

#1



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, December 08, 2016 2:04:53 PM
Last Modified: Thursday, December 08, 2016 2:22:30 PM
Time Spent: 00:17:37
IP Address: 156.63.133.8

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly, Comment: (please specify) Actually, it's Bi-monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Project closeout documents, Other (please specify) Change Orders require affidavits, but not certifications
Q7: Does your state have a False Claims Act?	Yes, Comment if appropriate: It's not called the False Claims Act, but we require the claim to be certified.
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) "I, (Name and Title of an Officer of the Contractor) certify that this claim is made in good faith, that all supporting data is accurate and complete to the best of my knowledge and belief, and that the claim amount accurately reflects the contract amendment for which (Contractor Company name) believes the Department is liable."
Q10: In general, what are the benefits to the contracting agency for using these certifications?	Yes, Please explain: Additional protection to the owner.
Q11: In general, what are the industry concerns in using certifications?	Not applicable

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

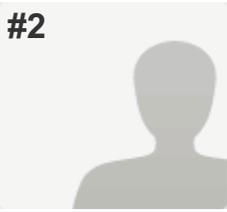
Q12: State DOT Contact (name, title)

Clint Bishop

Q13: Contact email

clint.bishop@dot.ohio.gov

#2



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 19, 2016 11:25:49 AM
Last Modified: Monday, December 19, 2016 11:30:06 AM
Time Spent: 00:04:17
IP Address: 164.64.74.12

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	Yes, If 'Yes', please describe: It is an informal policy that allows payments bi-weekly. This does not happen very often.
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a cost-loaded-CPM schedule
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	<i>Respondent skipped this question</i>
Q7: Does your state have a False Claims Act?	<i>Respondent skipped this question</i>
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	<i>Respondent skipped this question</i>
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	<i>Respondent skipped this question</i>
Q10: In general, what are the benefits to the contracting agency for using these certifications?	No Comment
Q11: In general, what are the industry concerns in using certifications?	Not applicable
Q12: State DOT Contact (name, title)	Sally Reeves - Acting State Construction Engineer
Q13: Contact email	sally.reeves@state.nm.us

#3



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 19, 2016 11:28:55 AM
Last Modified: Monday, December 19, 2016 11:39:50 AM
Time Spent: 00:10:54
IP Address: 108.171.131.160

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	Yes, If 'Yes', please describe: On big projects with large cash flows we make payments every two weeks.
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a cost-loaded-CPM schedule
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	Other (please specify) Only for materials on hand
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	No
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Project closeout documents
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	<i>Respondent skipped this question</i>
Q10: In general, what are the benefits to the contracting agency for using these certifications?	Yes, Please explain: We are trying to get away from contractors high balling claims and settling for half or submitting total cost claims. We have found the contractors do not want to certify some of their claims, particularly those of subcontractors. The false claims act really makes them think about what they are submitting.
Q11: In general, what are the industry concerns in using certifications?	Please describe industry concerns: They have said they are not comfortable certifying subcontractors claims as they do not know their business.
Q12: State DOT Contact (name, title)	Minnesota Department of Transportation
Q13: Contact email	tom.ravn@state.mn.us

#4



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 19, 2016 11:37:14 AM
Last Modified: Monday, December 19, 2016 11:44:18 AM
Time Spent: 00:07:03
IP Address: 167.7.17.3

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	Yes, If 'Yes', please describe: SCDOT Standard Specifications allow for intermediate progress payments if requested.
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	As a condition of signing and submitting progress payments , Other (please specify) Contractors required to sign a Prompt Payment Certification with each Progress Payment to verify payments to subs and suppliers.
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) http://www.scdot.org/doing/technicalPDFs/supSpecs/97-02-12.pdf
Q10: In general, what are the benefits to the contracting agency for using these certifications?	Yes, Please explain: Establishes a process to be followed for consistency.
Q11: In general, what are the industry concerns in using certifications?	Please describe industry concerns: South Carolina is historically non-litigious and receives few claims. This trend has ticked upward over the past few years, but still remains at 2-3 per year. No real concerns communicated from industry.

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q12: State DOT Contact (name, title)

Todd Steagall, Director of Construction

Q13: Contact email

steagallrt@scdot.org

#5



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 19, 2016 11:44:00 AM
Last Modified: Monday, December 19, 2016 11:48:54 AM
Time Spent: 00:04:53
IP Address: 63.66.64.245

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-weekly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	Yes
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	No
Q6: Are certifications required in other phases of contract administration? (check all that apply)	<i>Respondent skipped this question</i>
Q7: Does your state have a False Claims Act?	No
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	<i>Respondent skipped this question</i>
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	<i>Respondent skipped this question</i>
Q10: In general, what are the benefits to the contracting agency for using these certifications?	<i>Respondent skipped this question</i>
Q11: In general, what are the industry concerns in using certifications?	<i>Respondent skipped this question</i>
Q12: State DOT Contact (name, title)	Joseph S. Robinson, Construction Quality Assurance Section Chief
Q13: Contact email	josrobinso@pa.gov

#6



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 19, 2016 11:29:12 AM
Last Modified: Monday, December 19, 2016 11:55:06 AM
Time Spent: 00:25:54
IP Address: 164.82.32.13

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Other (please specify) Monthly progress payment
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	Yes
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	Yes
Q6: Are certifications required in other phases of contract administration? (check all that apply)	As a condition of signing and submitting progress payments , Claims, Change orders, Project closeout documents
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) OAG can bring court actions against those who violate the False Claims Act by making false claims to the District Government for the purpose of improperly obtaining or retaining government funds
Q10: In general, what are the benefits to the contracting agency for using these certifications?	No Comment
Q11: In general, what are the industry concerns in using certifications?	Please describe industry concerns: No concerns
Q12: State DOT Contact (name, title)	Ali Shakeri, PE
Q13: Contact email	ali.shakeri@dc.gov

#7



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 19, 2016 12:19:42 PM
Last Modified: Monday, December 19, 2016 12:29:10 PM
Time Spent: 00:09:27
IP Address: 12.19.214.66

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-weekly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Other (please specify) Have not had any design-build projects yet.
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Project closeout documents
Q7: Does your state have a False Claims Act?	No
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) 105.18(b) Required Certification of Claims. When submitting a claim, the Contractor must certify in writing, under oath according to the formalities required, as to the following: (1) The claim is made in good faith. (2) Supportive data are accurate and complete to the Contractor's best knowledge and belief. (3) The amount of the claim accurately reflects the actual cost incurred by the Contractor.
Q10: In general, what are the benefits to the contracting agency for using these certifications?	Yes, Please explain: See response to 11 below

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q11: In general, what are the industry concerns in using certifications?

Please describe industry concerns:
Has not been enforced in several years. Our claims are heard by a State Claims Commission, who have had a past history of overruling some of our motions for dismissal due to exceeding a deadline for the contractor to respond to a Chief Engineer's decision or failing to submit a claim before an designated date- therefore it has not been an area that we have placed a lot of emphasis on in recent years. We intend to try to enforce it again.

