**LABOR AND MATERIAL EMERGENCY CONTRACT
PAYMENT SUBMISSION MANUAL FOR SUBCONTRACTORS**

The prime contractor is responsible for informing all subcontractors of the terms, conditions, and requirements of the contract documents, including requirements for payment submissions. All subcontractors are required to submit various forms and verifying documentation to the contractor to be included as part of the contractor’s payment submission to OGS.

**All Subcontractors**

All subcontractors are required to maintain a certified payroll on-site, and a second, certified payroll must be submitted to the contractor with each payment submission. Additionally, all subcontractors must submit two original and notarized copies of form **AC 2948 - Subcontractor’s Certification** with *final payment submissions only.*

**Labor and Material Subcontractors**

Subcontractors working on a Labor and Material basis must submit **BDC 271.1-275.1 - Emergency Subcontractor** **Expense and Fee Summary Workbook**, as well as daily forms **BDC 268 - Daily Labor Report for Emergency Contracts** and **BDC 269 - Daily Material and Equipment Report for Emergency Contracts**. Any bids received and/or original invoices should also be submitted to the contractor for inclusion with the payment submission. Subcontractors working with published rates are considered Labor and Material; therefore, these requirements apply to them as well.

Travel Documentation

In the event that the EIC has *recommended and pre-approved* overnight travel, forms **BDC 270 - Emergency Contractor Travel Pre-Approval** and **BDC 275.1 - Emergency Subcontractor Travel Expense Report** must also be completed and submitted.

**Lump Sum Subcontractors**

The subcontractor is required to complete form **BDC 274.1 - Emergency Subcontractor Expense and Fee Summary** as well as an invoice for the contractor to include with the payment submission to OGS.

The required forms are designed to be filled in electronically and are user-friendly with references to supporting forms. Instructions for completing all forms follow. You can access and download all required forms on the OGS website at the following address:

[**http://www.ogs.ny.gov/BU/DC/forms/EmergencyForms.asp**](http://www.ogs.ny.gov/BU/DC/forms/EmergencyForms.asp)

NOTE: these forms are periodically updated. therefore, to ensure that you are using the most up-to-date copies, always download them from our website directly prior to use.

**Checklist of Required Documentation for Contractor Payment Submissions *(in submission order)***

[ ]  Form BDC 274.1 - Emergency Subcontractor Expense and Fee Summary

[ ]  Form BDC 271.1 - Emergency Subcontractor Labor Expense Report

[ ]  Form BDC 125E.1 - Emergency Subcontractor Labor Rate Worksheet(s)

[ ]  Form BDC 268.1 - Daily Labor Report(s) for Emergency Contracts

[ ]  Certified Payroll

[ ]  Form BDC 272.1 - Emergency Subcontractor Material Expense Report(s)

[ ]  Form BDC 124E.1 - Emergency Subcontractor Equipment Expense Report(s)

[ ]  Form BDC 269 - Daily Material and Equipment Report(s) for Emergency Contracts

[ ]  Original invoices for material and equipment rentals

[ ]  BDC 270 - Emergency Contractor Travel Pre-Approval and BDC 275 - Emergency Contractor Travel Expense Report for Prime Contractor, Subcontractor (if applicable)

**Additional Documentation for Final Payment Submission Only**

[ ]  AC 2948 - Subcontractor’s Certification

**Daily Forms**

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| **BDC 268 - Daily Labor Report FOR EMERGENCY CONTRACTS**The subcontractor should complete a separate form for *each day*. Use more than one form per shift if necessary to list all workers. When more than one form is used per shift/day, it will be necessary to sign and certify each form. Since this form must be filled out at the work site as the work is performed and on the day in which the work is performed, it’s advisable to print multiple copies out prior to use and fill them in by hand. All completed reports must be submitted to the contractor on a daily basis for review, verification, and certification. Make a copy of each for your records. Enter ALL information as indicated on the form for each entry cell. These forms will be used to compile the **BDC 274.1 - Emergency Subcontractor Expense and Fee Summary** for your payment submission to the contractor. |

◄◄ Labor expended in the performance of on-site work is billable providing it is substantiated to the satisfaction of the contracting officer. Labor expenditures which are reimbursable are those paid to or on behalf of foremen, workers, and other employees below the rank of Contractor’s Designated Representative *directly employed at the project site*.

