Summary of new features for New CLA-12: Request to Subcontract

What's NEW in the CLA-12

- Incomplete or incorrectly filled CLA-12s will result in the entire document being rejected and returned to the Prime.
- Must use Microsoft Office 2007 or later.
- Mandatory use as of August 1st 2019 - previous versions will not be accepted (will be returned unprocessed).
- A soft release occurred on October 1st, 2018 with all current requirements (please check website frequently).
- Updated form includes further emphasis on the need to incorporate mandatory non-collusion language as stated in Section I. This language shall be included in all Contracts and Purchase Orders above the signature lines for prime and subcontractor.
- Mandates the inclusion of executed subcontract agreements (wet signatures only - no copies or digital prints acceptable) to be submitted with CLA-12 for all subcontractors at all tiers (not just DBE/SBE).
- Revised new CLA-12 language to clarify mandatory inclusions to meet Federal and State requirements.
- Clarified differences between submittals of DBE (FHWA funded) & SBE (State funded) requirements.
- Better identification of subcontractors as SBE, DBE or non-certified (NON DBE/SBE).
- Clarifies whether the subcontractors are Pre-Award Commitment (PAC) DBE/SBE.
- Added “auto-fill-in” features for construction items and their description throughout form as well as summation of dollar values.
- Separate worksheets are provided to track Original Contract items & Construction Order (CO).
- Automatically performs the required computations and summations by tier from worksheets to cover sheet.
- Allows the Prime to track percentage of original work subcontracted - not to exceed 50% for work not performed by the Prime.
- Added all needed hyperlinks to essential documents, for your convenience.
- New CLA-12 will be electronic submittal-ready and permit the use of digital signatures (future rollout).
- Necessary reformatting & revisions of CLA-12 spreadsheet anticipated to reduce most of the errors of previous CLA-12.

What you need to know:

- All applicable information must be entered completely and correctly on each CLA-12. If it is not, the CLA-12 will be returned unprocessed to the prime.
- New CLA-12 Form is designed to print within margin on an 8.5” x 11” page one per coversheet (portrait) / worksheet (landscape). – Please set your printer settings accordingly and check the print preview so CLA-12 pages do not split up among several pages.
- Only one CLA-12 can be submitted per subcontracting request along with supporting documentation.
- CTDOT limits the request to subcontracting to a maximum of three (3) tiers.
- The Prime should allow a minimum of 30 days for CTDOT processing from the subcontractor’s anticipated start date.
- The Subcontracting Website  https://www.ct.gov/dot/cwp/view.asp?a=1410&Q=413518 contains all instructions and new form
- In all cases, the Prime shall indicate if the subcontractor is certified as a DBE or SBE, regardless if they are part of the PAC check off all the applicable boxes in Row E, as needed. If the subcontractor is neither, check NON DBE/SBE.
- Only one box can be checked on each CLA-12, FED or State funding – not both (If the project contains any funding from the Federal government, it is a federally funded project)
- If the subcontractor was in the pre-award commitment, check the appropriate box and the pre-award commitment summary must be included.
- The Contractor must utilize the “Line Item and Category Report” obtained from the CTDOT Project Engineer at the pre-construction meeting to ensure the correct subcontracted line item numbers, item codes, and item descriptions are used.
- CO items are to be entered in the CO worksheet, as provided by the District staff. Do not write your own item descriptions or item numbers and do not leave them blank.

Trucking:

- The subcontracted value of trucking firm will not be counted against the Total % of Original Contract subcontracted.
- This does not preclude the trucking firms from meeting all legal and contractual obligations for the contract.
- Independent trucking Owner/Operators shall not be considered as subcontractors and shall not be subject to submission of a CLA-12 Subcontractor Approval unless:
  - Independent DBE/SBE trucking Owner/Operator are being utilized for DBE/SBE credit firm or employed by a DBE/SBE firm.
  - Trucking Firms consisting of more than one truck will be considered a subcontractor and will be subject to subcontract approval. Independent Owner/Operators hired by the firm shall be subject to the rules stated above.
CLA-12 - Detailed Step by Step Instructions

