

Request to Subcontract Form (CLA-12) Instructions

General:

The Connecticut Department of Transportation (CTDOT) Standard Specification for Roads, Bridges, Facilities, and Incidental Construction (Standard Specifications) Article 1.08.01 – “Transfer of Work or Contract” or Special Provisions, states requirements related to Contractor self-performance and transfer of work or subcontracting. The Contractor, and in the case of a Subcontractor further subletting work, shall not sublet, sell transfer, assign, or otherwise dispose of the Contract or any portion thereof, or of the work provided for therein, or of its right, title, or interest therein, to any individual or entity without the written consent of the Commissioner.

The CLA-12 is the form designated to request approval to sublet. It is not a form for requesting approval of Pre-Award Commitment Modifications. Pre-Award Commitment Modifications must be approved prior to submission of a related CLA-12 by use of the latest CRD15-1 form found on the CTDOT Website.

The Contractor is responsible for completing the CLA-12 form, including the required subcontract language and providing the attachments in accordance with the requirements provided on the CLA-12 form, in these instructions, and as required by the prime contract. To request and gain approval to sublet or subcontract, the Contractor is required to submit the CLA-12 and attachments, through the CTDOT COMPASS application. The CLA-12 and required information must be submitted far enough in advance of the work to allow for approval prior to the date the subcontractor will start work on the project. A minimum of 30 days should be allowed for review and approval. The CTDOT will only approve a maximum of 3 tiers of subcontracting.

The CLA-12 must indicate when a request is related to a Disadvantaged Business Enterprise (DBE) or Small Business Enterprise (SBE). CLA-12s are required for producers, manufacturers, truckers, and services when they are registered or certified as a DBE and/or SBE.

The CLA-12 must be completed accurately by the Prime Contractor to identify the unit prices and amounts of work subcontracted to each tier subcontractor by item for each project and sub-project. This information must reference the appropriate Project Number(s) and other information as indicated in the latest “Contract Line-Item Category Report” (which will reflect the contract line items as of the latest approved change order) or other report to ensure the unit prices and amounts for each item are consistent with the Contract as amended. To assist with this, a “Contract Line-Item Category Report” or other report showing the latest line item unit prices and amounts, will be provided to the Contractor upon a request to the CTDOT District Project Engineer.

The CLA-12 is updated regularly due to Federal and State mandates, as well as needed enhancements and CTDOT requirements related to project administration. The latest version of the CLA-12 form will be accepted. Any CLA-12 submittal that does not use the current form may be returned unprocessed.

The Contractor must follow the CLA12 Form Specific Instructions to complete the CLA-12 form as intended.

CLA-12 Form Specific Instructions

This form was designed in Microsoft Office 365 it is recommended to download a copy to your computer and use Microsoft Excel to complete the form.

CLA-12 Tab

Section 1: Project Information

In the space provided enter:

1. CLA-12 Number – use the drop-down menu to select the next number corresponding to the number of CLA-12's that have been submitted for the subject project
2. Project Number – Must be entered in the following format, *0000-0000*
3. District – use the drop-down menu to select the corresponding District Number of the Project
4. District Engineer – will auto populate after selecting the corresponding District Number of the Project
5. Project Description

Section 2: Prime Contractor

In the space provided enter:

1. Prime Contractor's name
2. Prime Contractor's address
3. Prime Contractor's [Federal Employer Identification Number \(FEIN\)](#) – This is a unique nine-digit identification number
4. Prime Contractor's Contact Person name – The contact person is the person that is designated in case of follow-up questions from CTDOT
5. Prime Contractor's Contact Person's telephone number
6. Prime Contractor's Contract Person's email address

Section 3: Project Funding

1. Project Funding Source
 - a. Select ***Federal***, from the drop-down menu if there is any amount of federal funds
 - i. If federal is selected a box will appear. Enter the Federal Aid # in that box.
 - b. Select ***State***, from the drop-down menu

Section 4: Contract Details

In the space provided enter:

1. Percent of Original Work that must be performed by the Prime Contractor: refer to Article 1.08.01 of the Contract (enter as a decimal).
2. Percent of Original of Work that may be Sublet: will auto populate based on entering the percent of original work that must be performed by the Prime Contractor.

3. Original Contract Value – This is the Contract dollar value at award. This value does not change.
4. Previous Original Items Sublet – This is the summation of all previously (not including this CLA-12) sublet original contract items up to the original quantities and dollar values. The only time this dollar value will be 0 (zero) is on the first CLA-12 (CLA-001).
 - a. The original contract items are the items stated in the contract at award and up to the original quantity and value. Quantities exceeding the original quantity for original items or items added after award are considered a change order items that are not to be included in the summation of Previous Original Items Sublet.

