

SUBCONTRACT AGREEMENT

Prior to any subcontractor working on the project, a subcontract agreement must be prepared by the contractor / subcontractor. The subcontract agreement and other required documents must be uploaded to B2GNow as one attachment. The subcontract agreement will show as "Pending" until approved by Contract Compliance. It is not necessary to submit any hard copies of the subcontract agreement.

Contract Compliance shall verify:

- A. all necessary information is correct and complete
- B. the Inclusion of Contract page is complete and included in the upload (see page 3 - 2 for federally funded contracts, see page 3 - 3 for state funded contracts)
- C. the Lobbying Certificate (for federally funded contracts) is complete and included in the upload (see page 3 - 4)
- D. all applicable requirements of a subcontract agreement per Standard Specifications subsection 108.01 are attached:
 - (a) The DESIGNATED HOURLY MINIMUM WAGE RATES
 - (b) Form FHWA-1273 (for federally funded contracts)
 - (c) ADDITIONAL CONTRACT PROVISIONS - SUPPLEMENT TO THE WEEKLY CERTIFIED PAYROLLS
 - (d) STANDARD FEDERAL EQUAL EMPLOYMENT OPPORTUNITY CONSTRUCTION CONTRACT SPECIFICATIONS (EXECUTIVE ORDER 11246) (for federally funded contracts)
 - (e) ADDITIONAL CONTRACT PROVISIONS - SPECIFIC EQUAL EMPLOYMENT OPPORTUNITY RESPONSIBILITIES
 - (f) ADDITIONAL CONTRACT PROVISIONS - EQUAL EMPLOYMENT OPPORTUNITY Training Special Provisions (for federally funded contracts)
 - (g) The certification on RESTRICTIONS ON LOBBYING USING APPROPRIATED FEDERAL FUNDS (for federally funded contracts)

Contract Compliance will notify the contractor / subcontractor if corrections are necessary.

**INCLUSION OF CONTRACT
PROVISIONS IN SUBCONTRACTS**
Federally Funded Contracts

Rev. 01/17

Date

State of Nevada
Department of Transportation
1263 South Stewart Street
Carson City, NV 89712

Reference is made to NDOT Contract No. _____, Project No. _____, project description _____

_____ And _____
Contractor (please print) Subcontractor (please print)

The subcontractor acknowledges it has received the following contract provisions. Each of the provisions will be an enforceable part of the subcontract agreement, and will be included in all lower tiered subcontract agreements:

1. LABOR PROVISIONS: The DESIGNATED HOURLY MINIMUM WAGE RATES supplied by the United States Department of Labor and the Labor Commissioner of the State of Nevada.
2. The certification on RESTRICTIONS ON LOBBYING USING APPROPRIATED FEDERAL FUNDS.
3. FORM FHWA-1273: The REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS (Exclusive of Appalachian Contracts) AND APPENDIX A.
4. The ADDITIONAL CONTRACT PROVISIONS - SUPPLEMENT TO THE WEEKLY CERTIFIED PAYROLLS.
5. The STANDARD FEDERAL EQUAL EMPLOYMENT OPPORTUNITY CONSTRUCTION CONTRACT SPECIFICATIONS (EXECUTIVE ORDER 11246).
6. The ADDITIONAL CONTRACT PROVISIONS - SPECIFIC EQUAL EMPLOYMENT OPPORTUNITY RESPONSIBILITIES.
7. The ADDITIONAL CONTRACT PROVISIONS - EQUAL EMPLOYMENT OPPORTUNITY Training Special Provisions.
8. SUBCONTRACT PROVISIONS NEVADA REVISED STATUTES (NRS).
9. POSTINGS and NOTICES.

