



STANDARD CONSTRUCTION OPERATING PROCEDURE

NEW YORK CITY DEPARTMENT OF
DESIGN + CONSTRUCTION
Division of Infrastructure
Bureau of Construction

SCOP..... : 08- 007G

CATEGORY.. : PAYMENTS
Subcategory : CONSTRUCTION

SUBJECT: SUBCONTRACTOR PAYMENT FORM
FOR FEDERALLY FUNDED PROJECTS

Keywords : Payment Form
Subcontractor

APPROVED: ORIGINAL SIGNED BY
Chief Construction Engineer - William Svilar, P.E.

Supersedes..... : N/A
Supplements..... : N/A
Sheet..... : 1 of 1

Issue Date..... : September 16, 2008

Effective immediately, the attached NYS form AAP 21c, Contractor Report of Contract Payments, must be used by the contractor to submit payment requisitions for their subcontractors and others on Federally Funded Projects. The current DDC Subcontractor payment form will no longer be used on Federally Funded Projects.

State Department of Transportation Contractor Report of Contract Payments

Final Report <input type="checkbox"/> Yes <input type="checkbox"/> No	Contract Number	County	Report Date
Contractor Name and Address		Subcontractor/Vendor Name and Address <input type="checkbox"/> Check if Firm is CERTIFIED D/M/WBE	
Contractor Federal Identification Number		Subcontractor/Vendor Federal Identification Number	
Total Payments Due to Date: - Retainage or Other Withholding to Date: <hr style="border: 1px solid black; width: 60%; margin: 0 auto;"/> Total Payments to Date:			
Comments:			
Certification			
Section 139-f of the State Finance Law requires the Contractor to pay each of its subcontractors and/or materialmen the proceeds from the payment representing the value of work performed and/or materials furnished by the subcontractor and/or materialmen within 15 calendar days of the receipt of any payment from the public owner.			
As an officer of the Contractor identified above, and based on my personal knowledge, I certify that payment has been made by the Contractor to the Subcontractor/Vendor in the amount stated herein pursuant to the last AAP HC-89 on file with the Department and that said work/ services/ product was performed/supplied by said Subcontractor/Vendor and that there were no rebates, refunds, or offsets applied to any payments except as noted under "Comments" above and a copy of this form has been sent to the Subcontractor/Vendor. Signed: _____ Title: _____ <div style="text-align: center;">(For Contractor)</div>	<div style="text-align: center;">FINAL PAYMENT CERTIFICATION</div> As an officer of the Subcontractor/Vendor identified above, and based on my personal knowledge, I certify that payment has been received in the amount stated herein pursuant to the last AAP HC-89 on file and that said work/ services/ product was performed/supplied and supervised solely by the Subcontractor/Vendor and that there were no rebates, refunds, or offsets applied to any payments except as noted under "Comments" above. Signed: _____ Title: _____ <div style="text-align: center;">(For Subcontractor/Vendor)</div>		
Notarization for Final AAP-21c			
Sworn to me this _____ day of _____ _____ <div style="text-align: center;">Notary Public</div>	Sworn to me this _____ day of _____ _____ <div style="text-align: center;">Notary Public</div>		
<small>If this report is verified by an oath administered by a Notary Public in a foreign country other than Canada, it must be accompanied by a certificate authenticating the authority of the Notary who administered the oath.</small>			
<small>Any person who makes a false or fraudulent statement in connection with participation of a DBE on any assisted program or otherwise violates applicable State and/or Federal statutes may be referred for prosecution under applicable State and/or Federal law.</small>			
<small>Note to Subcontractor: If the Contractor has not paid your firm for work completed and accepted by the Department in accordance with the terms specified on this form, please contact the Engineer for the contract.</small>			

AAP21c Form Instructions:

Subcontractor/Vendor: Is defined as any subcontractor, materialmen, supplier or service provider with an AAPHC-89 on file for the contract.

Final Report: Check YES or NO, as appropriate, to indicate whether this will be the Final Report submitted for this Subcontractor/Vendor.

Contract No: Enter New York State contract number. (Example D257126)

County: Enter the name of county or counties this contract is located in. (Example: Albany)

Report Date: Enter date (Month/Day/Year) through which payments due and made are reflective of.

Contractor and Subcontractor/Vendor Data: Enter names, and addresses (including zip code), telephone numbers (including area codes) and Federal Identification Numbers for both the Contractor and Subcontractor/Vendor.

Total Payments Due to Date: Enter total of all invoices received to date for the supply of material or work completed or services performed by the Subcontractor/Vendor.

Retainage or Other Withholding to Date: Enter amount due Subcontractor/Vendor that has not been paid due to retainage or other withholding.

Total Payments to Date: Value of payments due to date less retainage or other withholding.

Comments: Amounts recorded as retainage or other withholding must be accompanied by a brief description of the circumstances necessitating the withholding along with item numbers involved (if any).

Signatures: An authorized representative of the Contractor must sign and date.

Signatures on Final Report: An authorized representative of both the Contractor and Subcontractor/Vendor sign and date.

Notarization: On the Final Report, or when directed by the Department, Contractor and Subcontractor/Vendor signatures must be notarized.

The AAP-21c is a cumulative to-date report of the total payments due a Subcontractor/Vendor, total retainage or other withholdings, and the total payments made to the Subcontractor/Vendor. The AAP-21c is to be submitted by the fifteenth day of the month to the Engineer, or when requested by the Department. The dollar values on this report should be accurate through the last day of the previous month. The Final AAP-21c should be submitted as soon as possible after the Subcontractor/Vendor has completed/supplied all of the work/services/products for which it was utilized, but not later than 60 days after the Subcontractor/Vendor has completed its commitment. This form is required as part of the contract documentation and shall be submitted with the Final Agreement and Estimate Package.

An AAP-21c is required for each Subcontractor/Vendor due payment on the contract for which there is an AAPHC 89 on file with the Department.

The Contractor shall submit the AAP-21c, signed by an authorized representative of the firm, to the Engineer and a copy to each Subcontractor/Vendor due payment on the contract.

The Contractor's portion of the Certification section of the Final AAP-21c must be completed and notarized.

The Contractor shall inform the Subcontractor/Vendor of its responsibility to review the form for accuracy and to have the Subcontractor/Vendor's signature on the Final AAP-21c notarized.

This report is a written instrument within the meaning of Section 175.00 of the Penal Law. I am fully aware that it will be filed with the New York State Department of Transportation and become a part of the records thereof and that entering any false information hereon constitutes the crime of Offering a False Instrument for Filing in the first degree, which is a Class E Felony. (Penal Law, Section 175.35)