unique Work Activity List are services that may or may not:
 - ➤ Require a contractor's license
 - > Require certified payrolls
 - > Be considered de minimis





ADOT - FHWA Professional Services and Unique Work Activity List

Work Activity	Subcontract Required	Contractor License Required	Payrolls Required	Minor 20 % of work week (De Minimis)
Camera for sewer mains	x			
Cathodic Protection	x			
Concrete Pumping	x		x	
Contractor's Office / Yard - rentals and installations				
Crane Service (With Operator)	x		x	
DPS, Local Law Enforcement, Off Duty Officers	x			
Drilling for Demolition	x	x		
Engineering Services for onsite material analysis / testing	x			
Field Office Hookups				
Gamma Gamma / Cross Sonic Logging testing	x			
Material Supplier - Commercial Source				

This list is available in the FAQs section.

Subcontractor Request Form (SRF) / Subcontracts

Subcontractor Request Forms (SRF) - SRF's must be submitted in DocuSign for ADOT's final review & approval and to ensure all signers receive the completed documents.

DocuSign SRF Links for Contracts Awarded After 10/23/2023

- SRF (With Goals) Prime to Subcontractor Federal Aid project
- SRF (With Goals) Subcontractor to Lower/Tier Federal Aid project
- <u>SRF (With No Goals) Prime to Subcontractor Federal Aid project</u>
- SRF (With No Goals) Subcontractor to Lower/Tier Federal Aid project
- <u>SRF NON-Federal Aid project Prime to Subcontractor</u>
- SRF NON-Federal Aid project Subcontractor to Lower/Tier



ADOT

SUBCONTRACTOR REQUEST FORM (SRF)

It is ADOT's responsibility to ensure that prime contractors employ subcontractors in accordance with various Federal and State regulations. Field Reports / 206 S. 17th Ave, MD 133A Phoenix, AZ 85007 / (802) 712-7301 / FieldReports-Subcontracts@azdot.gov

PRIME CONTRACTOR ESTIMATED SUBCONTRACT \$ SUBCONTRACTOR CONTACT NAME ADDRESS CITY, STATE, ZIP SUB R.O.C. NO. CLASS CLASS FED EIN AZ UTRACS NO. CLASS SUBCONTRACTOR IS A DBE: YES NO CLASS SUBCONTRACTOR IS A DBE: YES NO Signature of "haul truck" Owner/Operator * ICERTIFY THAT IAM A BONA FIDE "HAUL TRUCK" OWNER/OPERATOR: YES SUBCONTRACTED BID ITEMS No.'s SUBCONTRACTED NON-PAY ITEMS (Check box and provide dollar amount for Joint/Partial Items) (Provide Description of Work) \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	ADOT TRACS NO.	ADOT PROJECT	NO. PHONE NO.
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CERTIFICATION: The Prime Contractor and Subcontractor certifies the following : A) The Subcontractor has received applicable Documents No. 2-12 per Special Provisions. B) The Prime Contractor and Subcontractor will execute Documents No. 1 prior to the start of Subcontractor's work. DBE subcontracts to be submitted at Pre-Construction conference (Spec. 108 01/03) C) Upon execution, Prime Contractor will execute Documents No. 1 prior to the start of Subcontractor's work. DBE subcontract Agreement containing the above Bit letms of Work S Standard Specifications 107.18 & 107.19 (FA & Non FA projects) C) Upon execution, Prime Contractor will execute Discussions C) Upon execution, Prime Contractor Bit letms of Work S Standard Specifications 100.00 (FA & Non FA projects) C) Standard Federal EED Construction Contract Specifications (Executive Order 11240) Rev./15(1981 (FA & Non FA projects)) S. Standard Federal EED Construction Contract Specifications (Executive Order 11240) Rev./15(1981 (FA & Non FA projects)) S. Notice of Requirement for Affinative Actions to ensure EED (Executive Order 11240) Rev./15(1981 (FA & Non FA projects)) S Notice of Requirement for Affinative Actions to ensure EED (Executive Order 11240) Rev./15(1981 (FA & Non FA projects)) S Notice of Requirement for the Offan Rights Act of 1994 (FA & Non FA projects) S Notice of Requirement for the Offan Rights Act of 1994 (FA & Non FA projects) S Notice of Requirement for Affinative Actions (Executive Order 11240) Rev./15(1981 (FA & Non FA projects)) S Notice of Requirement for Affinative Actions to ensure EED Construction Contract Specifications (Executive Order 11240) Rev./15(1981 (FA & Non FA projects)) S Notice of Requirement for the Offan Rights Action 1994 (FA & Non FA projects) S Notice of Requirement for Affinative Actions to ensure EED Construction Contract Specifications (Executive Order 11240) Rev./15(1981 (FA & Non FA projects)) S Notice of Requirement for Affinative Actions to ensure EED Construction Contract Specifications (Executive Order	\$	_ <u>_</u> \$	Attach additional bid items? YES NO
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			cutive Order 11246) Rev.4/15/1981 (FA & Non FA projects)
10. EEO Compliance Reports, March 1, 2015 (FA Projects only)	10. EEO Compliance Rep	orts, March 1, 2015 (FA Projects only)	
DBE EPRISE -With Goals- FA Projects (Rev.10/20/22) Wage Determination Decision # AZ Mod # (As per contract for this project)			# (As per contract for this project)