Q12: State DOT Contact (name, title)

David Henning, State Construction Engineer

Q13: Contact email

david.henning@ahtd.ar.gov

#8



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 19, 2016 12:47:02 PM
Last Modified: Monday, December 19, 2016 12:52:42 PM
Time Spent: 00:05:40
IP Address: 162.59.200.193

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	As a condition of signing and submitting progress payments , Claims, Change orders, Project closeout documents, Other (please specify) certifications may include materials, DBE, payroll or certifications required in claims
Q7: Does your state have a False Claims Act?	No
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q9: If applicable, please provide the actual claims certification language or a web reference if available:

Not applicable,

Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) Arizona Department of Transportation Standard Specification 2008 Edition (104.03(B)(6)) which contains the following language: (6) The contractor's written certification, under oath, attesting to the following: (a) The request is made in good faith. (b) Supportive data is accurate and complete to the contractor's best knowledge and belief . (c) The amount requested accurately reflects the contractor's actual cost incurred. In complying with this request , the contractor shall use the Department's certification form.

Q10: In general, what are the benefits to the contracting agency for using these certifications?

No Comment

Q11: In general, what are the industry concerns in using certifications?

Please describe industry concerns:
Unaware of any industry concerns

Q12: State DOT Contact (name, title)

Julie Kliewer, State Construction and Materials Engineer

Q13: Contact email

jkliwer@azdot.gov

#9



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 19, 2016 1:51:55 PM
Last Modified: Monday, December 19, 2016 2:02:58 PM
Time Spent: 00:11:03
IP Address: 104.129.194.128

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	Yes, If 'Yes', please describe: Bi-weekly when the bi-weekly amount exceeds \$50,000
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a cost-loaded-CPM schedule
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Project closeout documents
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	Yes, If 'yes', what is the threshold? \$50,000

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q9: If applicable, please provide the actual claims certification language or a web reference if available:

Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.)
105-14 DISPUTED WORK AND DISPUTE RESOLUTION. F. Required Certification of Disputes Over \$50,000. When submitting any dispute over \$50,000, the Contractor shall certify in writing, under oath and in accordance with the formalities required by the contract, as to the following: 1. That supporting data is accurate and complete to the Contractor's best knowledge and belief; 2. That the amount of the dispute is based on sound engineering principles, is supported by sound mathematical and cost accounting principles and the dispute itself is in accordance with the terms of the contract, and accurately reflects what the Contractor in good faith believes to be the Department's liability; 3. That the dispute and the amount of the dispute is in full compliance with the Federal False Claims Act, 31 U.S. Code Section 3729, and New York State False Claims Act, NYS Finance Law Article XIII; and that the Contractor acknowledges that a violation of these acts by a court of proper competent jurisdiction, such violating Contractor shall be subject to liability for a civil penalty, plus up to three times the damage the State sustains by such violation. 4. The certification shall be executed by: a. The Contractor, if the Contractor is an individual. b. A senior company official in charge at the Contractor's plant or location involved or an officer or general partner of the Contractor having overall responsibility for the conduct of the Contractor's affairs, if the Contractor is not an individual.

Q10: In general, what are the benefits to the contracting agency for using these certifications?

Yes, Please explain:
Helps reduce posturing, bargaining and negotiations of claims (referred to as disputes in NY).

Q11: In general, what are the industry concerns in using certifications?

Respondent skipped this question

Q12: State DOT Contact (name, title)

Brian DeWald, PE Acting Director of Construction

Q13: Contact email

Brian.DeWald@dot.ny.gov

#10



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 19, 2016 2:55:53 PM
Last Modified: Monday, December 19, 2016 3:35:03 PM
Time Spent: 00:39:09
IP Address: 129.71.250.254

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-Monthly or Twice per Month
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a cost-loaded-CPM schedule
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	<i>Respondent skipped this question</i>
Q7: Does your state have a False Claims Act?	No
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Not applicable
Q10: In general, what are the benefits to the contracting agency for using these certifications?	No Comment
Q11: In general, what are the industry concerns in using certifications?	Not applicable
Q12: State DOT Contact (name, title)	John Taylor, Assistant Director Contract Administration
Q13: Contact email	John.E.Taylor@wv.gov

#11



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 19, 2016 3:29:06 PM
Last Modified: Monday, December 19, 2016 3:54:44 PM
Time Spent: 00:25:37
IP Address: 63.225.17.34

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	Other (please specify) No for low bid contracts. Invoices from Contractor on design-build
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	If appropriate, please comment. For design-build projects, some we do, some we don't
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims
Q7: Does your state have a False Claims Act?	No
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q9: If applicable, please provide the actual claims certification language or a web reference if available:

Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.)
 CONTRACTOR'S CLAIM CERTIFICATION Under penalty of law for perjury or falsification, the undersigned, (name) , (title) , of (company) , hereby certifies that the claim of \$ for extra compensation and Days additional time, made herein for work on this contract is true to the best of my knowledge and belief and supported under the Contract between the parties. This claim package contains all available documents that support the claims made herein and I understand that no additional information, other than for clarification and data supporting previously submitted documentation, may be presented by me. Dated /s/ Subscribed and sworn before me this day of . NOTARY PUBLIC My Commission Expires: B. For a pass-through claim: PASS-THROUGH CLAIM CERTIFICATION Under penalty of law for perjury or falsification, the undersigned, (name) , (title) , of (company) , hereby certifies that the claim of \$ for extra compensation and Days additional time, made herein for work on this Project is true to the best of my knowledge and belief and supported under the contract between the parties. This claim package contains all available documents that support the claims made herein and I understand that no additional information, other than for clarification and data supporting previously submitted documentation, may be presented by me. Dated /s/ Subscribed and sworn before me this day of . NOTARY PUBLIC My Commission Expires: Dated /s/ The Contractor certifies that the claim being passed through to CDOT is passed through in good faith and is accurate and complete to the best of my knowledge and belief. Dated /s/ Subscribed and sworn before me this day of . NOTARY PUBLIC My Commission Expires: 86 105.24

Q10: In general, what are the benefits to the contracting agency for using these certifications?

No Comment

Q11: In general, what are the industry concerns in using certifications?

Please describe industry concerns:
 Not aware of any industry concerns.

Q12: State DOT Contact (name, title)

Mark Straub / Construction Area Engineer

Q13: Contact email

mark.straub@state.co.us

#12



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 19, 2016 4:02:39 PM
Last Modified: Monday, December 19, 2016 4:13:34 PM
Time Spent: 00:10:54
IP Address: 159.105.162.12

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-weekly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	Yes, If 'yes', what is the threshold? \$50,000.00
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) For every claim seeking additional compensation in excess of \$50,000, the Contractor must provide a separate document certifying that the documentation provided in support of the Claim and that the amount of additional compensation sought in the Claim is accurate and that the Contractor has a good faith basis for believing that the Agency is responsible for payment of the Claim (the "Claims Certification"). The Claims Certification shall be notarized and executed by a senior officer of the Contractor with legal authority to bind the Contractor, or if the Contractor is a sole proprietor, by the proprietor. The Claims Certification may be used in any proceeding under the False Claims Act, 18 U.S.C.A. §1020 C.F.R. §635.119.