**THE UNDERSIGNED AGREES TO PROVIDE CERTIFIED PAYROLLS THROUGH THE
LCP TRACKER SYSTEM FOR ALL EMPLOYEES WORKING ON THIS CONTRACT**

Subcontractor (signature) Subcontractor (title) Date

**INCLUSION OF CONTRACT
PROVISIONS IN SUBCONTRACTS**
State Funded Contracts

Rev. 01/17

Date

State of Nevada
Department of Transportation
1263 South Stewart Street
Carson City, NV 89712

Reference is made to NDOT Contract No. _____, Project No. _____, project description _____

_____ And _____
Contractor (please print) Subcontractor (please print)

The subcontractor acknowledges it has received the following contract provisions. Each of the provisions will be an enforceable part of the subcontract agreement, and will be included in all lower tiered subcontract agreements:

1. LABOR PROVISIONS: The HOURLY MINIMUM WAGE RATES as determined by the Labor Commissioner of the State of Nevada.
2. The ADDITIONAL CONTRACT PROVISIONS - SUPPLEMENT TO THE WEEKLY CERTIFIED PAYROLLS.
3. The ADDITIONAL CONTRACT PROVISIONS - SPECIFIC EQUAL EMPLOYMENT OPPORTUNITY RESPONSIBILITIES.
4. SUBCONTRACT PROVISIONS NEVADA REVISED STATUTES (NRS).
5. POSTINGS and NOTICES.

**THE UNDERSIGNED AGREES TO PROVIDE CERTIFIED PAYROLLS THROUGH THE
LCP TRACKER SYSTEM FOR ALL EMPLOYEES WORKING ON THIS CONTRACT**

Subcontractor (signature) Subcontractor (title) Date

49 CFR Part 20 - Appendix A

CERTIFICATION REGARDING LOBBYING

Certification For Contracts, Grants, Loans, And Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature/Authorized Certifying Official

Typed Name and Title

Applicant/Organization

Date Signed

Contract Compliance will upload the approved subcontract agreement letter into LCPtracker if the prime contractor or subcontractor has assigned a lower tier subcontractor to his contract in LCPtracker. If the prime contractor or subcontractor has not assigned the lower tier subcontractor to his contract in LCPtracker, Contract Compliance will not be able to upload the approved subcontract agreement letter. The subcontractor cannot begin entering payrolls into LCPtracker until the prime contractor or subcontractor has assigned the lower tier subcontractor to the contract and Contract Compliance has uploaded the approved subcontract agreement letter. **NOTE:** If a subcontractor calls and cannot enter payrolls, this is usually the problem. Ideally, the prime contractor or subcontractor should assign a lower tier subcontractor to his contract in LCPtracker no later than when the subcontract agreement is uploaded to B2GNow.

Contract Compliance will upload the approved subcontract agreement letter (see page 3 - 7) and "Approve" each subcontractor in B2GNow.

Contract Compliance will send a copy of the approved subcontract agreement letter to the Resident Engineer, who will then forward a copy to the prime contractor. If Contract Compliance included the prime contractor in their distribution, the Resident Engineer must still notify the prime contractor as the recipients may not be the same. The Resident Engineer is ultimately responsible for notifying the prime contractor of approvals. Enter the date subcontract agreement is received from Contract Compliance on the SUBCONTRACTORS LISTING (see page 3 - 8).

After the subcontract agreement is approved, the subcontractor may begin work on the contract. Payrolls must be submitted weekly into LCPtracker for all employees working as a result of the subcontract agreement. Non-performance payrolls must be submitted weekly into LCPtracker. Payrolls and non-performance payrolls must be submitted within fourteen (14) calendar days of the week ending date (applies to federally funded and state funded projects), with no extra allowance for payrolls ending on Saturday, Sunday or a holiday.

The inspector shall be familiar with approved subcontractors and notify the Resident Engineer if employees are working without an approved subcontract agreement.

All subcontractors must be included on the Final Payroll Letter at contract completion, even if they did not perform any work on the project.

Refer to the following flow charts for required compliance documents:

**Figure 1 Non-DBE's
Subcontractors, Suppliers, Service Providers
(including Trucking and Owner Operators)
(See page 3 - 9)**

**Figure 2 DBE's
Subcontractors, Suppliers, Service Providers
(including Trucking and Owner Operators)
(See page 3 - 10)**



STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

BRIAN SANDOVAL
Governor

RUDY MALFABON, P.E., Director

In Reply Refer to:

January 23, 2017

John Smith, Resident Engineer
Nevada Department of Transportation
310 Galletti Way
Sparks, NV 89431

Subcontract Agreement No. 10
Contract No. 3585
Project No. NHP-395-1(027)

This is to advise you that the Subcontract Agreement with Jane Subcontractor has been formally approved for the items of work listed on the subcontract.

The applicable amount of the Request to Sublet to the 50% limitation is \$5,260.12 or 0.01%.