ich Wage Decision

Authorized Prime Contractor Signature		Authorized Subcontractor Signature		Authorized Lower Tier Signature	
Title	Date	Title	Date	Title	Date
According to the appropriate Cor has approved this date the suble			Subcontract in		ES NO

For State Construction Engineer	/ Date	Field Reports	/ Date

The SRF "Subcontractor Request Form"



SRF (1st Section)

SUBCONTRACTOR REQUEST FORM (SRF)

ADOT

It is ADOT's responsibility to ensure that prime contractors employ subcontractors in accordance with various Federal and State regulations. Field Reports / 206 S. 17th Ave, MD 133A Phoenix, AZ 85007 / (602) 712-7301 / FieldReports-Subcontracts@azdot.gov

ADOT TRACS NO ADOT PROJ		ADOT PROJECT NO.		PHONE NO.		
PRIME CONTRACTOR:			ESTIMATED SUBCONTRACT \$			
SUBCONTRACTOR			CONTACT NAME			
ADDRESS			CITY, STATE, ZIP			
PHONE NO.	EMAIL ADDR	RESS:				
SUB R.O.C. NO.	CLASS	FED EIN	AZ UTRACS NO.			
LOWER TIER TO						
SUBCONTRACTOR IS A DBE	: YES NO					
* I CERTIFY THAT I AM A BONA	FIDE *HAUL TRUCK*	OWNER/OPERATOR: YES	NO Signature of *haul tr	ruck* Owner/Operator	/	Date



In the first portion of the SRF, you will want to verify the following details:

- > Subcontract amount
- Subcontractor's name, address, email, and phone number
- ROC license number and class ensure accuracy and verify that the license is current with the Arizona Registrar of Contractors
- > If using a Federal EIN, ensure that it is correct
- > Always check for a current **AZ UTRACS** number
- If the subcontractor is a DBE, whether committed or not, mark "YES"
- If you are a haul truck owner-operator, also mark "YES," and remember to sign and date the form.



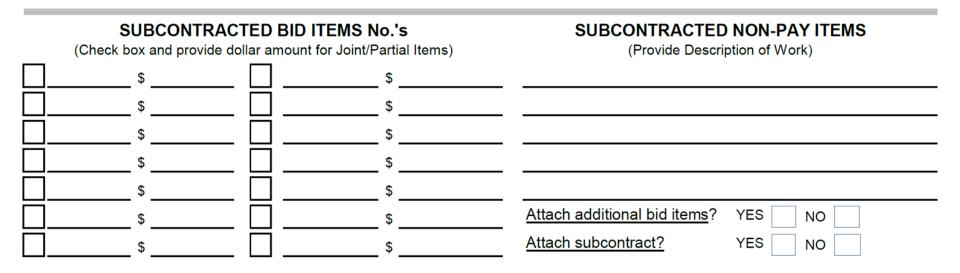
Owner - Operators



Subcontractors performing truckhauling services may sign the SRF certifying that they are a bona fide (haul truck) owner-operator; they are exempt from submitting certified payrolls.



SRF (2nd Section)





In the second section of the form, ensure the following:

- > Bid item numbers are listed and accurate.
- If the bid items are partial, check the corresponding box and ensure the dollar value is provided.
- If there isn't enough space for all bid items, attach an additional document and mark "Yes."
- If the subcontract is attached, mark "Yes."
- For committed DBEs, the subcontract must be attached and for the amount indicated on the affidavit



SRF 3rd Section

CERTIFICATION:

The Prime Contractor and Subcontractor certifies the following :