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q10: In general, what are the benefits to the contracting agency for using these certifications?

Yes, Please explain:

The case against the claimant for a false claim is bolstered when the claimant knowingly submits for reimbursement a fraudulent request. This certification removes all doubt about the intent to submit the claim.

Q11: In general, what are the industry concerns in using certifications?

Not applicable

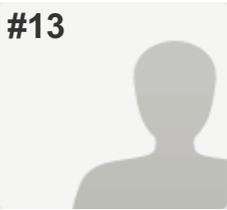
Q12: State DOT Contact (name, title)

David Hoyne, Director of Construction & Materials

Q13: Contact email

david.hoyne@vermont.gov

#13



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, December 19, 2016 4:53:11 PM
Last Modified: Monday, December 19, 2016 5:15:42 PM
Time Spent: 00:22:31
IP Address: 165.234.253.8

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	Other (please specify) Invoices are needed to get paid for stockpiled material
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	Yes
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Project closeout documents, Other (please specify) Contractor material certifications for some materials
Q7: Does your state have a False Claims Act?	No
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) https://www.dot.nd.gov/divisions/environmental/docs/supspecs/fullsupplementalspecswith10012016.pdf See section 104.05 B Certification of the claim
Q10: In general, what are the benefits to the contracting agency for using these certifications?	Yes, Please explain: Contractor is certifying that the information provided is accurate and complete to the best of the contractor's knowledge and belief.
Q11: In general, what are the industry concerns in using certifications?	Please describe industry concerns: They may have some concerns in certifying subcontractor claims.
Q12: State DOT Contact (name, title)	Cal J Gendreau Construction Engineer
Q13: Contact email	cgendrea@nd.gov

#14



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, December 20, 2016 6:26:11 AM
Last Modified: Tuesday, December 20, 2016 6:29:15 AM
Time Spent: 00:03:04
IP Address: 174.223.129.62

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Other (please specify) ALDOT is not currently using lump-sum or design-build.
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	No, If appropriate, please comment. NA
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Project closeout documents, Other (please specify) DBE, propmt payment
Q7: Does your state have a False Claims Act?	No
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No, If 'yes', what is the threshold? NA
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Not applicable
Q10: In general, what are the benefits to the contracting agency for using these certifications?	No Comment
Q11: In general, what are the industry concerns in using certifications?	Not applicable
Q12: State DOT Contact (name, title)	Jeff Benefield, Alabama DOT Asst State Construction Engineer
Q13: Contact email	benefieldj@dot.state.al.us

#15



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, December 20, 2016 11:49:29 AM
Last Modified: Tuesday, December 20, 2016 11:51:23 AM
Time Spent: 00:01:53
IP Address: 170.142.177.67

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	Yes
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	Yes
Q6: Are certifications required in other phases of contract administration? (check all that apply)	As a condition of signing and submitting progress payments , Claims, Change orders, Project closeout documents
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Not applicable
Q10: In general, what are the benefits to the contracting agency for using these certifications?	No Comment
Q11: In general, what are the industry concerns in using certifications?	Not applicable
Q12: State DOT Contact (name, title)	Will Reid, P.E.; Construction Director
Q13: Contact email	will.reid@tn.gov

#16



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, December 20, 2016 1:52:08 PM
Last Modified: Tuesday, December 20, 2016 2:00:09 PM
Time Spent: 00:08:01
IP Address: 204.24.68.126

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-weekly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	Yes, If 'Yes', please describe: Estimates made be made weekly if they are over \$1,000,000.
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	No
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Project closeout documents
Q7: Does your state have a False Claims Act?	No
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) http://mdotjboss.state.mi.us/webforms/GetDocument.htm?fileName=1953.pdf
Q10: In general, what are the benefits to the contracting agency for using these certifications?	Yes, Please explain: A slight reduction in claims was experienced as they had to certify claims.
Q11: In general, what are the industry concerns in using certifications?	Please describe industry concerns: Industry wants suppliers and manufacturers to provided certifications. They do not want to provide the certs directly.
Q12: State DOT Contact (name, title)	Jason Gutting, Michigan DOT, Engineer of Construction Field Services
Q13: Contact email	guttingj@michigan.gov

#17



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, December 20, 2016 12:01:19 PM
Last Modified: Tuesday, December 20, 2016 4:08:31 PM
Time Spent: 04:07:12
IP Address: 69.60.36.224

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	No
Q6: Are certifications required in other phases of contract administration? (check all that apply)	As a condition of signing and submitting progress payments , Project closeout documents
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q9: If applicable, please provide the actual claims certification language or a web reference if available:

Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.)
 CSD-155 07/14/2004 MDOT NOTICE OF CLAIM FORM This form is required to be submitted as per Subsection 105.17 - Claims for Adjustments and Disputes to file a notice of claim for additional compensation and/or time. Project Number: County: Route & Termini: Date Claim was Submitted: Claim Number: Type of Claim: Date and Time (AM, PM) of Event: Location of Event: Specific Subsection(s) of Contract Addressing Event: Description of Event: Describe How the Event Impacted the Project (current & future): Describe Requested Compensation: Attach any additional sheets as necessary to complete the form and attach auditable documentation for additional compensation requests. I certify that the foregoing statements made by me are true. I am aware that if any statement made herein is willfully false or fraudulent, that I am subject to punishment by law. I further certify that I have made a good faith effort to disclose the full nature and extent of this claim.
 COMPANY NAME POSITION SIGNATURE OF CLAIMANT'S AUTHORIZED REPRESENTATIVE
 Instructions: Each claim submitted on a project should be sequentially numbered.

Q10: In general, what are the benefits to the contracting agency for using these certifications?	No Comment
Q11: In general, what are the industry concerns in using certifications?	Not applicable
Q12: State DOT Contact (name, title)	Mississippi DOT
Q13: Contact email	eglenn@mdot.ms.gov

#18



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, December 20, 2016 2:10:26 PM
Last Modified: Tuesday, December 20, 2016 5:06:00 PM
Time Spent: 02:55:33
IP Address: 166.67.66.245

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Other (please specify) Lump sum contract payments based on a schedule of values with 20% payment upon initiation of activity and 80% payment upon completion of activity.
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	Other (please specify) Invoices are only required on lump sum design-build projects.
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	If appropriate, please comment. Contractors only certify invoices for lump sum design-build projects
Q6: Are certifications required in other phases of contract administration? (check all that apply)	As a condition of signing and submitting progress payments , Claims, Other (please specify) Buy America materials
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q9: If applicable, please provide the actual claims certification language or a web reference if available:

Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) Pursuant to the Code of Virginia, I hereby certify that this Contract claim submission for Virginia Department of Transportation Project No. _____ in _____ County, Virginia, is a true and accurate representation of additional costs, expenses, damages and/or delays incurred by _____ (Contractor) or its subcontractors or suppliers in the performance of the required Contract work. Any statements, representations, writings, or documents, made or used and known to be false, shall be considered a violation of the Virginia Governmental Frauds Act, punishable as allowed by the Code of Virginia for a Class 6 Felony, and shall be considered a violation of the Virginia Fraud Against Taxpayers Act, subject to the civil penalties allowed by the Code of Virginia.