For your information the total amount subcontracted to date (including the above amount) applicable to the 50% limitation set forth in Subsection 108.01 of the Standard Specifications is \$6,400,996.12 or 16.75%.

Sincerely,

Joe Payroll
Contract Compliance Investigator II

cc: Joe Contractor, Prime Contractor (via B2GNow)
Thor Dyson, District Engineer (via email)
Tax Division Manager, Nevada Tax Commission (via email)

Non-DBE Subcontractors, Suppliers and Service Providers

Rev. 01/17

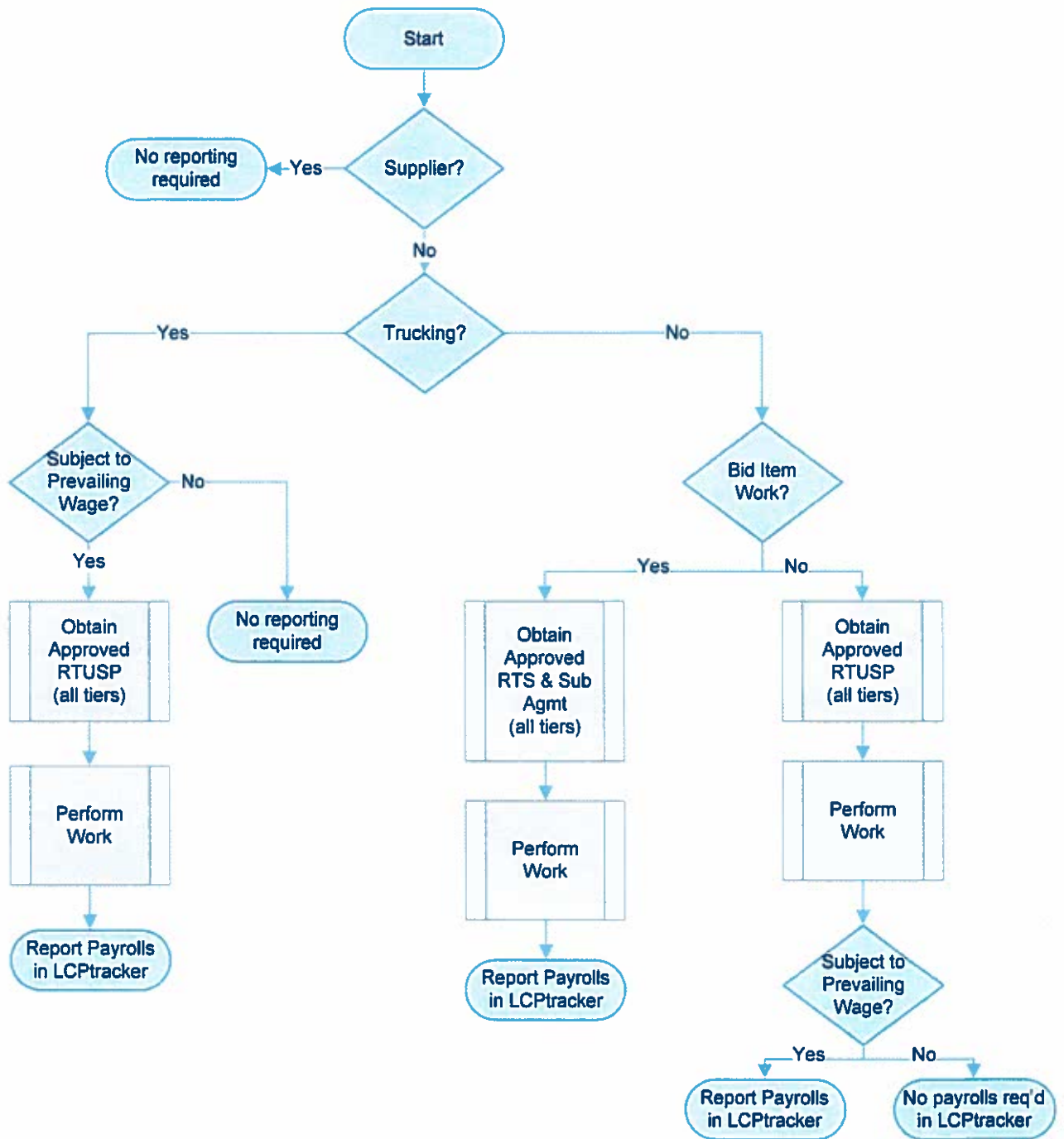


Figure 1 – Non-DBE Subcontractors, Suppliers and Service Providers

DBE Subcontractors, Suppliers and Service Providers

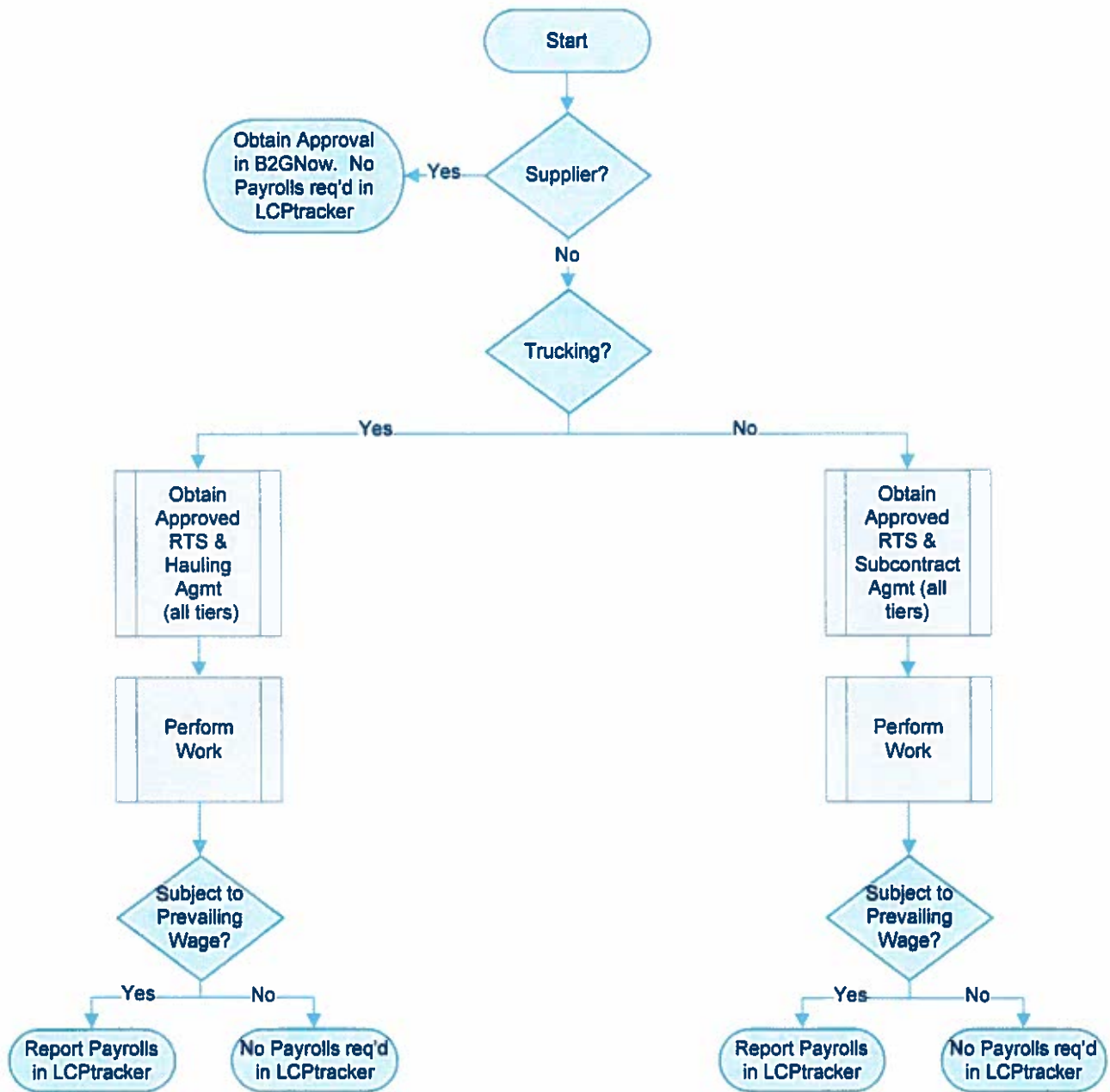


Figure 2 – DBE Subcontractors, Suppliers and Service Providers