

Does the proposed subcontractor/tier subcontractor have a current Workers Compensation Account?

[] Yes (account numbers) WC: _____

From which state _____

[] No - If no, proof of coverage must be provided prior to the subcontract approval.

****Provide Employers' Liability Insurance and proof of unemployment insurance. (See Section 107.4.1 item #1 & #5 of the Standard Specifications for Road and Bridge Construction)** (REQUIRED)**

If the proposed subcontractor/tier subcontractor **are not** currently prequalified or certified as a DBE firm with the Wyoming Department of Transportation, the following (Items 1 – 5) must be completed: (Prequalified contractors & DBE firms can be found at [www.dot.state.wy.us/Business with WYDOT/Prequalified Contractors/Prequalified list](http://www.dot.state.wy.us/Business_with_WYDOT/Prequalified_Contractors/Prequalified_list) and [www.dot.state.wy.us/Business with WYDOT/Prequalified Contractors/Contractors/Disadvantaged Business Enterprise/DBE Directory](http://www.dot.state.wy.us/Business_with_WYDOT/Prequalified_Contractors/Contractors/Disadvantaged_Business_Enterprise/DBE_Directory).)

1. Proposed subcontractor/tier subcontractor is: [] A Corporation [] A Co-partnership [] An Individual

2. Proposed subcontractor's/tier subcontractor's years of experience in this type of work? _____

3. Does the proposed subcontractor/tier subcontractor have the equipment, personnel, and technical knowledge to perform the work? Yes [] No []

4. List three projects proposed subcontractor/tier subcontractor has worked on in the State of Wyoming either as a Prime or Subcontractor. (If none, so state)

Project	Amount of Sub-contract	Type of Work	When Completed	Name of Owner Or Contractor

5. List three construction jobs underway at this time. (If none, so state)

Project	Amount	Type of Work	Name of Owner Or Contractor

ALL PROJECTS (STATE OR FEDERAL FUNDED): The contractor/subcontractor shall not subcontract/tier subcontract work amounting to more than seventy (70) percent of the original total contact/subcontract amount on all projects.

Approval to sublet this work is given subject to the condition and with the understanding that the contract with the subcontractor/tier subcontractor contains all the provisions and requirements of the contract with the Transportation Commission on the items of work being subcontracted/tier subcontracted, and that the prime is not released in any way from these contract provisions even though the work is being subcontracted/ tier subcontracted.

Failure of the subcontractor/tier subcontractor to pay or settle claims on record with the department will be used to evaluate, for approval, any request to work on future projects.

Lower tier subcontracts must be approved by the contractor having the contract with the Wyoming Department of Transportation. The signature below on tier subcontracts signifies that your company will allow the lower tier subcontract and that your company is not released in any form from the contract provisions even though the work is a lower tier subcontract.

STATE FUNDED PROJECTS (IN ADDITION TO ABOVE): A successful resident bidder shall not subcontract more than thirty (30) percent of the work covered by this contract to non-resident contractors and no more than seventy (70) percent of the original total contact/subcontract/tier amount on project.

Wages of laborers, mechanics and other workmen employed on any public works are regulated by State law.

Form FR-2200 and a copy of the contract between the Contractor and Subcontractor/Tier **ARE NOT REQUIRED** to be sent in for State Funded Projects.

FEDERAL AID PROJECTS (IN ADDITION TO ABOVE): The contractor shall insert in each subcontract, except as excluded by law or regulation, the required contract provisions contained in From FHWA-1273, labor Standards Provisions, Equal Employment Opportunity regulations and Provisions, the Minimum Wage Determination Decision and other provisions applicable to projects with Federal Funding assistance and further require their inclusion in any lower tier subcontract that may in turn be made; that such provisions are included in the "Required Contract provisions", that Incorporation by reference does not constitute compliance with the regulations; that on all Federal-aid projects a copy of the wage rate determination decision is to be included.

The contractor/subcontractor hereby certifies disadvantaged business enterprise contractors where known and identified have been given opportunity to bid the work in this proposed subcontract/tier subcontract. The contractor/subcontractor further certifies that this contract was awarded without regard to race, color, creed, sex or national origin.

Information will be furnished to the Wyoming Department of Transportation when requested, identifying disadvantaged business enterprise contractors who were offered opportunity to submit bids on this work.

The contractor will have in their files a copy of certification of nonsegregated facilities obtained from the subcontractor/tier subcontractor prior to awarding the subcontract for work amounting to more than \$10,000.00

A copy of the signed Subcontract Agreement between the contractor and the subcontractor or the subcontractor and tier subcontractor must be submitted with the Request to Subcontract. Items that are to be subcontracted must be shown in the Subcontract Agreement.