Q10: In general, what are the benefits to the contracting agency for using these certifications?

Yes, Please explain:
The certification statement provides a level of assurance that the contractor has carefully considered and submitted all information regarding the claim and that the information provided is an accurate representation of costs incurred by the contractor.

Q11: In general, what are the industry concerns in using certifications?

Not applicable

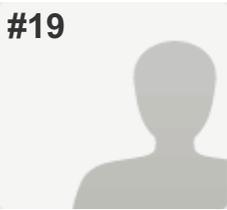
Q12: State DOT Contact (name, title)

Ian Millikan, Virginia DOT, Assistant State Construction Engineer

Q13: Contact email

ian.millikan@vdot.virginia.gov

#19



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, December 21, 2016 12:39:30 PM
Last Modified: Wednesday, December 21, 2016 1:42:04 PM
Time Spent: 01:02:33
IP Address: 156.75.176.59

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No, If 'Yes', please describe: No policy but will occasionally process an estimate between normal monthly cutoff dates.
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	As a condition of signing and submitting progress payments , Claims, Change orders, Project closeout documents
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No, If 'yes', what is the threshold? If a contractor makes a request for compensation, either as a claim or Request for Equitable Adjustment, it is to be certified by the contractor.
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) http://www.fdot.gov/programmanagement/Implemented/SpecBooks/January2017/Files/117eBook.pdf - refer to section 4-3.2 for certification requirements for Requests for Equitable Adjustments - refer to section 5-12 for certification of claims language
Q10: In general, what are the benefits to the contracting agency for using these certifications?	Yes, Please explain: It raises the level of ethical behavior in that there can be actions taken against false certifications.

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q11: In general, what are the industry concerns in using certifications?

Please describe industry concerns:
Industry believes there are too many certifications required by the agency. Believes the certifications promote distrust.

Q12: State DOT Contact (name, title)

David Sadler. Director, Office of Construction

Q13: Contact email

david.sadler@dot.state.fl.us

#20



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, December 21, 2016 2:48:14 PM
Last Modified: Wednesday, December 21, 2016 2:54:52 PM
Time Spent: 00:06:38
IP Address: 130.47.240.44

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-Monthly or Twice per Month
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No, If 'Yes', please describe: We do not have a policy or contract language for more frequent payments, but we do have guidance that suggests more frequent payments are acceptable when there are larger payments due.
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	<i>Respondent skipped this question</i>
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims
Q7: Does your state have a False Claims Act?	No, Comment if appropriate: We rely on the federal regulations for false claims.
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q9: If applicable, please provide the actual claims certification language or a web reference if available:

Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.)
 From WisDOT Standard Specs: 105.13.4 Content of Claim (1) Include the following 5 items in the claim. 1. A concise description of the claim. 2. A clear contractual basis for the claim. This should include reference to 104.2 on revisions to the contract and as appropriate, specific reference to contract language regarding the bid items in question. 3. Other facts the contractor relies on to support the claim. 4. A concise statement of the circumstances surrounding the claim and reasons why the department should pay the claim. Explain how the claimed work is a change to the contract work. 5. A complete breakdown of the costs used to compile the claim. Include copies of all blue book equipment rental rate sheets used, with the applicable number highlighted. (2) The department may refer the claimant of a false claim to the appropriate authority for criminal prosecution. Certify the claim using the following form: The undersigned is duly authorized to certify this claim on behalf of (the contractor). (The contractor) certifies that this claim is made in good faith, that the supporting data are accurate and complete to the best of (the contractor's) knowledge and belief, and that the amount requested accurately reflects the contract adjustment for which (the contractor) believes that the department is liable.
 (THE CONTRACTOR)

By: _____
 (Name and Title) Date of Execution: _____

Q10: In general, what are the benefits to the contracting agency for using these certifications?

No Comment

Q11: In general, what are the industry concerns in using certifications?

Respondent skipped this question

Q12: State DOT Contact (name, title)

Wayne Chase, Chief Construction Oversight Engineer

Q13: Contact email

wayne.chase@dot.wi.gov

#21



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, December 22, 2016 1:06:45 PM
Last Modified: Thursday, December 22, 2016 1:25:28 PM
Time Spent: 00:18:42
IP Address: 156.63.133.8

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-Monthly or Twice per Month
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	As a condition of signing and submitting progress payments , Claims, Project closeout documents
Q7: Does your state have a False Claims Act?	Yes, Comment if appropriate: We have a claims certification, but it is not called the False Claims Act
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) It is found in our 2016 Construction & Material Specifications Section 108.02.G.3. Certify the claim in writing and under oath using the following certification: "I, (Name and Title of an Officer of the Contractor) certify that this claim is made in good faith, that all supporting data is accurate and complete to the best of my knowledge and belief, and that the claim amount accurately reflects the contract amendment for which (Contractor Company name) believes the Department is liable." Sign and date this claim certification and have the signature notarized pursuant to the laws of the State of Ohio.

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q10: In general, what are the benefits to the contracting agency for using these certifications?

Yes, Please explain:

They provide additional confidence in the contractor's submissions. They can be used at a later date if discrepancies or defective work becomes apparent. They also help prevent the contractor from claiming late payment and additional interest on contract line items.

Q11: In general, what are the industry concerns in using certifications?

Please describe industry concerns:

They have some concerns about the additional paper work, but we are trying to convert them to electronic format.

Q12: State DOT Contact (name, title)

Clint Bishop, Office of Construction Administration

Q13: Contact email

clint.bishop@dot.ohio.gov

#22



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, December 22, 2016 3:21:54 PM
Last Modified: Thursday, December 22, 2016 4:03:30 PM
Time Spent: 00:41:36
IP Address: 146.243.136.235

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-weekly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a cost-loaded-CPM schedule
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	As a condition of signing and submitting progress payments , Claims, Change orders, Project closeout documents
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) As outlined in Subsection 7.16 of the Massachusetts Highway Department Standard Specifications for Highways and Bridges, it is certified that he information provided for the above noted claim represents additional costs incurred, other than as provided for in the contract, during the performance of work under the referenced contract. The costs shown are an amount we believe to be fir and equitable amount, legally due for the performance of the work for which payment is being claimed. Sworn to and subscribed before me by _____ who is personally known to me this ____ day of _____ _____ My commission expires _____ _____ Notary Public

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q10: In general, what are the benefits to the contracting agency for using these certifications?

Yes, Please explain:

It holds the contractor responsible for the accuracy of the information provided if there are questions later on regarding the validity of the documentation submitted.

Q11: In general, what are the industry concerns in using certifications?

Please describe industry concerns:

Not aware of any concerns raised by the contraction industry on this issue.

