

ALABAMA DEPARTMENT OF TRANSPORTATION

DATE: September 30, 2020

Special Provision No. 18-0109

EFFECTIVE DATE: January 1, 2021

SUBJECT: Payments to Subcontractors.

Alabama Standard Specifications, 2018 Edition, are hereby amended as follows:

SECTION 109 MEASUREMENT AND PAYMENT

109.08 Payments to Subcontractors.

Article 109.08 shall be replaced by the following:

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Retainage shall not be withheld from payments owed to subcontractors or lower tier subcontractors.

The Prime Contractor shall make payment to all subcontractors, for the portion of the work satisfactorily performed by the subcontractors, **within 14 calendar days (including Saturdays, Sundays, and holidays)** of the Contractor's receipt of a partial payment from the ALDOT.

The Prime Contractor shall submit to the Project Manager a notarized certification of payment signed by an authorized company representative, for each estimate period. This certification shall read "Company's Name paid all subcontractors active on the project for Estimate Period No. ____ within **14 calendar days of** the receipt of the partial payment covering said estimate period." The certification shall be submitted within sixty calendar days of the close of the estimate period for which it applies. Failure to furnish the certification in a timely manner may result in the withholding of further monthly payments or other punitive action until the delinquent certifications have been submitted. Should an ALDOT audit reveal that the Contractor did not make payments as stated in the certification, ALDOT will take punitive action against the Contractor. This action may include disqualification from bidding for a minimum period of six months.