If the subcontractor or tier subcontractor is not currently prequalified as a prime contractor or certified as a DBE firm with the Wyoming Department of Transportation, a copy of Form FR-2200(EEO AFFIDAVIT)(All pages must be filled in), completed and signed by the proposed subcontractor or tier subcontractor, and be submitted with the Request to Subcontract.

All Contractors must sign below

Contractor:	Company Name: _____
	Signature: _____ Date: _____
	Title: _____ Reference # (If applicable): _____
Subcontractor:	Company Name: _____
	Signature: _____ Date: _____
	Title: _____ Reference # (If applicable): _____
Tier Contractor:	Company Name: _____
	Signature: _____ Date: _____
	Title: _____ Reference # (If applicable): _____

Note: This form may be fax to 307-777-4765, e-mailed with "Subcontract" in the subject line to construction@dot.state.wy.us or mailed to "Construction Staff, 5300 Bishop Blvd., Cheyenne, WY 82009". **If you e-mail the E-59/59A please call 307-777-4056 to confirm that the e-mail has been received.** If the E-59/59A is faxed or e-mailed, the original **DOES NOT** need to be submitted. A copy of the approved REQUEST TO SUBCONTRACT (Form E-59/59A) will be e-mailed (mailed if no e-mail address is given) to the Contractor only. No copies will be sent to the Subcontractors/Tier Subcontractor. It will be the responsibility of the Contractor to forward the approved Subcontract to the Subcontractor/Tier Subcontractor.

FEDERAL AID PROJECTS ONLY

CERTIFICATION FOR SUBCONTRACTS/TIER SUBCONTRACTS
(Sign and submit for Federal Aid contracts that exceed \$100,000.00 each)
(Please return this form even if it has not been fill out)

The undersigned certifies, to the best of their knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) which exceed \$100,000.00, and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000.00 and not more than \$100,000.00 for each such failure.

Subcontractor/Tier Subcontractor: Signature

Title

Date

**EQUAL EMPLOYMENT OPPORTUNITY
AFFIDAVIT**

CONTRACTOR: _____

PROJECT: _____

DATE: _____

DOES HEREBY CERTIFY, THAT OUR COMPANY DOES AND WILL ADHERE TO THE EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS NOT TO DISCRIMINATE AND TO TAKE AFFIRMATIVE ACTION TO ASSURE EQUAL EMPLOYMENT OPPORTUNITY AS REQUIRED BY EXECUTIVE ORDERS 11246 AND 11375 AS SET FORTH IN REQUIRED CONTRACT PROVISIONS 23CFR §230, FHWA-1273, (FORM PR-1273) AND THE SPECIAL PROVISION SS-100E, (SPECIFIC EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS AND TRAINING PROVISIONS), AND THAT OUR COMPANY WILL WORK WITH THE WYOMING DEPARTMENT OF TRANSPORTATION IN CARRYING OUT EQUAL EMPLOYMENT OPPORTUNITY OBLIGATIONS AND IN THE WYOMING DEPARTMENT OF TRANSPORTATION'S REVIEW OF OUR ACTIVITIES UNDER THE CONTRACT AND THAT OUR COMPANY AND ALL SUBCONTRACTORS HOLDING SUBCONTRACTS, NOT INCLUDING MATERIAL SUPPLIERS, WILL COMPLY WITH THE SPECIFIC REQUIREMENT ACTIVITIES OF EQUAL EMPLOYMENT OPPORTUNITY SET FORTH IN THE SPECIAL PROVISIONS.

OUR COMPANY WILL FURTHER DISSEMINATE THE EQUAL EMPLOYMENT OPPORTUNITY POLICY OF THE COMPANY AT LEAST EVERY SIX MONTHS TO ALL MEMBERS OF OUR STAFF WHO ARE AUTHORIZED TO HIRE, SUPERVISE, PROMOTE AND DISCHARGE EMPLOYEES OR WHO RECOMMEND SUCH ACTION OR WHO ARE SUBSTANTIALLY INVOLVED IN SUCH ACTION. WHEN SEEKING EMPLOYEES, OUR COMPANY WILL MAKE KNOWN TO OUR PRESENT EMPLOYEES, POTENTIAL SOURCES OF EMPLOYEES, I.E. SCHOOLS, EMPLOYMENT AGENCIES, LABOR UNIONS (WHERE APPROPRIATE), COLLEGE PLACEMENT OFFICERS, THE COMPANY'S EEO POLICY THROUGH THE USE OF APPROPRIATE POSTERS AND NOTICES IN AREAS READILY ACCESSIBLE TO EMPLOYEES, APPLICANTS FOR EMPLOYMENT AND POTENTIAL EMPLOYEES.