Q12: State DOT Contact (name, title)

Michael McGrath, Deputy Chief Engineer for Construction

Q13: Contact email

michael.a.mcgrath@state.ma.us

#23



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, December 22, 2016 4:35:26 PM
Last Modified: Thursday, December 22, 2016 4:47:20 PM
Time Spent: 00:11:54
IP Address: 165.201.162.178

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-Monthly or Twice per Month
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Change orders, Project closeout documents
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	<p>Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) e. Certification of Contract Adjustment Request. The Contractor's authorized representative shall certify the contract adjustment request with one of the following statements, whichever applies to the specific contract adjustment request: (1) The undersigned hereby certifies, under the penalty of law for perjury or falsification, that I am authorized to submit this contract adjustment request on behalf of the Contractor and to bind the Contractor, that the contract adjustment request is made in good faith and, to the best of the Contractor's knowledge and belief, is a true and complete statement of the estimated costs and time sought for the Contract Change and is authorized by the Contract. I further certify that no additional claims will be submitted related to this contract adjustment request, and the Contractor will maintain documentation that supports the contract adjustment request. (2) The undersigned hereby certifies, under the penalty of law for perjury or falsification, that I am authorized to submit this contract adjustment request on behalf of the Contractor and to bind the Contractor. the contract</p>

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

adjustment request is made in good faith and, to the best of the Contractor's knowledge and belief, is a true and complete statement of the actual costs and time incurred for the Contract Change and is authorized by the Contract. I further certify that no additional claims will be submitted related to this contract adjustment request, and the Contractor has documentation that supports the contract adjustment request. f. Subcontractor/Supplier Pass Through Claims. Contract adjustment requests shall include pass through claims of subcontractors and suppliers, if any, associated with Contract Changes. KDOT's consideration of these claims does not create privity of contract between KDOT and the subcontractors or suppliers or between the LPA and the subcontractors or suppliers. If the contract adjustment request includes the pass-through claim of subcontractors and suppliers, the Certification required under subsection 104.8e. shall include the following language for each subcontractor and supplier seeking a pass-through claim: "The claim being passed through to KDOT, the LPA, or both is passed through in good faith and is, to the best of the Contractor's knowledge and belief, a true and complete statement of the estimated or actual costs and time incurred by the named subcontractor/supplier for the Contract Change and is authorized by the Contract. I further certify that no additional related claims will be submitted on that subcontractor's/supplier's behalf, and the Contractor has or will have documentation that supports the pass-through claim." The Subcontractor's or Supplier's authorized representative shall certify the contract adjustment request with one of the statements provided in subsection 104.8e., whichever applies to the specific contract adjustment request, except that the word "Contractor" shall be replaced with the word "subcontractor" or "supplier".

Q10: In general, what are the benefits to the contracting agency for using these certifications?

Yes, Please explain:
To remind contractors of the laws associated with false claims.

Q11: In general, what are the industry concerns in using certifications?

Please describe industry concerns:
We implemented these in our 2015 Specifications. To date we had 1 contractor voice a concern and then submitted the certification.

Q12: State DOT Contact (name, title)

Susan Eiseman, Kansas DOT, Assit Bureau Chief of Construction

Q13: Contact email

susan.eiseman@ks.gov

#24



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, December 30, 2016 11:07:04 AM
Last Modified: Friday, December 30, 2016 11:33:47 AM
Time Spent: 00:26:42
IP Address: 204.62.25.101

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-Monthly or Twice per Month
Q2: Does your state have a policy for more frequent progress payments on large contracts?	Yes, If 'Yes', please describe: We do have the ability and policy to allow us to generate supplemental estimates at any time, but this is typically only used when the Department is the cause for a delayed payment.
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on milestone completion
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	Yes
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	No, If appropriate, please comment. There are a few items like structural steel that are required to be certified, but as a rule, no certification is required.
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Change orders, Project closeout documents
Q7: Does your state have a False Claims Act?	<i>Respondent skipped this question</i>
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) http://www.odot.org/c_manuals/specbook/oe_ss_2009.pdf 2009 ODOT Standard Specifications for Highway Construction Section 105.18.
Q10: In general, what are the benefits to the contracting agency for using these certifications?	Yes, Please explain: At least once, the Department has been able to threaten pursuing legal action for a contractor submitting a false claim. This resulted in the contractor accepting our fair settlement offer without question.

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q11: In general, what are the industry concerns in using certifications?

Not applicable

Q12: State DOT Contact (name, title)

Will Nedbalek, Asst. State Construction Engineer,
Oklahoma DOT

Q13: Contact email

wnedbalek@odot.org

#25



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, January 03, 2017 8:34:13 AM
Last Modified: Tuesday, January 03, 2017 9:01:43 AM
Time Spent: 00:27:29
IP Address: 199.192.2.24

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-Monthly or Twice per Month
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Project closeout documents
Q7: Does your state have a False Claims Act?	No, Comment if appropriate: Not sure. But we rely on the Federal law concerning flase claims.
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) Section 105.18 Claims in our standard specs addresses certification. The link to our on-line spec book is: http://www.nh.gov/dot/org/projectdevelopment/highwaydesign/specifications/documents/2016NHDOTSpecBookWeb.pdf
Q10: In general, what are the benefits to the contracting agency for using these certifications?	Yes, Please explain: Possible protection against frivolous or false claims.
Q11: In general, what are the industry concerns in using certifications?	Please describe industry concerns: None that I have heard.
Q12: State DOT Contact (name, title)	Theodore Kitsis, Administrator Bureau of Construction, NHDOT

Q13: Contact email

ted.kitsis@dot.nh.gov

#26



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, January 05, 2017 8:08:36 AM
Last Modified: Thursday, January 05, 2017 8:16:14 AM
Time Spent: 00:07:38
IP Address: 167.21.141.13

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No, If 'Yes', please describe: Delaware doesn't have a 'policy'; but can make more frequent progress payments upon request if the circumstances warrant.
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Project closeout documents
Q7: Does your state have a False Claims Act?	No
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	<p>Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) ...the Contractor must certify the claim using the following form: The undersigned is duly authorized to certify this claim on behalf of (the Contractor). (The Contractor) certifies that this claim is made in good faith, that the supporting data are accurate and complete to the best of the Contractor's knowledge and belief, and that the amount requested accurately reflects the Contract Adjustment for which (the Contractor) believes that the Department is liable. (THE CONTRACTOR) By:</p> <p>_____</p> <p>(Name)(Title) Date of Execution:</p> <p>_____</p>
Q10: In general, what are the benefits to the contracting agency for using these certifications?	No Comment

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q11: In general, what are the industry concerns in using certifications?