- A) The Subcontractor has received applicable Documents No. 2-12 per Special Provisions.
- B) The Prime Contractor and Subcontractor will execute Document No. 1 prior to the start of Subcontractor's work. DBE subcontracts to be submitted at Pre-Construction conference (Spec. 108.01/.03)
- C) Upon execution, Prime Contractor will send Field Reports a copy of Document No. 1
 - 1. Subcontract Agreement containing the above Bid Items of Work
 - 2. Standard Specifications 107.18 & 107.19 (FA & Non FA projects)
 - 3. Cargo Preference Act (FA projects only)
 - 4. Prompt Pay specification 109.06 (Non FA projects)
 - 5. Prompt Pay specification 109.06 (FA projects)
 - 6. Title VI Assurances Appendix A and E of the Civil Rights Act of 1964 (FA & Non FA projects)
 - 7. Standard Federal EEO Construction Contract Specifications (Executive Order 11246) Rev.4/15/1981 (FA & Non FA projects)
 - 8. Notice of Requirement for Affirmative Action to ensure EEO (Executive Order 11246) Rev.4/15/1981 (FA & Non FA projects)
 - 9. FHWA 1273 FA projects only (Rev. 10/23/23)
 - 10. EEO Compliance Reports, March 1, 2015 (FA Projects only)
 - 11. DBE EPRISE -With Goals- FA Projects (Rev. 10/20/22)
- 12. Wage Determination Decision # AZ _____ Mod # _____ (As per contract for this project)



In the third section of the form, ensure the following:

- (A) The Subcontractor has received all applicable documents in C) 2-12 below, per the Special Provisions. These documents should be attached to the subcontract agreement.
- (B) The prime contractor and subcontractor will execute Document No. 1 in C) below, the Subcontract Agreement containing the above bid items of work, prior to the start of subcontractors work. DBE subcontracts are to be submitted at the preconstruction conference.
- Verify that the correct SRF (Subcontractor Request Form) is being used. This example applies to projects awarded on 10/23/2023 or later, as indicated on document number 9.
- Ensure that the Wage Determination Decision number and the modification number are accurate according to the contract.



SRF 4th Section

Authorized Prime Contr	actor Signature	Authorized Subcontr	actor Signature	Authorized Lower Tier Signature			
Title	Date	Title	Date	Title	Date		
According to the appropriate Contract Provisions, the State Construction Engineer has approved this date the subletting of the work items described above.			Subcontract in Field Reports: YES NO Committed DBE Non-committed DBE				
For State Construction Er	igineer	/ Date	Field Reports		/ Date 14-0458/FA-with Goal Rev. 12/2023		



In the 4th or last section of the form, ensure the following:

- The contractor's signature must be from someone authorized to sign subcontracts on behalf of the Prime Contractor company.
- The subcontractor must sign the form, and if applicable, any lower-tier subcontractors should sign as well.
- If the subcontract was attached, Field Reports will mark "Yes." For DBEs, Field Reports will indicate whether it is a committed or non-committed DBE.
- Bev Swartz or Melissa Siaotong will review each SRF thoroughly. Once all is in order, they will sign on behalf of Field Reports.
- After that, the SRF goes to the State Construction Engineer for final approval. In this case, I have been appointed to sign on behalf of Bill Fay. I perform a quick review, and if everything looks good, I approve it.



(DOCUMENT NO.)



documents which	are necessary for the prompt ar	nd efficient executi	(NAME OF STATE) on of the corporate business:	
NOW, 7	THEREFORE, BE IT RESOLV	ED , by the Board	of Directors of the	(CORPORATE NAME)
that (name of part	ies authorized)		,,	,
	,		,	,
	be authorize	ed to execute and s	ign documents on behalf of said of	orporate the following documer
1.	The Proposal	7.	Extension of Time	
2.	The Contract	8.	Request for Force Account Wo	rk
3.	The Bond	9.	All other papers necessary for t	he conduct of the
4.	Payrolls		corporation's affairs and the exe	ecution of the contract.
5.	Claims	10.	Subcontracts	
6.	Supplemental Agreements	11.	Monthly Estimates	
The powe	ers and duties herein granted sha	all be and is hereby	granted for the duration of the cor	ntract for the construction of
	0	ics No.	Project No.	, or until ex
notice of revocati	on has been duly given in writir	ng, whichever is th	e lesser period.	
Dated and passed	by the Board of Directors this	day of		
Dateu anu passeu	by the board of Directors this	uay of	·•	

(PRINTED NAME AND TITLE)

(SIGNATURE OF PERSONS AUTHORIZED TO SIGN)

The Authorized Signature Form is available in the Forms section of the Contractor Information web page.

The Prime Contractor must certify the names of individuals who are authorized to execute and sign documents on behalf of the corporation.



Lower-Tier Subcontractors

- Only previously approved subcontractors can serve as the upper-tier. The upper-tier subcontractor must have an approved SRF before a lower-tier SRF can be submitted for review and approval.
- Additionally, the upper-tier subcontractor must be approved for the specific bid items being subcontracted to the lower-tier subcontractor.