WHEN ADVERTISING FOR EMPLOYEES, OUR COMPANY WILL INCLUDE IN ALL ADVERTISEMENTS FOR EMPLOYEES, THE NOTATION "AN EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER". ADVERTISING WILL BE DONE IN NEWSPAPERS OR OTHER PUBLICATIONS HAVING A SUBSTANTIAL OR LARGE MINORITY CIRCULATION.

RECRUITMENT OF EMPLOYEES WILL BE MADE THROUGH PUBLIC AND PRIVATE EMPLOYEE REFERRAL SOURCES LIKELY TO YIELD QUALIFIED MINORITY AND FEMALE GROUP APPLICANTS. WE WILL THROUGH OUR EEO OFFICER IDENTIFY SOURCES OF POTENTIAL MINORITY AND FEMALE GROUP EMPLOYEES AND ESTABLISH WITH SUCH IDENTIFIED SOURCES PROCEDURES WHICH WILL PROMOTE THE REFERRAL OF MINORITY AND FEMALE APPLICANTS. THE COMPANY WILL ENCOURAGE PRESENT EMPLOYEES TO REFER MINORITY AND FEMALE APPLICANTS BY POSTING APPROPRIATE NOTICES OR BULLETINS IN ACCESSIBLE AREAS AND BY DISCUSSING REFERRAL PROCEDURES WITH PRESENT EMPLOYEES.

OUR COMPANY FURTHER ASSURES THAT WAGES, WORKING CONDITIONS AND EMPLOYEE BENEFITS SHALL BE ESTABLISHED AND ADMINISTERED, AND PERSONNEL ACTIONS OF EVERY TYPE, INCLUDING HIRING, UPGRADING, PROMOTION, TRANSFER, DEMOTION, LAYOFF AND TERMINATION, SHALL BE TAKEN WITHOUT REGARD TO RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN. WE WILL MAKE INSPECTIONS AT LEAST EVERY MONTH DURING CONSTRUCTION TO INSURE THAT WORKING CONDITIONS AND EMPLOYEE FACILITIES DO NOT INDICATE DISCRIMINATORY TREATMENT OF PROJECT SITE PERSONNEL. WE WILL REVIEW PERSONNEL ACTIONS TO GUARD AGAINST DISCRIMINATORY ACTIONS AND WILL TAKE CORRECTIVE ACTION WHERE REQUIRED.

ALL COMPLAINTS OF DISCRIMINATION WILL BE INVESTIGATED IMMEDIATELY AND CORRECTIVE ACTION TAKEN WHERE NECESSARY.

WE WILL ASSIST IN LOCATING, QUALIFYING AND INCREASING SKILLS OF MINORITY AND FEMALE GROUP EMPLOYEES AND APPLICANTS FOR EMPLOYMENT.

WE WILL MAKE USE OF TRAINING PROGRAMS, PRE-APPRENTICESHIP, APPRENTICESHIP, AND/OR ON-THE-JOB TRAINING PROGRAMS FOR THE GEOGRAPHICAL AREA OF CONTRACT PERFORMANCE, CONSISTENT WITH THE NEEDS AND ORGANIZATION OF OUR COMPANY AND AS PERMISSIBLE UNDER FEDERAL AND STATE REGULATIONS. WE WILL ADVISE EMPLOYEES AND APPLICANTS FOR EMPLOYMENT OF AVAILABLE TRAINING PROGRAMS. WE WILL REVIEW THE TRAINING AND PROMOTION POTENTIAL OF MINORITY AND FEMALE GROUP EMPLOYEES. WE WILL ENCOURAGE ELIGIBLE EMPLOYEES TO APPLY FOR SUCH TRAINING AND PROMOTION.

WE WILL, IN RELYING IN WHOLE OR IN PART UPON UNIONS FOR EMPLOYEES, USE OUR BEST EFFORTS TO PROMOTE THE TRAINING AND QUALIFYING OF MINORITY AND FEMALE INDIVIDUALS FOR MEMBERSHIP IN UNIONS.

WE WILL USE OUR BEST EFFORTS TO PROMOTE THE INCORPORATION OF EQUAL EMPLOYMENT OPPORTUNITY CLAUSES INTO ALL UNION AGREEMENTS.

WE WILL THROUGH OUR DBE LIAISON OFFICER SEEK OUT AND PROVIDE MAXIMUM SUBCONTRACT OPPORTUNITY TO DISADVANTAGED BUSINESS ENTERPRISES **IN ACCORDANCE WITH SPECIAL PROVISION SS-100F (DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION)**. WE WILL REQUIRE ALL SUBCONTRACTORS TO COMPLY WITH THE EQUAL EMPLOYMENT REQUIREMENTS OF THIS CONTRACT.