Salaries and fringe benefits of all clerical/secretarial staff for the contractor’s use, as well as coordination, supervision, project management, and scoping services are included in the overhead “percentage fee” and are not billable under Labor and Material contracts. ►►

**Contractor/Subcontractor:**

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| 1. | Indicate **Contractor** or **Subcontractor** by checking the appropriate box. |
| 2. | Enter the OGS**Project No.**, firm’s **Name**, **Change Order Control No.** (if the completed work is for a contract change order) and the **Work Date**. |
| 3. | Briefly describe the **Work Accomplished**. Include a description of the work actually accomplished that day and *not* simply the title of the project. |
| 4. | Assign and enter an **Item Number** for each for each worker at the project site. The numbers assigned should be used consistently throughout the project to simplify preparation of payroll cost summaries. |
| 5. | Enter each worker’s **Social Security Number**(last four digits only), **Name and Labor Classification (Trade)**. |
| 6. | **Time Worked** (indicate “am” or “pm” for all entries)1. Enter the employee’s starting time (“**In**”)
2. Enter the time the employee left for lunch (“**Lunch Out**”)
3. Enter the time the employee returned from lunch (“**Lunch In**”)
4. Enter the employee’s departure time (“**Out**”)

**►►***To comply with New York State Department of Labor and the executed Labor Laws, ALL employees working on a public worksite are required to take a half hour uninterrupted lunch break when working six consecutive hours or more. Paid lunch breaks will not be reimbursed unless required by a bargaining agreement or a pre-existing company policy that states all employees are paid for their lunch break. Submission of documentation of such an agreement or policy will be required PRIOR to the submission of your payment invoice and is subject to the approval of the Contracting Officer.***◄◄** |
| 7. | For **Hours** enter the number of hours for “**Straight**” and/or “**Premium**” time. *Premium time requires OGS prior approval.* |
| 8. | Sign and date the **On-Site Certification**. When the form is completed and signed by a subcontractor, *the contractor must also sign and date the Certification.* ALL SIGNATURES MUST BE ORIGINAL. |
| 9. | Enter the page number and total number of pages at the bottom of the page for each submission. For example, “Page 1 of 1,” “Page 2 of 3,” etc. |
| 10. | Submit FOUR COPIES of the report(s) to the Contractor for review and approval and submission to the EIC. DO NOT ADD OR CHANGE ANYTHING ON THIS FORM AFTER IT HAS BEEN SIGNED. |

**Contractor:**

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| 11. | Reviews, signs, and dates the form(s). Submits to EIC for further processing. |

**Engineer-In-Charge:**

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| 12. | Reviews the form(s) and indicates agreement or observed differences in *EIC Comments* for each worker. |
| 13. | Signs and dates the form(s) and distributes the original copies EACH DAY as follows:* One copy to the contractor. *This copy must be submitted to OGS by the contractor with payroll records and the summary of costs – the Emergency Contractor Expense and Fee Summary Workbook.*
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|  | * One copy to the subcontractor. *This copy must be submitted to OGS by the contractor with payroll records and the summary of costs – the Emergency Subcontractor Expense and Fee Summary Workbook.*
* One copy to the Engineer-in-Charge for Project File.
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*It is the contractor’s responsibility to provide* ***original copies*** *(with* ***original signatures****) with the payment application submission. OGS will not reimburse hourly services for forms submitted without original signatures.* The contractor should also make a copy of the complete submission for his/her file.

