

MEASUREMENT AND PAYMENT.

(REV 4-7-04) (6-04)

SUBARTICLE 9-5.1 (Page 92) is expanded by the following:

If the work extends over a period in excess of 45 calendar days, the Contractor may claim partial payment for work completed and accepted by the Department by submitting an invoice based on the pay items and unit prices contained in the Contract to the Engineer in charge of the project. Upon approval, the invoice will be processed for payment.

Submit bills for fees or other compensation for services or expenses in detail sufficient for a proper pre-audit and post-audit. If travel expenses are specifically authorized by the Contract Documents, submit them to be paid in accordance with the rates specified in Section 112.061, Florida Statutes.

SUBARTICLE 9-5.4 (Page 93) is deleted and the following substituted:

Any sums owed to the Department by the Contractor on any account may be deducted from such payment estimates. Where more than one project or job (separate job number) is included in the Contract, the reduced retainage shall be distributed to each separate project or job in the ratio that the Contract value of the work for the particular job bears to the total Contract amount. Retainage will be released upon satisfactory completion of all work and the completion of any conditional acceptance waiting periods.

ARTICLE 9-9 (Page 97) is expanded by the following:

Section 215.422(5), Florida Statutes, requires the Department to include a statement of vendor (Contractor) rights. Contractors are hereby advised of the following:

Contractors providing goods and services to an agency should be aware of the following time frames: Upon receipt, an agency has five working days to inspect and approve the goods and services, unless the bid specifications, purchase order or Contract specifies otherwise. An agency has 20 days to deliver a request for payment (voucher) to the Department of Banking and Finance. The 20 days are measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved, by the Department of Transportation.

If a payment is not made within 40 days, a separate interest penalty at the rate established pursuant to Section 55.03(1), Florida Statutes will be due and payable, in addition to the invoice amount, to the Contractor. The interest penalty provision applies after a 35 day time period to health care providers, as defined by rule. Interest penalties of less than one dollar will not be enforced unless the Contractor requests payment. Invoices which have to be returned to a Contractor because of Contractor preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the Department of Transportation.

A Vendor Ombudsman has been established within the Department of Banking and Finance. The duties of this individual include acting as an advocate for Contractors who may

be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted by calling the State Comptroller's Hotline, 1-800-848-3792.