Checklist for Preparation and Approval of Construction Contracts and Bonds Submitted Electronically.

Use with DCM Forms C-5, C-6, & C-7 and DCM Forms 9-A, 9-B, & 9-C

CONSTRUCTION CONTRACT - DCM Form C-5 or DCM Form 9-A (PSCA Projects)

The numbers in the left column below correspond to numbers in the left margin of the Contract form. Construction Contracts must be activated by the Lead Design Professional Firm via DocuSign PowerForm links available from DCM's Engage Portal.

1. **PROJECT NUMBER(S):** DCM will insert the DCM Project Number in the field provided.
    - On DCM Form 9-A, insert the PSCA Project Number in the field provided.
2. **DATE:** Do not select a date beyond today's date.
3. **OWNER:** Insert the full, legal name, address, email, and telephone number of the Owner (Awarding Authority).
    - On DCM Form 9-A, insert the name, address, email, and telephone number of the Local Owner (city or county school board, college, university, etc.) after "Alabama Public School and College Authority"
4. **CONTRACTOR:** Insert the Contractor's company name, correct mailing address, email, and telephone number. For State Agency projects, the Contractor Company name and address must match the name and address registered in the State of Alabama Accounting and Resource System (STAARS) or AL Buys (if registered), used by most State Agencies to pay Vendors. The Contractor Company name and address must be consistent across all documents in the same contract package, in order to avoid Comptroller's Office rejection.
    - On DCM Form 9-A: The Contractor Company name and address must match the name and address registered in STAARS or AL Buys used by the State to pay Vendors. The Contractor Company name and address must be consistent across all documents in the same contract package, in order to avoid Comptroller's rejection.
5. **The WORK:** Insert the complete name of the Project; same as in the Bid Documents.
6. **CONTRACT DOCUMENTS**: Insert the date of the Bid Documents
7. **ADDENDA:** Identify, by number and date, all pre-bid Addenda that were issued to the Bid Documents. If none were issued, insert "None". All Addenda shall be submitted to DCM for review prior to contract issuance.
8. **ARCHITECT:** Insert the full, legal name, address, email, and telephone number of the Project Architectural or Engineering firm.
9. **CONTRACT SUM:** The Contract Sum is the total of the Contract's Base Bid and accepted Bid Alternate Prices, if any. Insert the Contract Sum in words and figures, verifying that this amount corresponds with the CERTIFIED TABULATION OF BIDS.
10. **BID ALTERNATE PRICES**: Identify which, if any, Bid Alternate Prices are accepted and included in the Contract Sum by inserting either (a) "No Alternate Prices Requested in Bid", (b) "No Alternate Prices Accepted", or (c) a listing of the accepted Alternates by number and dollar amount.
11. **The CONTRACT TIME:** State the Contract Time in words and in figures.
12. **LIQUIDATED DAMAGES:** If the Owner has computed a daily rate for liquidated damages, insert the amount in both words and figures in the spaces provided.
13. **PECIAL PROVISIONS:** This space may be used to incorporate Special Provisions into the Contract, such as unit prices, compliance with enacted provisions, and value engineering. If the solicitation for bids required Unit Prices, insert a statement of which Unit Prices, if any, are accepted and incorporated into the Contract. If more space is needed, Special Provisions may be stated on an attachment that is cited in the Special Provisions section.
    - DCM Form 9-A is published bearing Special Provision **"A. Severable Payments"**, which is where the portions of the Contract Sum to be paid by the PSCA and the Local Owner are to be stated. Obtain these amounts from Local Owner and insert them in the spaces provided. Other Special Provisions, such as disposition of Unit Prices, may be inserted below this provision.

14. **STATE GENERAL CONTRACTOR'S LICENSE:** Insert the Contractor's current state general contracting license number, bid limit, and classification in the spaces provided.
15. **SIGNATURES - APPROVING and CONTRACTING PARTIES:** It is the Activator/Form Filler's responsibility to add the names and email addresses of the Owner, Architect, and Contractor Recipients to the DocuSign PowerForm. Routing for e-signatures in sequential order then occurs automatically.

PERFORMANCE BOND, DCM Form C-6 or DCM Form 9-B (PSCA Projects), and PAYMENT BOND, DCM Form C-7 or DCM Form 9-C (PSCA Projects)

Required for contracts of $100,000.0 or more, with surety's power-of-attorney - required per Section 39-2-8 of the Code of Alabama.

1. **SURETY'S BOND NUMBER** should be inserted in the field provided.
2. **PRINCIPAL:** Contractor's name and address is to be the same as appears in the Construction Contract.
3. **SURETY:** The full, legal name and address of the bonding company.
4. **OWNER:** The Owner's name and address is to be the same as appears in the Construction Contract.
5. **PENAL SUM:** The Penal Sum of each Bond is to be the Contract Sum of the Construction Contract and is to be inserted in both words and figures.
6. The **Date** of the Construction Contract**:** The date that appears on the Construction Contract.
7. The **PROJECT:** The same name or description as appears in the Construction Contract.
8. **DATE:** After "SIGNED AND SEALED" is to appear the date upon which Surety signs the Bond. **THIS DATE CANNOT PRECEDE THE DATE OF THE CONSTRUCTION CONTRACT.**
9. **CONTRACTOR'S SIGNATURE:** The Contractor's name must appear beneath "CONTRACTOR", under which the signature of a member or officer of the firm must appear with the name and title of the signing party appearing beneath the signature.
10. **SURETY'S SIGNATURE:** The full, legal name of the bonding company must appear under "SURETY", under which the signature of an individual having power of attorney for the bonding company must appear with the individual's name and title appearing beneath the signature.
11. **ATTACHED POWER OF ATTORNEY:** Attached to each of the Bonds must be a Power of Attorney, signed by an officer of the bonding company, for the individual e-signing the bond on behalf of the bonding company. **The date of the Power of Attorney must not precede the date of the bond.**

ALABAMA VENDOR DISCLOSURE STATEMENT

This Statement is built into the DocuSign Construction Contract document stack and is required per Section 41-16-82 of the Code of Alabama.