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| **BDC 269 - Daily Material and Equipment Report for emergency contracts**The subcontractor should complete a separate form on site *each day* listing all materials consumed or used and equipment required on site for that day. Use more than one form per shift if necessary to list all materials/equipment. When more than one form is used per shift/day, it will be necessary to sign and certify each form. Since this form must be filled out at the work site as the work is performed and on the day in which the work is performed, it’s advisable to print multiple copies out prior to use and fill them in by hand. The contractor must review each form completed by a subcontractor and sign and date the appropriate certification. All completed reports must be submitted to the Engineer-in-Charge on a daily basis for review and verification. The EIC will then return the completed, original forms to be submitted with your request for payment. Enter all information as indicated on the form for each entry cell. These forms will be used to compile the **BDC 272 - Emergency Contractor Material Expense Report** and **BDC 124E - Emergency Contractor Equipment Expense Report** for your payment application submission. (The subcontractor, if applicable, will use these forms to compile the **BDC 272.1 - Emergency Subcontractor Material Expense Report** and **BDC 124E.1 - Emergency Subcontractor Equipment Expense Report**.) |

All materials installed, consumed, and allowable must be listed on the BDC 269 in order to receive payment reimbursement.

NOTE:

* *EACH* ***BDC 269 - Daily Material and Equipment Report*** *submitted for payment must have a corresponding****BDC 268 - Daily Labor Report*** *for verification of work performed on that date.*
* *If the total cost for materials/equipment exceeds $15,000, an original estimate/quote must be submitted from three separate sources detailing the cost, description, and quantity of the materials and/or equipment to be supplied.*

◄◄ A maximum of two work vehicles (pick-up trucks, vans) used to transport tools, materials, and small equipment will generally be reimbursed under Labor and Material Emergency Contracts. ►►

**Contractor/Subcontractor:**

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| 1. | Indicate **Contractor** or **Subcontractor** by checking the appropriate box. |
| 2. | Enter the OGS**Project No.**, firm’s **Name**, **Change Order Control No.** (if the completed work is for a contract change order) and the **Work Date**. |
| 3. | Briefly describe the **Work Accomplished**. Include a description of the work actually accomplished that day and *not* simply the title of the project. |
| 4. | Provide a complete **Description** of the material and equipment used. Each type of material and each piece of equipment must be listed separately. Do not group items together on one line or simply reference an invoice. For equipment, provide details that allow the Blue Book rate to be derived, i.e., make, model, size, and indication whether it is owned or rented. |
| 5. | Enter the **License**, **Serial**, or other identification number for motorized equipment. |
| 6. | For **Quantity/Operating Hours**, enter the quantity of material used or the actual number of operating hours (run time) for self-owned and rental equipment. A piece of equipment is considered to be “operating” if it is actually performing the work for which it was brought to the jobsite, i.e., engine on, in motion, and actively in use. Loaded stationery equipment, i.e., a trailer or dump truck, is not “operating.” |
| 7. | For **Unit**, enter the unit description, i.e., cu. yd., cu. ft., hrs., etc., for each item. |
| 8. | Sign and date the **On-Site Certification**. When the form is completed and signed by a subcontractor, *the contractor must also sign and date the Certification.* ALL SIGNATURES MUST BE ORIGINAL. |
| 9. | Enter the page number and total number of pages for each submission at the bottom of the page. For example, “Page 1 of 1,” “Page 2 of 3,” etc.  |
| 10. | Submit FOUR COPIES of the report(s) to the Engineer-in-Charge for review and approval. DO NOT ADD OR CHANGE ANYTHING ON THIS FORM AFTER IT HAS BEEN SIGNED. |

**Contractor:**

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| 11. | Reviews, signs, and dates the form(s). Submits to EIC for further processing. |

**Engineer-In-Charge:**

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| 12. | Reviews the form(s) and indicates agreement or observed differences in *EIC Comments* for each worker. |
| 13. | Signs and dates the form(s) and distributes the copies *EACH DAY* as follows:* One (1) copy*)* to the contractor. *This copy must be submitted to OGS by the contractor with payroll records and the summary of costs – the Emergency Contractor Expense and Fee Summary Workbook.*
* One (1) copy to the subcontractor, if applicable. *This copy must be submitted to OGS by the contractor with payroll records and the summary of costs – the Emergency Subcontractor Expense and Fee Summary Workbook.*
* One (1) copy to the Engineer-in-Charge for Project File.
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*It is the contractor’s responsibility to provide* ***original copies*** *(with* ***original signatures****) with the payment application submission. OGS will not reimburse for material and/or equipment for forms submitted without original signatures.* The contractor should also make a copy of the submission for his/her file.

