

MEMORANDUM

State of Alaska

Department of Transportation & Public Facilities
Statewide Design & Engineering Services Division

TO: Distribution

DATE: September 7, 2007

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FROM: Gary Hogins, P.E. 
Chief Engineer

SUBJECT: **Chief Engineer Directive-
Contractor Self
Certification of
Subcontracts, for Airports
and Highways 07-02**

Incorporate the attached specification modification and Form 25D-042, Contractor Self Certification for Subcontractors and Lower Tier Subcontractors, into all contracts advertised after October 14, 2007.

Perform contract administration for Subcontract Review & Approval according to Section 8.2 of the Alaska Construction Manual (ACM) except:

Subcontracts and associated documentation is not required for all subcontracts. Before any of the listed subcontractors may begin work, the contractor must submit one Contractor Self Certification for Subcontractors and Lower Tier Subcontractors form (25D-042) to the project engineer, for each subcontractor or lower tier subcontractor. If the contractor elects to use a professional services contract for any portion of the work, the contractor must also submit a Form 25D-042 for the professional services contract.

Select at least one in ten contractors' self certifications for review. For these subcontracts, request the agreement, licenses, proof of insurance, and any other documentation relating to the contractor's certification. Compare the subcontract and supporting documentation to the subcontractor list and the DBE utilization report. Review the subcontract and supporting documentation to confirm the following information is included or requirements are satisfied:

Mandatory contract language

Required minimum insurance

DBE requirements

Cumulative DBE participation percentages

Subcontractor payment requirements (AS 36.90.210)

Cumulative percentage of subcontracted portion of the contract

Keep detailed records identifying which subcontractor and lower tier subcontractor certifications were selected and reviewed for compliance

Under the terms of the contract, do not allow a subcontractor or lower tier subcontractor to perform any work on the project until the project engineer has received the completed and signed Form 25D-042.

If a contractor makes a false statement or omission related to the self certification process, exclude that contractor from the self certification process for the remainder of the contract and for any contracts in the following construction season. For contractors excluded from the self certification process, perform formal review and approval of their subcontracts, lower tier subcontracts, and professional services contracts according to current requirements of Section 8.2 of the ACM.

Demonstrating that at least one in ten self certifications receive a full compliance review is a condition of FAA and FHWA approval of the self certification process and Form 25D-042. More than the required one in ten may be selected or full review.

Concurrent review procedures remain unchanged.

These changes will be included as revisions to Section 8.2 in the ACM update.

Attachments

Distribution:

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