Subcontract Approval: Key Penalties and Deadlines

It's important to note:

- The Prime Contractor will be sanctioned \$1,000 for each subcontractor that starts working without an approved subcontract.
- The engineer will stop work for any subcontractor working without approval.
- If the subcontract is not submitted within 30 days of the SRF approval date, the approved SRF will be revoked.



Subcontract Approved

- Once the subcontract is approved by the State Construction Engineer, the subcontractor is authorized to begin work.
- > Field Reports enters the approval date in FAST.
- The Labor Compliance team is notified and adds the subcontractor to LCPtracker, enabling them to submit certified payrolls.
- The Labor Compliance team typically updates LCPtracker the following day.





Subcontract Approved

You may or not begin working on the project right away, however you are permitted to commence work when the time is right. The approved subcontract must include all the bid items you will be working on.



109.06 (A)

Partial / Progress Payments

ARIZONA DEPARTMENT OF TRANSPORTATION



Progression of Work

- ADOT inspectors document their day-to-day activities by recording observations and measurements of the work completed in a daily diary in the PEN system.
- They provide a detailed account of the work being conducted, the individuals responsible, the start and completion dates, and the location of the work.
- Inspectors play an important and vital role in documenting quantities to create the monthly contractor pay estimate.



Spec 109.06 (A) states that "If satisfactory progress is being made, the contractor will receive a payment each month based on the amount of work completed during the preceding month".

- The Department prepares a draft monthly estimate for review by the contractor.
- The contractor shall work with the Engineer to finalize the monthly estimate.



Contractor Cycle Dates

You can find this information in the Contractor Information web page under Documents and Links.

ESTIMATES	MONTHLY CUT-OFF DATE	CONTRACTOR PAYMENT
December 2023	01/02/2024	01/17/2024
January 2024	02/07/2024	02/21/2024
February 2024	03/06/2024	03/20/2024
March 2024	04/03/2024	04/17/2024
April 2024	05/01/2024	05/15/2024
May 2024	06/05/2024	06/19/2024
June 2024	07/02/2024	07/17/2024
July 2024	08/07/2024	08/21/2024
August 2024	09/04/2024	09/18/2024
September 2024	10/01/2024	10/16/2024



Spec **109.06 (A)** continues to state that:

"When the Engineer and the contractor have reached agreement, the final monthly estimate will be prepared and signed by the contractor and the Engineer.

The contractor's signature constitutes a certification that the work was satisfactorily performed, meets the specifications, and the quantities reported are accurate, regardless of whether the work was performed by the contractor or a subcontractor. ".



Spec **109.06 (A)** continues to state that:

"Partial payment on either a lump sum item or on an item paid for as a unit (each) may be made if the amount of work, in the opinion of the Engineer, is of sufficient magnitude to warrant partial payment. The amount of the partial payment to be made will be in proportion to the percentage of the work completed on the item, as estimated by the Engineer.