The following spaces will auto calculate based on values from the Contract Items sheet:

5. Original Items Value – This is the Subcontractor’s dollar value for all original items (on this CLA-12)
6. Change Order Items Value – This is the Subcontractor’s dollar value for all change order items (on this CLA-12)
7. Total Items Value on this CLA-12 – This is the Subcontractor’s total dollar value of original and change order items on this CLA-12
8. Percentage of Original Work Sublet including this CLA-12 – This percentage is calculated by taking the summation of previous original items sublet dollar value, adding it to the original items value (on this CLA-12), and then dividing it by the original contract value and multiply by 100. This percentage will auto calculate after the number of subcontractor tiers is selected and the contract items are entered on the contract items sheet.

Section 5: Subcontractor(s)

For projects having Federal Funding follow the instructions identified as 5A and 6A to complete Sections 5 and 6 of the CLA-12 form.

For projects having only State Funding follow the instructions identified as 5B and 6B to complete Sections 5 and 6 of the CLA-12 form.

Section 5A Federal: Subcontractor(s)

1. Enter the anticipated start date for the lowest tier subcontractor on this CLA-12
2. Use the drop-down menu to select the Number of Subcontractor Tiers (maximum of 3)
3. For each subcontractor tier enter in the space provided or select the appropriate answer from the drop-down menu
 - a. Subcontractor’s Name
 - b. Address
 - c. FEIN #
 - d. “Is this Subcontractor a certified [Disadvantaged Business Enterprise](#) (DBE)?”
 - e. “Is this Subcontractor part of the Pre-Award Commitment (PAC)?”
 - i. If *yes* is selected, include a signed copy of the approved PAC the individual subcontractor worksheet
 - f. “Is this work of this Subcontractor being proposed as a Good Faith Effort (GFE)?”

- i. If **yes** is selected, the description of services have been verified in the [DBE Directory](#) and a Commercial Useful Function (CUF) review will be performed - By selecting yes, *The Contractor is stating that they have verified: For DBE that the subcontractor and tiers below the subcontractor are certified in the work by reviewing the DBE Directory or and descriptions. And the DBE subcontractor will perform a CUF complying with the federal regulations.* If there any questions, contact DCO Subcontracting Group at DOT.OOC.Subcontract@ct.gov
- 4. Contractor Pre-Award Commitment Check
 - a. Select the most appropriate answer from the drop-down menu
 - i. The request to sublet is for a PAC Subcontractor and is identical to the CTDOT approved PAC. (A copy of the approved PAC must be attached.)
 - ii. This request to sublet is for a PAC Subcontractor and includes all items and quantities. In addition, there are other items and/or quantities exceeding the CTDOT approved PAC items and quantities. (A copy of the approved PAC must be attached.)
 - iii. This request to sublet is for a PAC Subcontractor and does reduce PAC items, but a PAC Modification (PACMOD) has been approved by CTDOT for this work. (A copy of the approved PAC and PACMOD must be attached.)
 - iv. This request to sublet is not for a PAC Subcontractor and does not revise work committed to any PAC Subcontractor.
 - v. This request to sublet is not for a PAC Subcontractor, but does revise PAC work, however, a PAC Modification (PACMOD) was previously approved by CTDOT for the work. (A copy of the approved PAC and PACMOD must be attached.)

Section 5B State: Subcontractor(s)

- 1. Enter the anticipated start date for the lowest tier subcontractor on this CLA-12
- 2. Use the drop-down menu to select the Number of Subcontractor Tiers (maximum of 3)
- 3. For each subcontractor tier enter in the space provided or select the appropriate answer from the drop-down menu
 - a. Subcontractor's Name
 - b. Address
 - c. FEIN #
 - d. "Is this Subcontractor a certified [Small Business Enterprise](#) (SBE)?"
 - e. "Is this Subcontractor part of the Pre-Award Commitment (PAC)?"
 - i. If **yes** is selected, include a signed copy of the approved PAC the individual subcontractor worksheet
 - f. "Is this work of this Subcontractor being proposed as a Good Faith Effort (GFE)?"
 - i. By selecting yes, *The Contractor is stating that they have verified that the subcontractor is listed in the [Small/Minority Directory](#) as an SBE/MBE (see the SBE Specification for more information) and that the subcontractor will perform a CUF (to perform a CUF such that the work counts for SBE credit, the SBE must self-perform the amount of work required by the state statute for SBE and cannot further sublet to non-SBEs more than the amount of work allowed by the state statute for SBE.* If there are any questions, contact DCO Subcontracting Group at DOT.OOC.Subcontract@ct.gov
- 4. Contractor Pre-Award Commitment Check
 - a. Select the most appropriate answer from the drop-down menu
 - i. The request to sublet is for a PAC Subcontractor and is identical to the CTDOT approved PAC