**Payment Submission Summary/Report Forms**

***(BDC 271.1-275.1 - Emergency Subcontractor Expense and Fee Summary Workbook)***

All Labor and Material subcontractors are required to complete the BDC 271.1 - 275.1 - Emergency Subcontractor Expense and Fee Summary Workbook and submit it including signed and notarized original copies to the contractor for payment submission to OGS. ***Lump Sum subcontractors*** *are required to complete the BDC 274.1 - Emergency Subcontractor Expense and Fee Summary only, and submit it with a detailed invoice to the contractor for payment submission to OGS.*

The **Emergency Subcontractor Expense and Fee Summary Workbook** contains submission summary/report forms
(BDC 274.1, 271.1, 125E.1, 272.1, 275.1, and 124E.1) in an interactive Excel workbook which will automatically fill in repetitive information once initially entered, i.e., Project No., Contractor Name, Address, etc., as well as perform calculations and carry totals from one worksheet to another.

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| **BDC 274.1 - EMERGENCY SUBContractor Expense and Fee Summary***Original signatures are required, and the form must be properly notarized.*This form is the first in an EXCEL workbook of all expense and fee summary/report forms needed for a payment application submission. Completing the forms electronically is required; the **Subcontractor Work** sections will fill in automatically as you complete the corresponding forms in the workbook. Also, the information you enter in the top portion of this form will repeat on successive forms in the workbook, as appropriate. Fill out the top portion of this form, and continue on to the rest of the forms since you will need to complete them first to be able to provide the information you’ll need to finish the BDC 274.1. |

Top Portion

Complete this section with the required information where indicated:

(OGS) **Project No.**; **Subcontractor Name**, **Address**, **Phone** and **FAX** numbers; **Federal ID Number**; **Date** (date you’re completing the forms); (OGS) **Contract No.**; **Payment Submission No.**; and **Period** (first and last day of work completed for the submission). Indicate whether it is a **Progress** or **Final** payment application by checking the appropriate box.

**Section A: Subcontractor Work**

To fill in this section:

1. **Total Subcontractor Labor** – Complete **BDC 271.1 - Emergency Subcontractor Labor Expense Report** first. *(You will need to use your completed form(s) BDC 268 and BDC 125E.1 for the submission period as a basis for compiling this report.)* Enter the Total Subcontractor Labor from the BDC 271.1 in Section A, item 1.
2. **Total Subcontractor Material** – Complete the **BDC 272.1 - Emergency Contractor Material Expense Report** to derive this total. There are multiple copies of this form in the workbook; be sure to include the grand total of all in this area. *(You will need to use the daily form(s) BDC 269 as a basis for compiling this report.)*
3. **Total Subcontractor Equipment** – Enter the Total Subcontractor Equipment Expense from the **BDC 124E.1 - Emergency Contractor Equipment Expense Report**. *(You will need to use the daily form(s) BDC 269 as a basis for compiling this report.)*
4. **Subcontractor Total** – the sum of items 1-3.

**Section B: Cost Plus Summary**

*This section applies and should be completed by Labor and Material subcontractors only.*

To fill in this section:

1. **Total Subcontractor Cost (Labor, Material, and Equipment)** – Enter the Subcontractor Total from Section A, 4.
2. **Subcontractor’s Override** – Enter the percentage from and date of your bid/waiver in the areas indicated. Multiply the percentage times the Total Subcontractor Cost (item 1) to obtain the override amount.
3. **Total Subcontractor Amount (Excluding Travel)** – Enter the sum of items 1 and 2.
4. **Subcontractor Travel Expenses** – Enter the Total Subcontractor Travel Expense from the **BDC 275.1 - Emergency Subcontractor Travel Expense Report**.
5. **Amount Requested** – Enter the sum of items 3 and 4.

**Section C: Total Lump Sum**

*This section applies and should be completed by Lump Sum subcontractors only.*

To fill in this section:

1. Fill in the date of the invoice(s) in the area provided, and attach the invoice(s) to the BDC 274.1.

**Section D: Subcontractor’s Certification**

You may enter Printed Name and Title electronically (or manually) in the **Subcontractor’s Certification,** but DO NOT sign until you are before a Notary Public who is to notarize your signature and sign, date, and seal/stamp the form.