Not applicable

Q12: State DOT Contact (name, title)

Chris Costello, Group 1 Construction Engineer

Q13: Contact email

chris.costello@state.de.us

#27



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, January 17, 2017 8:40:43 AM
Last Modified: Tuesday, January 17, 2017 8:45:40 AM
Time Spent: 00:04:56
IP Address: 205.204.248.74

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-weekly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	No
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Change orders
Q7: Does your state have a False Claims Act?	No, Comment if appropriate: There is a bill currently proposed by the legislature.
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Not applicable, Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) Kentucky does not have claim certification language. However, the certification is requested similar to work done by change order.
Q10: In general, what are the benefits to the contracting agency for using these certifications?	Yes, Please explain: Provide a basis for the claim.
Q11: In general, what are the industry concerns in using certifications?	Please describe industry concerns: None.
Q12: State DOT Contact (name, title)	Ryan Griffith, KYTC Director of Construction
Q13: Contact email	ryan.griffith@ky.gov

#28



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, January 17, 2017 8:39:02 AM
Last Modified: Tuesday, January 17, 2017 8:51:02 AM
Time Spent: 00:12:00
IP Address: 163.191.13.70

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-Monthly or Twice per Month ,
	Comment: (please specify) It depends on the amount of work performed. Our standard specs requires one payment per month but we commonly make two progress payments per month.
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Other (please specify) Illinois has not let any design-build projects to date.
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Project closeout documents, Other (please specify) a few material certifications, payrolls
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) Illinois DOT Standard Specifications for Road and Bridge Construction, Article 109.09.
Q10: In general, what are the benefits to the contracting agency for using these certifications?	Yes, Please explain: The contractor asserts they are not making a false claim. A certification that could be used in court although that has never happened in Illinois (to my knowledge).

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q11: In general, what are the industry concerns in using certifications?

Please describe industry concerns:
None that I am aware of. Subcontractors sometimes don't understand the claim process but their claims are generally against the prime and not actions, or lack of payment, from the Department.

Q12: State DOT Contact (name, title)

Tim Kell, Engineer of Construction

Q13: Contact email

Tim.Kell@illinois.gov

#29



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, January 17, 2017 9:51:52 AM
Last Modified: Tuesday, January 17, 2017 10:01:18 AM
Time Spent: 00:09:26
IP Address: 198.182.163.102

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-Monthly or Twice per Month
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Other (please specify) MaineDOT breaks down the LS contract to smaller pieces and pays on those pieces, as far as they have been completed, every two weeks.
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Project closeout documents
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	If 'yes', what is the threshold? N/A
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Not applicable
Q10: In general, what are the benefits to the contracting agency for using these certifications?	No Comment
Q11: In general, what are the industry concerns in using certifications?	Not applicable
Q12: State DOT Contact (name, title)	George Macdougall, P.E. Contracts and Specification Engineer
Q13: Contact email	george.macdougall@maine.gov

#30



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, January 17, 2017 9:19:37 AM
Last Modified: Tuesday, January 17, 2017 10:52:00 AM
Time Spent: 01:32:23
IP Address: 161.7.59.21

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Project closeout documents
Q7: Does your state have a False Claims Act?	Yes, Comment if appropriate: It is a very weak law.
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) Section 105.16.2 of our standard specifications found at the following link: http://www.mdt.mt.gov/other/webdata/external/const/specifications/2014/division_100.pdf
Q10: In general, what are the benefits to the contracting agency for using these certifications?	Yes, Please explain: It tends to reduce frivolous claims, although we have such a weak false claims law we still see some claims that are without merit.
Q11: In general, what are the industry concerns in using certifications?	Please describe industry concerns: We haven't heard a lot of concern from the industry.
Q12: State DOT Contact (name, title)	Kevin Christensen
Q13: Contact email	kechristensen@mt.gov

#31



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, January 17, 2017 10:50:17 AM
Last Modified: Tuesday, January 17, 2017 11:13:24 AM
Time Spent: 00:23:07
IP Address: 198.238.213.154

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a cost-loaded-CPM schedule
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	Other (please specify) We require "invoice data sheet(s) and supporting documents based on the price loaded Contract Schedule".
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	Yes, If appropriate, please comment. Invoicing documents are certified by the Design and Construction Quality Assurance Managers.
Q6: Are certifications required in other phases of contract administration? (check all that apply)	As a condition of signing and submitting progress payments , Claims, Change orders, Project closeout documents
Q7: Does your state have a False Claims Act?	Yes, Comment if appropriate: The False Claims act in Washington mirrors the Federal Act, but only covers Medicare Fraud.
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) 1-09.11(2) CLAIMS If the Design-Builder claims that additional payment is due and the Design-Builder has pursued and exhausted all the means provided in Section 1-04.5 and 1-09.11(1) to resolve a dispute, the Design-Builder may file a claim as provided in this Section. The Design-Builder agrees to waive any claim for additional payment if the written notifications provided in Section 1-04.5 are not given, or if WSDOT is not afforded reasonable access by the Design-Builder to complete records of actual cost and

additional time incurred as required by Section 1-04.5, or if a claim is not filed as provided in this Section. The fact that the Design-Builder has provided a proper notification, provided a properly filed claim, or provided WSDOT access to records of actual cost, shall not in any way be construed as proving or substantiating the validity of the claim. If the claim, after consideration by WSDOT, is found to have merit, WSDOT will make an equitable adjustment either in the amount of costs to be paid or in the time required for the Work, or both. If WSDOT finds the claim to be without merit, no adjustment will be made. All claims filed by the Design-Builder shall be in writing and in sufficient detail to enable WSDOT to ascertain the basis and amount of the claim. All claims shall be submitted to the WSDOT Engineer as provided in Section 1-05.15. At a minimum, the following information must accompany each claim submitted: 1. A detailed factual statement of the claim for additional compensation and time, if any, providing all necessary dates, locations, and items of Work affected by the claim. 2. The date on which facts arose which gave rise to the claim. 3. The name of each WSDOT individual, official, or employee involved in or knowledgeable about the claim. 4. The specific provisions of the Contract which support the claim and a statement of the reasons why such provisions support the claim. 5. If the claim relates to a decision of WSDOT which the Contract leaves to WSDOT's discretion or as to which the Contract provides that WSDOT's decision is final, the Design-Builder shall set out in detail all facts supporting its position relating to the decision of WSDOT. 6. The identification of any documents and the substance of any oral communications that support the claim. 7. Copies of any identified documents, other than WSDOT documents and documents previously furnished to WSDOT by the Design-Builder, that support the claim (manuals which are standard to the industry, used by the Design-Builder, may be included by reference). 8. If an extension of time is sought: (a) The specific days and dates for which it is sought, (b) The specific reasons the Design-Builder believes a time extension should be granted, (c) The specific provisions of Section 1-08.8 under which it is sought, and (d) The Design-Builder's analysis of its progress schedule to demonstrate entitlement to a time extension. 9. If additional compensation is sought, the exact amount sought and a breakdown of that amount into the following categories: (a) Labor. (b) Materials. (c) Direct equipment - The actual cost for each piece of equipment for which a claim is made or in the absence of actual cost, the rates established by the AGC/WSDOT Equipment Rental Agreement which was in effect when the Work was performed. In no case shall the amounts claimed for each piece of equipment exceed the rates established by that Equipment Rental Agreement even if the actual cost for such equipment is higher. WSDOT may audit the Design-Builder's cost records as provided in Section 1-09.12 to determine actual equipment cost. The following information shall be provided for each piece

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of equipment: (1) Detailed description (e.g., Motor Grader Diesel Powered Caterpillar 12 "G," Tractor Crawler ROPS & Dozer Included Diesel, etc.); (2) The hours of use or standby;. and (3) The specific day and dates of use or standby. (d) Job overhead. (e) Overhead (general and administrative). (f) Subcontractor's claims. (g) Other categories as specified by the Design-Builder or WSDOT. 10. A notarized statement shall be submitted to the WSDOT Engineer containing the following language:

_____,
 _____ (name) (title) of

_____ (company) Under the penalty of law for perjury or falsification, the undersigned hereby certifies that the claim for extra compensation and time, if any, made herein for Work on this Contract is a true statement of the actual costs incurred and time sought, and is fully documented and supported under the Contract between the parties. Dated

_____/s/_____
 _____ Subscribed and sworn before me this
 _____ day of _____

_____ Notary Public My Commission

Expires: _____ It will be the responsibility of the Design-Builder to keep full and complete records of the costs and additional time incurred for any alleged claim. The Design-Builder shall permit WSDOT to have access to those records and any other records as may be required by WSDOT to determine the facts or contentions involved in the claim. The Design-Builder shall retain those records for a period of not less than 3 years after Final Acceptance.

