

0090502 Measurement and Payment – Unsatisfactory Payment Record  
COMMENTS FROM INTERNAL/INDUSTRY REVIEW

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John Baldwin  
954-423-2627

[jbaldwin@bobsbarricades.com](mailto:jbaldwin@bobsbarricades.com)

Comment: (3-29-11) What qualifying measures will be used to determine if "Contractor's payment record in connection with contract work becomes unsatisfactory". Will this criteria cover 2nd tier subcontractors? If not, could there be a mechanism to insure its coverage of subsequent tiered subcontractors?

*Response: The Department relies upon the required monthly certification of disbursement of periodic previous payments from the Prime contractors and upon any notifications from subcontractors or suppliers of non-payment issues. In addition, FDOT follows CPAM procedure addressing Unpaid Bills Processing. Regarding whether this covers 2<sup>nd</sup> tier subcontractors, it does not, nor does Statute 337.11 which governs this matter. Second tier subcontractors would only be covered if the statutes were changed.*

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