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| REVIEW OF NEW SPECIFICATION OR SPECIFICATION CHANGE  | 108-52 |
| **Specification Section No.:** 108 | **Item:** Subletting of Contract |
| **Originating Office:** Civil Rights and Business Resource Center | **By:** Williams/Crespin |
| **Date Sent For Review:** April 10, 2017 | **Date Comments Due: April 24, 2017** |
| Submit response to: STANDARDS AND SPECIFICATIONS UNIT, DIVISION OF PROJECT SUPPORT 4TH FLOOR, CDOT HEADQUARTERS |
| **Vote****/N** | **Concurrent Reviews – Others Commenting** | The attached Draft Specification is submitted for your review and comments. If not returned by Date Comments Due, the draft specification will be considered to be approved unless the Standards and Specifications Unit of the Project Development Branch [(303) 757-9474, (303) 757-9402] is advised otherwise.**REMARKS:** If these proposed changes are approved, our unit will issue these in a revised version of this standard special provision. |
|  | **Spec Committee Members:** |  **✓** |
|  | Co-Chairman: Lacey |  |
|  | Region 1: Quirk |  |
|  | Region 1: Lucerna |  |
|  | Region 2: Phillips |  |
|  | Region 3: Jean |  |
|  | Region 4: Boespflug |  |
|  | Region 5: Valentinelli |  |
|  | Project Development: Vacant |  |
|  | Specifications: Brinck |  |
|  | Bridge: Hasan |  |
|  | Contracts & Market Analysis: Eddy |  |
|  | Materials: Schiebel |  |
|  | Traffic Engineering: Matthews |  | REVIEWER COMMENTS:( ) Approved ( ) Disapproved ( ) ModifiedIf disapproved or modified, give reason why and show any modifications on the attached draft copy: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_ Name/Signature Date |
|  | Maintenance: Weldon |  |
|  | FHWA: Larson |  |
|  | Attorney General: Milan |  |
|  |  |  |
|  | **Others:** |  |
|  | Colorado Contractors Assoc.: Moody |  |
|  |  |  |
|  | **Technical Committees:** |  |
|  | PDAC |  |
|  | Drainage Advisory Committee (DAC) |  |
|  | Water Quality Advisory Committee (WQAC) |  |

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| **COLORADO DEPARTMENT OF TRANSPORTATION****SUBMITTAL OF NEW SPECIFICATION OR SPECIFICATION CHANGE** | Log No. (Assigned by Standards and Specifications Unit)108-52 |
| TO: Standards & Specifications Unit Project Development Branch | FROM:Civil Rights and Business Resource Center(Region, Branch or Technical Committee) |
| SPECIFICATION SECTION NO.108 | ITEMSubletting of Contract | Priority Routine [ ]  Fast [x]  |
| Reason for this new or changed specification:All subcontractors to the Prime now must be registered via the B2GNow Software |
| New or Revised Specification:     See attached |
| Note: See Procedural Directive 513.1 for a description of appropriate specification development procedures. |

 **CDOT Form #1215 1/15**

REVISION OF SECTION 108

SUBLETTING OF CONTRACT

**NOTICE**

This is a standard special provision that revises or modifies CDOT’s *Standard Specifications for Road and Bridge Construction.* It has gone through a formal review and approval process and has been issued by CDOT’s Project Development Branch with formal instructions for its use on CDOT construction projects. It is to be used as written without change. Do not use modified versions of this special provision on CDOT construction projects, and do not use this special provision on CDOT projects in a manner other than that specified in the instructions unless such use is first approved by CDOT’s Standards and Specifications Unit. The instructions for use on CDOT construction projects appear below.

Other agencies which use the *Standard Specifications for Road and Bridge Construction* to administer construction projects may use this special provision as appropriate and at their own risk.

**Instructions for use on CDOT construction projects:**

Use in all projects.

REVISION OF SECTION 108
SUBLETTING OF CONTRACT

Section 108 of the Standard Specifications is hereby revised for this project as follows:

Delete subsection 108.01 and replace with the following:

**108.01 Subletting of Contract.** The Contractor will be permitted to sublet a portion of the Contract, however, the Contractor’s organization shall perform work amounting to 30 percent or more of the total original contract amount. Any items designated in the contract as “specialty items” may be performed by subcontract. The cost of “specialty items” so performed by subcontract may be deducted from the total original contract amount before computing the amount of work required to be performed by the Contractor’s own organization. The original contract amount includes the cost of material and manufactured products which are to be purchased or produced by the Contractor and the actual agreement amounts between the Contractor and a subcontractor. Proportional value of a subcontracted partial contract item will be verified by the Engineer. When a firm both sells material to a prime contractor and performs the work of incorporating the materials into the project, these two phases shall be considered in combination and as constituting a single subcontract. The calculation of the percentage of subcontracted work shall be based on subcontract unit prices.

The Contractor shall not sublet, sell, transfer, assign, or dispose of the Contract or Contracts, or any portion thereof without written permission of the Engineer. Prior to the subcontractor beginning any work, the Contractor shall request permission from the Engineer by submitting a completed Sublet Permit Application, CDOT Form 205. The subcontract work shall not begin until the Contractor has received the Engineer’s written permission. The Contractor shall make all project related written subcontracts, agreements, and purchase orders available to the Engineer for viewing, upon request and at a location convenient to the Engineer.

All firms to which a prime may sublet a portion of the Contract must be registered in the B2GNow Software System and shall update the registration on an annual basis. If the firm is not registered, approval of the Form 205 may be withheld.

Subcontracts or transfer of Contract shall not release the Contractor of liability under the Contract and Bond.