Q10: In general, what are the benefits to the contracting agency for using these certifications?

Yes, Please explain:
 Requires a higher level of scrutiny and consideration by the Contractor before providing a certification. Should help reduce fraud when certifications are requires. Clearly identifies a responsible party should issues arise with certified documents.

Q11: In general, what are the industry concerns in using certifications?

Please describe industry concerns:
 Not aware of industry concerns with the WSDOT certification requirements.

Q12: State DOT Contact (name, title)

Mark Gaines, PE -- Lead Construction Engineer - Administration -- Washington State DOT

Q13: Contact email

gainesm@wsdot.wa.gov

#32



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, January 17, 2017 11:51:23 AM
Last Modified: Tuesday, January 17, 2017 11:56:20 AM
Time Spent: 00:04:57
IP Address: 159.238.13.146

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Other (please specify) No design build projects in Wyoming
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	As a condition of signing and submitting progress payments , Claims, Change orders
Q7: Does your state have a False Claims Act?	No
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) Accompany the submission with the following signed statement: The undersigned is duly authorized to certify the enclosed documentation on behalf of (the contractor). (The contractor) certifies that the documentation is submitted in good faith, that the information provided is accurate and complete to the best of (the contractor's) knowledge and belief, and that the monetary amount requested accurately reflects the contract amendment for which (the contractor) believes the department is responsible.
Q10: In general, what are the benefits to the contracting agency for using these certifications?	No Comment
Q11: In general, what are the industry concerns in using certifications?	Not applicable

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q12: State DOT Contact (name, title)

Wyoming Dot, Andy Long, State Construction Engineer

Q13: Contact email

andy.long@wyo.gov

#33



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, January 17, 2017 3:11:50 PM
Last Modified: Tuesday, January 17, 2017 3:23:59 PM
Time Spent: 00:12:09
IP Address: 164.154.110.29

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-weekly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims
Q7: Does your state have a False Claims Act?	No
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q9: If applicable, please provide the actual claims certification language or a web reference if available:

Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.)
Under the penalty of law for perjury or falsification, the undersigned,

_____, (Printed Name) (Title) of _____, hereby certifies that the Claim for extra (Company) compensation made herein for work on this project is a true statement of the actual costs incurred, and is fully documented and supported under the contract between the parties. I hereby agree that the Department or its authorized representative shall have the right to examine and copy all Contractor records, documents, work sheets, bid sheets, and other data which are pertinent to the justification of the claim and to the substantiation of all related cost data.

_____, (Signature)
(Date) Subscribed and sworn before me this _____ day of _____ 20____.

My Commission Expires ____ (Notary Public)

Q10: In general, what are the benefits to the contracting agency for using these certifications?

No Comment

Q11: In general, what are the industry concerns in using certifications?

Not applicable

Q12: State DOT Contact (name, title)

Rick Gordon, Construction Engineer

Q13: Contact email

rick.gordon@state.sd.us

#34



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, January 18, 2017 11:28:14 PM
Last Modified: Wednesday, January 18, 2017 11:35:35 PM
Time Spent: 00:07:20
IP Address: 76.0.31.231

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-weekly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on milestone completion
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	Yes
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	Yes
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Change orders
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	<i>Respondent skipped this question</i>
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	<i>Respondent skipped this question</i>
Q10: In general, what are the benefits to the contracting agency for using these certifications?	<i>Respondent skipped this question</i>
Q11: In general, what are the industry concerns in using certifications?	<i>Respondent skipped this question</i>
Q12: State DOT Contact (name, title)	<i>Respondent skipped this question</i>
Q13: Contact email	<i>Respondent skipped this question</i>

#35



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, January 19, 2017 12:03:34 AM
Last Modified: Thursday, January 19, 2017 12:07:27 AM
Time Spent: 00:03:53
IP Address: 167.131.0.194

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	No
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	<p>Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) See Page 130 of Oregon DOT 2015 Standard Spec http://www.oregon.gov/ODOT/HWY/SPECS/docs/15book/2015_STANDARD_SPECIFICATIONS.pdf (Part 9) Certification (label page 9.1 through 9.X) - A certified statement, signed by a person authorized to execute Change Orders, by the Contractor, subcontractor, Supplier, or Entity, originating the claim, as to the validity of facts and costs with the following certification: Under penalty of law for perjury or falsification, the undersigned, (Name), (Title), (Company) certifies that this claim for additional compensation for Work on the Contract is a true statement of the actual costs incurred (in the amount of \$_____, exclusive of interest) and is fully documented and supported under the Contract between the parties. Signature: _____ Date: _____, 20__ 00199 131 Subscribed and sworn before me this ____ day of _____, 20__ Notary Public My commission expires .</p>

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q10: In general, what are the benefits to the contracting agency for using these certifications?

No Comment,

Yes, Please explain:

Reduces potential for "paper" claims

Q11: In general, what are the industry concerns in using certifications?

Please describe industry concerns:

Not expressed by Industry

Q12: State DOT Contact (name, title)

Joe Squire, State COnstruction& Materials Engineer

Q13: Contact email

Joe.Squire@odot.state.or.us

#36



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, January 19, 2017 11:40:08 AM
Last Modified: Thursday, January 19, 2017 3:27:37 PM
Time Spent: 03:47:29
IP Address: 159.247.3.230

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Comment: (please specify) Monthly, or Semi-Monthly if requested by Contractor and approved by Engineer.
Q2: Does your state have a policy for more frequent progress payments on large contracts?	Yes, If 'Yes', please describe: Standard Specification 1.09.06 allows for Semi-Monthly payments if requested by Contractor and approved by Engineer.
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Other (please specify) Cost-loaded CPM schedule or schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	Other (please specify) Yes for Design Build and Facilities (Major Lump Sum Item) Contracts
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	Yes
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Change orders, Project closeout documents, Other (please specify) Certified Test Reports and Materials Certificates required for some items
Q7: Does your state have a False Claims Act?	No, Comment if appropriate: One statute refers to federal False Claims Act but couldn't find a State version in the CT General Statutes.
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	Yes, If 'yes', what is the threshold? \$50,000.00

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q9: If applicable, please provide the actual claims certification language or a web reference if available:

Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.)
1.11.05—Required Claim Documentation: All claims shall be submitted in writing to the Commissioner, and shall be sufficient in detail to enable the Engineer to ascertain the basis and the amount of each claim, and to investigate and evaluate each claim in detail. When submitting any claim over \$50,000, the Contractor shall certify in writing, under oath and in accordance with the formalities required by the Contract, that the following are true: 1. That supporting data is accurate and complete to the Contractor's best knowledge and belief; 2. That the amount of the dispute and the dispute itself accurately reflects what the Contractor in good faith believes to be the Department's liability. The certification shall be executed by an officer or general partner of the Contractor having overall responsibility for the conduct of the Contractor's affairs.