All colored cells are auto fill. Please only complete white cells with the required information. Only one CLA-12 can be completed per Tier.

| Section (A): | Will autofill by Contractor completion of Section C. |
| Section (B): | Contractor shall manually track all dollar values being sublet (work not performed by the Prime) per CLA-12 and update the running total here. |
| Section (C): | Contractor to complete all white cells with required information. All project information is listed on the award page for this contract. |
| Section (D): | Contractor to complete and check off the applicable funding source for this project (please only check one). |
| Section (E): | Contractor to complete all required information for Tier 1 subcontractor. Contractor shall accurately identify the Tier 1 subcontractor by checking off all that is applicable for correct tracking purposes (please clearly identify if the subcontractor is certified as a DBE or SBE and if they are part of the pre-award). |
| Section (F & G): | A separate CLA-12 will be required for work being sublet from a Tier 1 to a Tier 2, etc. The Contractor shall complete all the same required information as listed in Section E. A maximum of 3 Tiers is permitted for CTDOT work. |
| Section (H): | The Contractor shall check off all applicable boxes signifying that they have ensured that all subcontractors being utilized on this project at the time of hiring are not listed in the State or Federal Debarmentlist and that they have completed and inserted all the additional documents required to be physical incorporated with this CLA-12. |
| Section (I & J): | The Contractor shall ensure all the listed legal inclusions are included in the subcontract between both parties at all tiers and affirm to this by signing the CLA-12. The inclusion of an executed contract between the Prime and each tier eliminates the need for additional signatures from the subcontractors and only requires the signature from the Prime. |
Worksheet Tabs: Original Items & Construction Order Items of work to be sublet:
The CLA-12 contains 2 separate worksheets (page 2 & 3) to be completed by the Prime, which will list the desired items, quantities and descriptions of work to be sublet for each Tier.

The “Original Item” worksheet tab has automation in columns “C”, “F” & “G” and will autofill these columns when a normal item number used by CTDOT is selected in column “C”.

The “Construction Order Items” worksheet tab is not automated and the Prime shall complete all the needed information from Columns “A” thru “N” accurately.

Both worksheets will automatically tally the value of work sublet by the Tier in the upper right hand side and carry that value to sections B, E, F & G, as applicable, of the first page. It is important to note that because only one CLA-12 can be completed per Tier, that the tier will remain the same throughout the form.

Column “A” – Counts the number of items to be sublet.

Column “B” – Enter the Project Number (note that a contract may include two or more subordinate project numbers that were bid as a package. It is important to assign the portion of work related to the appropriate project within the contract. Please refer to the Line Item Category Report for detail project information.

Column “C” – Enter the item number in the “Original Item” worksheet, or the CO number on the “Construction Order Items” worksheet.

Column “D” – Please indicate if item is a special provision or standard item.

Column “E” – Please indicate the intended subcontractor Tier (must remain the same throughout).

Column “F” – This section will autofill on the “Original Item” worksheet and will need to be entered manually on the “Construction Order Items” worksheet.

Column “G” – This section will autofill on the “Original Item” worksheet, and will need to be entered manually on the “Construction Order Items” worksheet.

Column “H” – Please indicate if this is a partial item to be completed by more than one entity. Prime and subcontractor (Y) or if all the work will be assigned to the subcontractor (N).

Column “I” – Please indicate the item unit of measure agreed to by both parties.

Column “J” – Please refer to the upper portion of the worksheet for the various codes to select from and indicate the correct classification type:
- (S) for Subcontractor - (T) for Trucking - (P) for Material Manufacturer or Supplier – (SBE) for Small Business Enterprise

Columns “K” – This column will autofill for both the “Original Item” worksheet and the “Construction Order Items” (i.e., 100% credit for “S”, “T”, “M” & “SBE” and 60% credit for “P”).

Column “L” – Please indicate the unit price agreed upon by both parties.

Column “M” – Please indicate the intended quantity to be sublet.

Column “N” – This column will autofill for both the “Original Item” worksheet and the “Construction Order Items” worksheet and compute the total value of work sublet, which will total in the upper right section of the worksheets and also carry the values to the first sheet in sections B, E, F & G, as applicable.