- (1) WE WILL DISSEMINATE SUBCONTRACT INFORMATION TO DBE FIRMS KNOWN TO PERFORM THE TYPE OF WORK TO BE SUBCONTRACTED.
- (2) WE WILL FURNISH THE WYOMING DEPARTMENT OF TRANSPORTATION WITH THE NAMES AND ADDRESSES OF ALL DBE FIRMS THAT WILL BE PARTICIPATING IN THE PROPOSED CONTRACT.
- (3) WE WILL PROVIDE THE WYOMING DEPARTMENT OF TRANSPORTATION WITH A DESCRIPTION OF THE TYPE OF WORK AND AMOUNT OF WORK BY DOLLAR VOLUME THAT EACH DBE FIRM WILL BE PERFORMING.
- (4) WE WILL PROVIDE A LIST OF DBE FIRMS CONTACTED IN THE PROCESS OF SOLICITING QUOTATIONS FOR WORK TO BE SUBCONTRACTED, THE TYPE OF WORK TO BE SUBCONTRACTED AND THE INDIVIDUAL RESPONSE RECEIVED FROM THE DBE FIRMS CONTACTED.

WE WILL MAINTAIN AND PROVIDE ALL REQUIRED RECORDS. INFORMATION TO BE PROVIDED WILL INCLUDE THE NUMBER OF MINORITY, FEMALE, AND NON-MINORITY GROUP MEMBERS EMPLOYED IN EACH WORK CLASSIFICATION ON THE PROJECT. WHEN UTILIZING UNIONS, THE PROGRESS AND EFFORTS BEING MADE IN INCREASING MINORITY AND FEMALE GROUP EMPLOYMENT OPPORTUNITIES; THE PROGRESS AND EFFORTS BEING MADE IN LOCATING, TRAINING, QUALIFYING AND UPGRADING MINORITY AND FEMALE GROUP EMPLOYEES; THE PROGRESS AND EFFORTS BEING MADE IN SECURING THE SERVICES OF DISADVANTAGED BUSINESS ENTERPRISE SUBCONTRACTORS WITH MEANINGFUL DISADVANTAGED GROUP REPRESENTATION AMONG THEIR EMPLOYEES. ALL SUCH RECORDS WILL BE KEPT FOR A PERIOD OF THREE YEARS FOLLOWING COMPLETION OF THE CONTRACT WORK AND WILL BE AVAILABLE AT REASONABLE TIMES AND PLACES FOR INSPECTION BY AUTHORIZED REPRESENTATIVES.

OUR COMPANY WILL SUBMIT TO THE WYOMING DEPARTMENT OF TRANSPORTATION FORM PR-1391, AN ANNUAL REPORT EACH JULY, WHEN THERE ARE EMPLOYEES WORKING ON THIS PROJECT DURING JULY. THE REPORT WILL INDICATE THE NUMBER OF MINORITY, FEMALES, AND NON-MINORITY GROUP EMPLOYEES CURRENTLY ENGAGED IN EACH WORK CLASSIFICATION REQUIRED BY THE CONTRACT WORK.

THE COMPANY ALSO CERTIFIES THAT THE FOLLOWING STATEMENT IS ACCEPTED AS OPERATING POLICY DESIGNED TO FURTHER THE PROVISION OF EQUAL EMPLOYMENT OPPORTUNITY TO ALL PERSONS WITHOUT REGARD TO THEIR RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN, AND TO PROMOTE THE FULL REALIZATION OF EQUAL EMPLOYMENT OPPORTUNITY THROUGH A POSITIVE CONTINUING PROGRAM:

"IT IS THE POLICY OF THIS COMPANY TO ASSURE THAT APPLICANTS ARE EMPLOYED, AND THAT EMPLOYEES ARE TREATED DURING EMPLOYMENT, WITHOUT REGARD TO THEIR RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN. SUCH ACTION SHALL INCLUDE: EMPLOYMENT, UPGRADING, DEMOTION, OR TRANSFER; RECRUITMENT OR RECRUITMENT ADVERTISING; LAYOFF OR TERMINATION; RATES OF PAY OR OTHER FORMS OF COMPENSATION; AND SELECTION FOR TRAINING, INCLUDING APPRENTICESHIP, PRE-APPRENTICESHIP, AND/OR ON-THE-JOB TRAINING."

CONTRACTOR COMPANY NAME (REQUIRED): _____

_____, _____, _____
Signed By: Title: Date:

COMPANY EQUAL EMPLOYMENT OFFICER (REQUIRED):

(Name of EEO Officer)

_____, _____
(Business Address) (24 hour Telephone Number)

COMPANY DBE LIAISON OFFICER (REQUIRED):

(Name of DBE Liaison Officer)

_____, _____
(Business Address) (Telephone Number)