Current Estimate Quantities

Estimate No. 5

			E	Estimate No. 5						
			Section: 1 FA	14 Bridge						
ltem No.	It	em Description	Unit	Plans	Revised	Uı	nit Price A	ccumulated	%	Current
	1090001	DIESEL FUEL PRICE ADJUSTMENT	L.SUM	.00	.00 \$.00	1.00	-21.02 -\$21.02		.00 \$.00	
	2030501	STRUCTURAL EXCAVATION	CU.YD.	3,121.00 \$96,751.00	3,121.00 \$96,751.00	31.00	3,219.59 \$99,807.29	103	.00 \$.00	
	6010002	STRUCTURAL CONCRETE (CLASS S) (F'C = 3,	.000) CU.YD.	501.00 \$313,125.00	501.00 \$313,125.00	625.00	456.97 \$285,606.25	91	.00 \$.00	
	6050002	REINFORCING STEEL	LB.	33,277.00 \$49,915.50	33,277.00 \$49,915.50	1.50	34,022.77 \$51,034.16	102	.00 \$.00	
	6050101	PLACE DOWELS	EACH	120.00	120.00	32.00	111.00	92	.00	
7010005	MAINTENANCE AN	ND PROTECTION OF TRAFFIC L.	SUM	16,000.00 \$16,000.00	16,000.0 \$16,000.0		1.00	16,000.00 \$16,000.00	100	3,200.00 \$3,200.00
	7016050	TRUCK-MOUNTED ATTENUATOR	EACH- DAY	8.00 \$3,200.00	8.00 \$3,200.00	400.00	.00 \$.00	0	.00 \$.00	
	7016061	FLASHING ARROW PANEL	EACH- DAY	8.00 \$376.00	8.00 \$376.00	47.00	.00 \$.00	0	.00 \$.00	
	7016067	CHANGEABLE MESSAGE BOARD (CONTRACT FURNISHED)	TOR EACH- DAY	60.00 \$4,020.00	60.00 \$4,020.00	67.00	.00 \$.00	0	.00 \$.00	
	7016079	FLAGGING SERVICES (UNIFORMED OFFICER) HOUR	00.08	00.08	100.00	.00	0	.00	
8050003	SEEDING (CLASS	II) AC	CRE	1.00 \$13,000.00	1.0 \$13,000.0		00.00	1.40 \$18,200.00	140	1.40 \$18,200.00
	8101014	EROSION CONTROL (SEDIMENT WATTLES) (2	20")) L.FT.	1,300.00 \$12,350.00	1,300.00 \$12,350.00	9.50	140.00 \$1,330.00	11	.00 \$.00	
	8101018	EROSION CONTROL (STABILIZED CONSTRUC ENTRANCE/EXIT GRAVEL))	TION SQ.YD.	340.00 \$11,900.00	340.00 \$11,900.00	35.00	355.33 \$12,436.55	105	.00 \$.00	
	9010001	MOBILIZATION	L.SUM	1.00 00 000 0212	1.00 1: 00 000 001\$	20,000.00	1.00 00 000 021\$	100	00. 00 \$	
9120004	SHOTCRETE (4")	SC	Q.YD.	124.00 \$39,680.00	305.0 \$97,600.0		320.00	305.00 \$97,600.00	100	305.00 \$97,600.00

Monthly Payments

ADC			Arizona	Department	of Transpo	rtation	Page: 1 of 4
				Division of	Highways		Run Date: 8/8/2024
			Agreem	ent Estimate &	& Transmittal SI	heet	11.05.20 AM
			•		s & Final Paym		
Org:			(,		Contract Amount:	\$1,045,127.50
Tracs No:						Date Started:	3/21/2024
Federal No:				Estimate No.	5	Date Completed:	
Description:				Month: July 2	024	Engineer:	Kara Lavertue
Contractor:						Percent Complete:	88
Phase 01 days:	90					Percent Time Used:	87
Section	Rdwy Sm Str	Str Over 20 Ft	Total	Force Acct	Total	Nota	tions
1 FA 14	993,448.48		993,448.48		993,448.48	Bridge	
		Sumr	nary of Federal	Aid Construct	tion		
Accumulated	993.448.48	0.00	993.448.48	0.00	993,448.48		
Previous	860,774.10	0.00	860,774.10	0.00	860,774.10		
Current	132,674.38	0.00	132,674.38	0.00	132,674.38		
		Summa	ry of Non-Fede	ral Aid Constru	uction		
Accumulated	0.00	0.00	0.00	0.00	0.00		
Previous	0.00	0.00	0.00	0.00	0.00		
Current	0.00	0.00	0.00	0.00	0.00		
			Grand Total C	onstruction			
Accumulated	993,448.48	0.00	993,448.48	0.00	993,448.48		
Previous	860,774.10	0.00	860,774.10	0.00	860,774.10		
1001040		0.00	132,674.38	0.00	132,674.38		

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Monthly Contractor Pay Estimate Process

The field office has 5 business days to save the estimate.

Once saved, it goes to Field Reports for review and is sent to Contracts Payable.

Contracts Payable reviews and processes the estimates for payment.

Contractor Cycle Dates

ESTIMATES	MONTHLY CUT-OFF DATE	CONTRACTOR PAYMENT
December 2023	01/02/2024	01/17/2024
January 2024	02/07/2024	02/21/2024
February 2024	03/06/2024	03/20/2024
March 2024	04/03/2024	04/17/2024
April 2024	05/01/2024	05/15/2024
May 2024	06/05/2024	06/19/2024
June 2024	07/02/2024	07/17/2024
July 2024	08/07/2024	08/21/2024
August 2024	09/04/2024	09/18/2024
September 2024	10/01/2024	10/16/2024



Request for Monthly Pay Estimate

In this order:

- Contact the Prime Contractor's Project Manager directly
- Direct your request to the Construction Field Office, Resident Engineer or Office Manager, for the specific project.
- You may contact the Field Reports office

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Contractor Information Web Page

Contractor Information

Training

- ADOT DBE System (DBE and Labor)
- <u>AZ UTRACS</u>
- <u>Certified Payroll Class</u>

FAQ - Contractor Information

Information)

Request for Monthly Pay Estimate >







ARIZONA DEPARTMENT OF TRANSPORTATION