February 3, 2011

REVISION OF SECTION 109

PARTIAL PAYMENTS

**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 this special provision on all projects except “MTCE” projects. See the Maintenance Engineering website at <http://internal/MaintEng/> for a Project Special Provision regarding partial payments to be included on all “MTCE” projects.

February 3, 2011

REVISION OF SECTION 109

PARTIAL PAYMENTS

Section 109 of the Standard Specifications is hereby revised for this project as follows:

Subsection 109.06(a) shall include the following:

The Contractor shall request release of retainage on work that has been partially accepted in accordance with subsection 105.20(a). The Contractor shall provide a certified invoice to the Engineer stating the percentage of the original contract amount constituted by the partially accepted work. The calculated percentage will be multiplied by the maximum retainage amount allowed to determine the retainage to be released.

Subsection 109.06(f) shall include the following:

If during the prosecution of the project a portion of the work is partially accepted in accordance with subsection 105.20(a), the Contractor shall release all subcontractors’ retainage on the portion of the partially accepted work performed by subcontractors. Prior to the Department releasing the Contractor’s retainage on work that has been partially accepted in accordance with subsection 105.20(a), the Contractor shall submit to the Engineer a certified statement for each subcontractor that has participated in the partially accepted work. The statement shall certify that the subcontractor has been paid in full for its portion of the partially accepted work including release of the subcontractor’s retainage. The statement shall include the signature of a legally responsible official for the Contractor, and the signature of a legally responsible official for the subcontractor.