


State of Connecticut  
Department of Public Works  
Bureau of Design & Construction

Policy Statement No. 5

Subject: Subcontractor Payment

Effective: May 2, 2007



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David O'Hearn, Deputy Commissioner

Connecticut General Statutes, Sec. 49-41, require the timely payment of subcontractors. In addition to compliance with the law, the Department of Public Works has an interest in the proper and timely payment of completed and accepted work as it directly impacts the progression of work and cooperation on a project. Subcontractor payment issues have come up on an increasing basis. In an effort to facilitate the resolution of these matters, the Department of Public Works will be implementing a series of protocols as enumerated below.

1. Bid Documents will be updated to highlight and emphasis the Statutory requirements
2. Scope review meetings will highlight and emphasis the Statutory requirements
3. The Construction Administrator will be required to have and make available all approved payment applications for review
4. The Construction Administrator will be required to have and make available copy of the payment bond
5. "Contractor Payment" poster will be posted on all DPW projects in a location easily seen by all subcontractors
6. Process flowchart, as shown on poster, will be implemented including submission of payment questionnaire, when lack of payment is alleged

Attachments:

Contractor Payment Poster  
Subcontractor Payment Questionnaire



# Subcontractor Payment Questionnaire



**Date:** \_\_\_\_\_

**Company:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_

**Project Number:** \_\_\_\_\_

**Contract Amount:** \_\_\_\_\_

**Contract Scope:**  
(Brief Summary) \_\_\_\_\_

**Contract With:** \_\_\_\_\_

1. **Q:** Who is your contract with (hereby referred to as Contractor)?  
**A:**
  
2. **Q:** Has the Contractor notified you of the reason for lack of payment?  Yes  No  
**A:** If yes, what is the reason(s)?
  
3. **Q:** Are there any known backcharges, disputes or performance issues that may be impacting or offsetting payment?  
**A:**
  
4. **Q:** Has the Contractor been paid for your work and the amounts you claim are due to you from the contractor?  Yes  No
  
5. **Q:** Is the Contractor in receipt of your signed and executed contract or purchase order?  
 Yes  No  
If yes, is the Contractor in receipt of any approved and agreed upon change orders?  
 Yes  No
  
6. **Q:** If required, is the Contractor in receipt of your performance and/or payment bond consistent with the contract requirements?  Yes  No
  
7. **Q:** If applicable (you are a non-resident contractor as that term is defined under Connecticut law), have you submitted your non-resident contractor's sales-tax bond and obtained certification of compliance pursuant to the statutory requirements?  Yes  No
  
8. **Q:** Does the Contractor have a completed W-9 for your company?  Yes  No
  
9. **Q:** Does the Contractor have a current, valid and contractually compliant (limits, coverage, additional insured, etc.) certificate of insurance?  Yes  No

## Subcontractor Payment Questionnaire

10. Q: If required, is all of your affirmative action and minority information current and submitted, and are you in compliance with all such requirements and/or goals?  Yes  No
11. Q: If required, have you submitted all Employment Utilization Reports?  Yes  No
12. Q: If required, have you submitted a complete sub-subcontractor/supplier affidavit or similar document identifying the payment status of all of your subcontractor, vendors, employee and union obligations in relation to the project?  Yes  No
13. Q: Are you current with all payments and other financial obligations to all sub-contractors, vendors, employees, and labor unions in relation to the Project?  Yes  No
14. Q: If required, have you submitted I-9 forms for your employees or other affidavit(s) to verify compliance by your company and its employees on the Project with applicable Immigration and Naturalization laws?  Yes  No
15. Q: Have you provided evidence that all employees have met the statutory and/or contractually mandated safety training requirements?  Yes  No
16. Q: Have you submitted required waivers from you and your sub-subcontractors and vendors?   
Yes  No
17. Q: What are the dates and payment amounts you have received on the project to date?  
A:
18. Q: What are the dates and amounts of your invoices to the Contractor to date?  
A:
19. Q: If applicable, are all of your prevailing wage forms up-to-date and complete?  Yes  No  
If applicable, are all of your subcontractors prevailing wage forms up-to-date and complete?  
 Yes  No  
Are all required employee benefits and payroll taxes paid for your and your subcontractors?   
Yes  No
20. Q: Have you submitted invoices for all payments you claim due?  Yes  No
21. Q: Are all of your certified payroll forms up-to-date, complete, and accurate including job classifications?  
 Yes  No
22. Q: If applicable, are all of your subcontractors' certified payroll forms up-to-date, complete, and accurate including job classifications?  Yes  No
23. Q: If the project is substantially complete, is all warranty information submitted to the Contractor?  
 Yes  No
24. Q: If due, are all contract closeout documents submitted, such as as-builts, warranties, attic stock, etc., as required by the contract and the project specifications?  Yes  No