- ii. This request to sublet is for a PAC Subcontractor and includes all items and quantities. In addition, there are other items and/or quantities exceeding the CTDOT approved PAC items and quantities.
- iii. This request to sublet is for a PAC Subcontractor and does reduce PAC items, but a PAC Modification (PACMOD) has been approved by CTDOT for this work.
- iv. This request to sublet is not for a PAC Subcontractor and does not revise work committed to any PAC Subcontractor.
- v. This request to sublet is not for a PAC Subcontractor, but does revise PAC work, however, a PAC Modification (PACMOD) was previously approved by CTDOT for the work.

Section 6A Federal: Subcontract Checks and Inclusions

1. Section A: confirm by using the drop-down menu
 - a. The Subcontractor is not listed as debarred on [CT Department of Labor Debarment](#) and [Federally Debarred](#) (SAM.gov)
2. Section B: confirm the following documents are physically incorporated into to the executed Subcontract/Purchase Order (PO)
 - a. The [Subcontractor Affirmative Action Policy Statement](#) for each tier if the contract exceeds \$10,000.00
 - b. [Title VI](#) – Contractor Assurance
 - c. [Form 1273](#) (FHWA Projects Only)
3. Section C: confirm by using the drop-down menu
 - a. That either the Subcontract complies with Article 1.08.01 including but not limited to the dispute resolution, prompt payment, and no retainage withheld or the Prime Contract complies with the requirements in the CMAR Contract including but not limited to the dispute resolution, and prompt payment.
 - i. If neither of the boxes can be checked contact DCO Subletting Team for further guidance at DOT.OOC.Subcontract@ct.gov
4. Section D: confirm by using the drop-down menu
 - a. Mandatory language is incorporated in all Subcontracts/PO's for all subcontractor tiers, directly above the signature line
5. Section E: confirm by using the drop-down menu
 - a. The Pre-Award Commitment is attached if applicable, if not applicable select “N/A”
 - i. The PAC and PAC approval can be found in COMPASS, under Contract Documents, in the 110 Contract Documents folder. Include a signed copy of the PAC from Contract Compliance and the individual subcontractor worksheet
 1. If the PAC is not in the 110 Contract Documents folder, reach out to your project staff
 - b. The Executed Subcontract/PO is attached

Section 6B State: Subcontract Checks and Inclusions

1. Section A: confirm by using the drop-down menu
 - a. The Subcontractor is not listed as debarred on [CT Department of Labor Debarment](#)

2. Section B: confirm the following document is physically incorporated into to the executed Subcontract/PO
 - d. The [Subcontractor Affirmative Action Policy Statement](#) for each tier if the contract exceeds \$10,000.00
3. Section C: confirm by using the drop-down menu
 - a. That either the Subcontract/PO complies with Article 1.08.01 including but not limited to the dispute resolution, prompt payment, and no retainage withheld or the Prime Contract complies with the requirements in the Construction Manager at Risk (CMAR) Contract including but not limited to the dispute resolution, and prompt payment.
 - i. If neither of the boxes can be checked contact DCO Subletting Team for further guidance at DOT.OOC.Subcontract@ct.gov
4. Section D: confirm by using the drop-down menu
 - a. Mandatory language is incorporated in all Subcontracts/PO's for all subcontractor tiers, directly above the signature line
5. Section E: confirm by using the drop-down menu
 - a. The Pre-Award Commitment is attached if applicable, if not applicable select "N/A"
 - i. The PAC and PAC approval can be found in COMPASS, under Contract Documents, in the 110 Contract Documents folder. Include a signed copy of the PAC from Contract Compliance and the individual subcontractor worksheet
 1. If the PAC is not in the 110 Contract Documents folder, reach out to your project staff
 - b. The Executed Subcontract/PO is attached

Contract Items Tab

The following spaces will auto populate based on entries made on the CLA-12 Tab and according to the instructions below:

1. Project Number
2. Prime Contractor Name
3. Tier # Subcontractor Name
4. Original Item Value – This is the Subcontractor's dollar value for all original items (on this CLA-12)
5. Change Order Item Value - This is the Subcontractor's dollar value for all change order items (on this CLA-12)
6. Total Item Value – This is the Subcontractor's total dollar value of original and change order items on this CLA-12

To enter Contract Item information, select the appropriate answer from the drop-down menu or enter in the information requested as instructed below:

1. For the box in the column titled, "Is this an Original/CO Item?"
 - a. Use the drop-down menu to select either: Original or CO
2. For the box in the column titled, "Contract Item Line #" Enter the Contract Line Item as stated in the Contract Line-Item Category Report
3. For the box in the column titled, "Item ID #" - Enter the Item ID # stated in the Contract Line-Item Category Report

4. For the box in the column titled, “Item Description” – Enter the Item Description stated in the Contract Line-Item Category Report
5. For the box in the column titled, “Special Provision?” – Select yes or no
6. For the box in the column titled, “PAC Item?” – Select yes or no
7. For the box in the column titled, “Is this a Partial Item?” Select yes if the subcontractor is only being sublet part of the item total, or no, if the subcontractor is being sublet the entire item total.
 - a. If yes is selected, subcontracted items of work must be clearly defined in terms of quantity, price, and unit of measure in addition an explanation of who will perform the remainder of the partial item must be identified. If the Subcontractor is a DBE, a reminder that the NAICS codes have been verified and a Commercial Useful Function (CUF) review will be performed.
8. For the box in the column titled, “Prime Unit of Measure – Enter the Prime Unit of measure Identified as the Unit price the CTDOT is paying the Prime Contractor as stated in the Contract Line-Item Category Report
9. For the box in the column titled, “Prime Unit of Price” – Enter the Prime Unit Price Identified as the Unit price the CTDOT is paying the Prime Contractor as stated in the Contract Line-Item Category Report
10. Prime Quantity – For the box in the column titled, “Prime Quantity” – Enter the Prime Quantity Identified as the Unit price the CTDOT is paying the Prime Contractor as stated in the Contract Line-Item Category Report

* If you are entering items that have the same “Contract Item Line #” and “Item ID #” **do not enter** “Prime Unit Price” and “Prime Quantity” on any line following the first line of the item. Refer to the example below.

Project Number:		0000-0000		Original Item Value		Change Order Item Value		Total Item Value	
Prime Contractor:		ABC Paving		\$	540,000.00	\$	-	\$	540,000.00
Tier 1 Subcontractor:		XYZ Electrical		\$	11,100.00	\$	-	\$	11,100.00

#	Is this an Original/CO Item?	Contract Item Line #	Item ID #	Item Description	Special Provision? (Y/N)	PAC Item? (Y/N)	Partial Item? (Y/N)	Prime Unit of Measure	Prime Unit Price	Prime Quantity	Sub Unit of Measure	Sub Unit Price	Sub Quantity	Total Item Value Subcontracted
1	Original	0350	1202999	Drilled Shaft Traffic Structure Foundation	No	No	Yes	Each	\$ 45,000.00000	12	Days	\$ 4,800.00000	2	\$ 9,600.00
2	Original	0350	1202999	Mobilization	No	No	Yes	Each			Each	\$ 750.00000	2	\$ 1,500.00

11. Subcontractor Unit of Measure
12. Subcontractor Unit Price
13. Subcontractor Quantity
14. Total Item Value Subcontracted – auto calculates based on Subcontractor’s unit price, and quantity

CLA-12 Tracking Sheet Tab (optional)

The CLA-12 tracking sheet may be utilized by Prime Contractors to track CIA-12 submittals and the dollar value of subcontracted contract items.

Submitting The CLA-12 Through COMPASS

Once the CLA-12 form is completed and the attachments are assembled as instructed above and on the CLA-12 form the Contractor must submit the CLA-12 through COMPASS in accordance with the [COMPASS Contractor's User Manual and the instructions below](#):

1. The CLA-12 and attachments must be assembled into one pdf document.
2. The file naming convention for the CLA-12 and attachments PDF to be used is: Project Number Submittal Description Abbreviated Subcontractor Name, as shown below using a maximum of 50 characters counting spaces:

0000-0000 CLA-12 ABC Paving

3. The CLA-12 PDF should be composed of the following in the following order:
 - a. CLA-12 (Tab from CLA-12 excel form)
 - b. Contract Items (Tab from CLA-12 excel form)
 - c. CLA-12 Tracking Sheet (optional Tab from CLA-12 excel form)
 - d. Pre-Award Commitment - Include a signed copy of the PAC Approval including the Pre-Award DBE or SBE Commitment Approval Request forms and the approval memorandum
 - e. Executed Subcontract/PO
4. The submittal type to be used in COMPASS is ***CLA-12***
5. The submittal naming convention is: Submittal Description Abbreviated Subcontractor Name as shown below using a maximum of 50 characters counting spaces:

CLA-12 ABC Paving

6. If the CLA-12 submittal is returned to the contractor as revise and resubmit, the contractor must follow the instruction in the [COMPASS Contractor's User Manual](#) Section 2.5.2 Revise and Resubmit and Section 2.5.3 Revising and Replacing a File