

0090506 Measurement and Payment – Certification of Payment to Subcontractors
COMMENTS FROM INTERNAL/INDUSTRY REVIEW

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Comment: (3-29-11) To what subcontracting level be protected in "The Contractor is required to pay all subcontractors for satisfactory performance of their Contracts before the Department will make a further progress (partial) payment". Will this criteria cover 2nd tier subcontractors? If not, could there be a mechanism to insure payment has been provided to these lower tiered subcontractors?

Response: *Statute 337.11 provides protection only to the first tier subcontractors and suppliers. Second tier subcontractors would only be covered if the statutes were changed.*
