NOTICE

This Standard Special Provision (SSP) revises or modifies CDOT’s Standard Specifications for Road and Bridge Construction. These are the official instructions for its use on CDOT construction projects, and have been reviewed, approved, and issued by the Construction Engineering Services Branch. Use as written without change. Do not use modified versions of this SSP on CDOT construction projects. Do not use this special provision on CDOT projects in a manner other than specified in the instructions without approval by CDOT’s Standards and Specifications Unit. The instructions for use appear below.

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

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

Use this standard special provision on all projects.

**Revise Section 108 of the Standard Specifications as follows:**

**108.01 Subletting of Contracts, delete and replace 108.01 with the following:**

**108.01 Subletting of Contract.** 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 beginning any work by the subcontractor, the Contractor shall request permission from the Engineer by submitting a completed Sublet Permit Application, CDOT Form No. 205, via the B2GNow software system. The subcontracted 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.

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. The 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.

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

Failure to comply with all contractual obligations may lead to the suspension, debarment, or both of the subcontractor, and if necessary, the Contractor as stipulated in the “Rules”.

All firms to which the Contractor will be subletting a portion of the Contract shall have an account created in the B2GNow Software System. If the firm does not have an account created, approval of the Form 205 may be withheld.