

CONTRACTOR / SUBCONTRACTOR CHECKLIST

- As of January 1, 1994, you cannot subcontract more than 60% of the total contract amount.
- All subcontracts must be consented to by the Construction Administration Services Bureau (CASB) in Helena before a contractor can go to work. Do not send subcontracts to the Project Manager.
Send subcontract requests to: MDT-Construction, PO Box 201001, Helena MT 59620-1001
- Before a subcontract can be consented, the signed Notice to Proceed must be received by the CASB. The prime contractor's insurance, fuel user's permit, bond and signed contract must be received by the Contract Plans Bureau.
- All requests to subcontract portions of a contract must be sent to the CASB and must include all of the following:

1. Two copies of the subcontract, one original and one copy. No faxed copies will be accepted.
2. The work each subcontractor is doing must be broken down in the following format:

| BID ITEM # | DESCRIPTION | UNITS | UNIT PRICE | TOTAL |
|-------------|---------------------|--------------|--------------|--------------------|
| 208-010-200 | Temp. Erosion Ctrl. | 30,000 Units | 1.00 | \$30,000.00 |
| 610-100-101 | Seeding Area No. 1 | 11.87 Acres | 70.00 | 826.00 |
| 619-011-010 | Delineator DES A | 109 ea. | 10.50 | 1,144.50 |
| | | | TOTAL | \$31,970.50 |

NOTE: If a subcontractor is only doing part of the item (Example: hauling only), asterisk the item and note this on the same page as the contract items. Indicate which part of the work the subcontractor is doing (materials, equipment or labor). It affects the percentage subcontracted. If this detail is not provided, the item will NOT be treated as a partial item.

NOTE: If a subcontractor assigns any portion of the work subcontracted to him, he must submit a sub-subcontract to the CASB.

3. A "Consent of Surety" from the prime contractor's bonding company giving consent to sublet or transfer portions of the contract. This is not required for second tier subcontracts.
4. The subcontractor must have a current special fuel user's permit or letter stating special fuel or diesel is not being used on the project. (MDT will verify). This is obtained through the Fuel Tax Section.
5. The subcontractor must have submitted their EEO annual submission to Civil Rights. (MDT will verify) <ftp://ftp.mdt.mt.gov/contract/anneeo.doc>
6. This *exact* written statement must be included in the subcontract or on a separate assignment form per Subsection 108.01.1:

"In consideration of being awarded this subcontract, and in consideration of having this subcontract approved by the State of Montana, the subcontractor hereby assigns to the State of Montana any and all claims or causes of action for any antitrust law violations, or damages arising there from, as to the goods, materials and services purchased under the terms of this subcontract or any change order that may result from this contract."

7. The attached checklist for the subcontractor must be signed and submitted with the subcontract.

Subcontractor's Checklist

To be signed by Subcontractor and returned with subcontract to:
MDT-Construction, PO Box 201001, Helena MT 59620-1001

_____ "I have received and reviewed the Required Contract Provisions (RCP) (Form FHWA-1273) inserted in the subcontract agreement; and, I have received and reviewed the project wage rates. I agree to comply with all of the provisions contained in the RCP and the project wage rates." (Do not need to attach wage rates/special provisions if this form is signed by subcontractor indicating they have been given the wage rates).

_____ "I have submitted my annual EEO submission to Civil Rights." (MDT will verify)
<ftp://ftp.mdt.mt.gov/contract/anneo.doc>

_____ I am licensed in the State of MT and have a current special fuel user's permit. (MDT will verify) If not, one must be obtained through the Fuel Tax Section at 406-444-7689. Special Fuel Users Application can be found at
http://www.mdt.mt.gov/other/fueltax/external/fueltax_forms/pdf/special_fuel_users_application.pdf

Special Fuel Users Surety Bond Form can be found at

http://www.mdt.mt.gov/other/fueltax/external/fueltax_forms/pdf/su_surety_bond.pdf

OR

_____ I do not have a special fuel user's permit and will not use any special fuel (diesel) on this state project. I have attached a letter stating this on company letterhead (indicate which MDT project).

_____ I am a registered contractor with the Montana Department of Labor and Industry.

OR

_____ I am exempt from having to register as a contractor per MCA 39-9-211.

Printed Name of Prime Contractor _____

Contract Number _____

Project Name and ID _____

Printed Name of Subcontractor _____

Signature of Subcontractor _____ Date _____

MDT WILL NOT CONSENT TO THE SUBCONTRACT UNTIL ALL OF THESE ITEMS HAVE BEEN RECEIVED/VERIFIED BY THE CONSTRUCTION ADMINISTRATION SERVICES BUREAU
2701 Prospect Avenue Helena, MT 59620