Q10: In general, what are the benefits to the contracting agency for using these certifications?

No Comment

Q11: In general, what are the industry concerns in using certifications?

Please describe industry concerns:
Not sure what is being asked - are you asking what are construction companies' concerns?

Q12: State DOT Contact (name, title)

Janet Mazeau, Standard Specifications Committee Secretary

Q13: Contact email

janet.mazeau@ct.gov

#37



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, January 20, 2017 9:16:32 AM
Last Modified: Friday, January 20, 2017 10:09:45 AM
Time Spent: 00:53:13
IP Address: 168.166.124.100

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-weekly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	Other (please specify) Invoices are required only on material allowances.
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	If appropriate, please comment. Not applicable
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Project closeout documents
Q7: Does your state have a False Claims Act?	No
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) Missouri Standard Specification 105.16.8 Required certification of claims.
Q10: In general, what are the benefits to the contracting agency for using these certifications?	Yes, Please explain: Prevents the submittals of false claims or the request for undocumented amounts not based on actual values.
Q11: In general, what are the industry concerns in using certifications?	Please describe industry concerns: We have not received concerns regarding this requirement.
Q12: State DOT Contact (name, title)	David Ahlvers, State Construction and Materials Engineer, MoDOT
Q13: Contact email	David.ahlvers@modot.mo.gov

#38



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, January 23, 2017 8:23:14 AM
Last Modified: Monday, January 23, 2017 8:54:29 AM
Time Spent: 00:31:14
IP Address: 159.247.3.230

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Bi-Monthly or Twice per Month
Q2: Does your state have a policy for more frequent progress payments on large contracts?	No
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	No
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Project closeout documents
Q7: Does your state have a False Claims Act?	No
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	Yes
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) Please refer to Article 1.11.05(h) of the Connecticut Dept. of Transportation Standard Specifications. http://www.ct.gov/dot/lib/dot/documents/dpublications/817/_form_817_(2).pdf
Q10: In general, what are the benefits to the contracting agency for using these certifications?	Yes, Please explain: Makes the Contractor accountable for the accuracy of its statements and the damages claimed.
Q11: In general, what are the industry concerns in using certifications?	Please describe industry concerns: Concern that the claim documents are subject to scrutiny by auditors, consultants and project staff - any of whom might view the claim documents differently and put them at risk of violating the certification statement.
Q12: State DOT Contact (name, title)	Mark Rolfe, Construction Administrator
Q13: Contact email	Mark.Rolfe@ct.gov

#39



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, January 30, 2017 7:19:36 AM
Last Modified: Monday, January 30, 2017 7:32:34 AM
Time Spent: 00:12:58
IP Address: 143.100.53.12

PAGE 1: Background

Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	Yes, If 'Yes', please describe: When so requested by the Contractor and approved by the Engineer, Gross Earnings of \$500,000.00 or more for work completed within the first 15 days of any month will be certified for payment on a semi-monthly basis
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	<i>Respondent skipped this question</i>
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims
Q7: Does your state have a False Claims Act?	No
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No
Q9: If applicable, please provide the actual claims certification language or a web reference if available:	Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) Required Certification of Claims When submitting the claim, the Contractor shall certify in writing, under oath in accordance with the formalities required by Georgia law, as to the following: 1. That the claim is made in good faith. 2. That supportive data are accurate and complete to the Contractor's best knowledge and belief that the amount of the claim accurately reflects what the Contractor in good faith believes to be the Department's liability. The Contractor shall use the CERTIFICATE OF CLAIM form, which can be obtained from the Department, in complying with these requirements.

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q10: In general, what are the benefits to the contracting agency for using these certifications?

No Comment

Q11: In general, what are the industry concerns in using certifications?

Not applicable

Q12: State DOT Contact (name, title)

John Hancock, State Construction Engineer

Q13: Contact email

jhancock@dot.ga.gov

#40



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, February 02, 2017 9:17:21 AM
Last Modified: Thursday, February 02, 2017 10:04:22 AM
Time Spent: 00:47:00
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Q1: In general, how frequently does your state make progress payments?	Monthly
Q2: Does your state have a policy for more frequent progress payments on large contracts?	Yes, If 'Yes', please describe: If the Engineer feels sufficient work is performed, the contractor can request a mid-month payment
Q3: For design-build or other contracts bid on a lump sum basis, how are progress payments generally made?	Lump sum contract with payments based on a schedule of values
Q4: Does your state require contractors to submit invoices as part of your progress payment process?	No
Q5: If yes, do you require contractors to certify the accuracy and completeness of the invoice?	No, If appropriate, please comment. N/A We do not require contractors to submit invoices.
Q6: Are certifications required in other phases of contract administration? (check all that apply)	Claims, Other (please specify) Claims - Only for claims that must be responded to by the CEO (Secretary).
Q7: Does your state have a False Claims Act?	Yes
Q8: If a certification is required for a claim submittal, is there a monetary threshold for the size of the claim?	No

AASHTO SOC Contract Administration Section Survey on Contractor Certifications

Q9: If applicable, please provide the actual claims certification language or a web reference if available:

Not applicable,

Comment - Example: AASHTO Guide Specifications for Highway Construction (105.18 B.) § 136-29. Adjustment and resolution of Department of Transportation contract claim. (a) A contractor who has completed a contract with the Department of Transportation let in accordance with Article 2 of this Chapter and who has not received the amount he claims is due under the contract may submit a verified written claim to the Secretary of Transportation for the amount the contractor claims is due. The claim shall be submitted within 60 days after the contractor receives his final statement from the Department and shall state the factual basis for the claim. The above is an except form the General Statues that requires a "verified written claim". This "verification" is in the form of an affidavit that generally says: _____ (name), being duly sworn, deposes and says: That he is _____ (title) of _____ (company name) and, as such, is authorized to verify this claim on behalf of said company; that he/she has read the foregoing written claim and knows the contents thereof, and that the same is true of his own knowledge, except as to the matters and things therein alleged upon information and belief, and, as to those matters and things, he believes them to be true.

Q10: In general, what are the benefits to the contracting agency for using these certifications?

Respondent skipped this question

Q11: In general, what are the industry concerns in using certifications?

Not applicable

Q12: State DOT Contact (name, title)

Lamar Sylvester, State Construction Engineer

Q13: Contact email

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