ATTACHMENTS

The following documents must be attached to the Construction Contract:

- **Insurance Certificate** (attach copy): It is the responsibility of the design professional to ensure all insurance requirements are discussed with bidders prior to a bid and that Contractor has provided the requirements to their insurance provider. Contractor must obtain all insurance coverage specified in Article 37 of the General Conditions of the Contract - required per Section 39-2-8 of the Code of Alabama.
- **Surety's power-of-attorney: Required for Performance Bond**, which is required for contracts of $100,000.00 or more per Section 39-2-8 of the Code of Alabama.
- **Surety's power-of-attorney: Required for Payment Bond**, which is required for contracts of $100,000.00 or more per Section 39-2-8 of the Code of Alabama.

- Certified Tabulation of Bids (attach copy): Required for all projects including those with informal bids -required per Section 39-2-6 of the Code of Alabama.
- **DCM Form C-3: Proposal Form** (attach copy): If bid proposal was adjusted by notation on outside of envelope, also attach copy of outside of envelope including notation.
- **DCM Form C-3A: Accounting of Sales Tax** (attach copy): Attachment must be of the executed C-3A from the bid -required per Section 40-9-14.1 of the Code of Alabama.
- **E-Verify Memorandum of Understanding** (attach copy): Entire document required - required per Section 31-13-25(b) of the Code of Alabama.

DCM USER FEES:

- **PSCA-Funded Projects & Fully Locally-Funded State Agency Projects:** The Contract Document Administration Fee-CC and the Permit Fee must be paid by the time a Construction Contract for a PSCA-funded project or state agency/authority project is submitted to DCM for review, or when a fully locally-funded project Construction Contract is converted to PSCA. Contract reviews can begin once the fees have been paid.
- **Fully Locally-Funded K-12 Projects:** The Permit Fee must be paid by the time a copy of a fully locally-funded K-12 school project's executed Construction Contract is received at DCM's office from the State Department of Education (SDE). ***** See Permit Fee exception below.
- **General Information:**
  - Basic Contract Document Administration (CDA) Fee: This fee covers review of the Agreement Between Owner and Architect (O/A Agreement) and Construction Contract for state agency projects, and partially or fully PSCA-funded projects of K-12 public schools and universities and the related amendments, change orders, service invoices and pay requests. This fee does not apply to fully locally-funded K-12 public school projects or fully locally-funded university projects. The Basic CDA Fee covers review of the original submitted document and one revision. The total basic CDA fee is 1/3 of 1% of the total construction cost, due in two parts: 1/6.5 of 1% (.15%) of the Project Budget for administration of the O/ A Agreement. 1/6.5 of 1% (.15%) of the Construction Contract Amount for administration of the Construction Contract. The CDA Fee for a PSCA-funded O/A Agreement or Construction Contract is limited by the Project Construction Cost funded by PSCA.
  - Basic Permit Fee: This fee covers required project inspections. The Permit Fee must be paid before a construction contract is reviewed by DCM, or becomes due when a self-performance letter or fully locally-funded K-12 construction contract is received by DCM, and must be paid before a Pre-Construction Conference is scheduled with DCM Inspectors*

    Note: Although DCM does not review the construction contracts of fully locally-funded public K-12 projects, the Permit Fee must be paid before the required Pre-Construction Conference is scheduled with DCM Inspectors for such projects.*****

    ***** Exception: Permit Fees are not owed for fully locally-funded public K-12 projects with an estimated cost of $750,000.00 or Less for capital improvement or alterations, additions, repair, or maintenance of heating, ventilation, and air conditioning systems or any alterations, additions, repair, or maintenance of a roof; all such projects are still subject to DCM pre-construction conferences and inspections.

    Note: Determination of whether or not a project is in the $750,000.00 or Less classification for Permit Fees is based on the cost of the entire project including all phases and bid packages. If total of bids received for all phases and bid packages exceeds $750,000.00 for a fully locally-funded public K-12 project, then a Permit Fee is owed.
- **Fees May Be Paid** online at www.dcm.alabama.gov or paid with a physical check. Make check payable to: "Finance - Construction Management", include the DCM Project #, if assigned, on the check and attach the CDA Fees Calculation Worksheet and/or the Permit Fees Calculation Worksheet (also available on www.dcm.alabama.gov). Mail payment to: Finance - Construction Management, P.O. Box 301150, Montgomery, AL 36130-1150. For payments using Public School and College Authority (PSCA) funds and for state agency inter-fund transfers: contact Jennie Jones at 334-242-4808 or jennie.jones@rpm.alabama.gov.