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| **BDC 271.1 - EMERGENCY SUBCONTRACTOR LABOR EXPENSE REPORT**This form is a summary report for subcontractor labor expenses. Submit one form summarizing the total hours worked during the submission period. The daily BDC 268s will provide the basis for summarizing each employee’s hours worked. Only hours for those directly employed on the job site, i.e., foreman, workers, and other employees below the rank of General Foreman are reimbursable as a cost. Do not include hours worked by clerical or secretarial staff since you are compensated for their time as part of the percentage/fixed fee established in your contract.You will need to complete *one* **bdc 125e.1 - eMERGENCY cONTRACTOR lABOR rATE wORKSHEET** for *each* applicable employee (prior to completing this form) to establish the labor rates for this report.Employee Item No., Name, Regular Rate, and Premium Rate will fill in automatically once the BDC 125E.1 is completed. You will need only to enter total hours worked (summarized from the daily BDC 268s) for each employee during the submission period. The rest will be calculated automatically, including carrying over the Total Subcontractor Labor to the BDC 274.1. |

Top Portion

Complete this section with the required information where indicated:

(OGS) **Project No.**; **Subcontractor Name**, **Address**, **Phone** and **FAX** numbers; **Federal ID Number**; **Date** (date you’re completing the forms); and **Period** (beginning and ending dates for the submission).

Labor Expense

Fill in **Item No.** (from BDC 268), **Employee Name**, **Regular Time Total Rate**, and **Premium Time Total Rate** (from the BDC 125E). You will need to enter total **Hours** worked during the submission period for each employee (summarized from the BDC 268s). **Amount Paid** for both Regular and Premium Time is calculated by multiplying **Hours** times **Rate**. **Total Labor Expense** is Regular Time **Amount Paid** times Premium Time **Amount Paid**.

**Total Subcontractor Labor**

Total Subcontractor Labor is the sum of all employees’ **Labor Expense** amounts. This total should be transferred to BDC 274.1, Section A, Item 1.

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| **BDC 125E.1 - EMERGENCY SUBCONTRACTOR LABOR RATE WORKSHEET***Original signatures are required, and the form must be properly notarized.*This form must be completed for all Labor and Material basis employees performing work during the submission period. When filled out electronically, all employee information and labor rates will carry over and be included in the BDC 271.1. There are 15 copies of this form included in the workbook which should be adequate for a submission period; submission periods should be no more than 30 days. If more than 15 forms are required for one submission period, you will need to start a new workbook for the labor portions and expense and fee summary only (BDC 125E.1, BDC 271.1, BDC 274.1). The **Payment Submission No.**; and **Period** (first and last day of work completed for the submission) would be the same. |

Top Portion

Complete this section with the required information where indicated:

(OGS) **Project No.**; **Subcontractor Name**, **Address**, **Phone** and **FAX** numbers; **Date** (date you’re completing the forms); **Submission No.**, **Period** (beginning and ending dates for the submission), and **County (**once **County** is entered on the initial BDC 125E, it will fill in all other BDC 125E copies in the workbook automatically.)

**Labor Rate Breakdown**

*All fields in this section are required entries.* Enter **Item No.** (from the BDC 268), **Employee Name**, **Social Security No.** (last 4 digits *only*), **Trade** (be specific, i.e., Construction, Plumbing, etc.), and indicate by checking the appropriate box whether the employee is paid as **Union Participant** or **Non-Union Participation**. Enter the **Gross Pay Year-to-Date** and “as of” **Date**. The entry for **Gross Pay Year-to-Date** should be in accordance with the documentation you have submitted to the NYS Department of Taxation and Finance and is subject to verification during the audit process.

**A. Wage Rate Per Hour**

Fill in **Regular Base Rate** and **Premium Time Base Rate**.

BENEFITS

Enter a breakdown of any applicable benefits in the section. If the benefit is being paid as wages or subject to payroll taxes and insurances, enter *only one* asterisk (\*) in the designated field next to the benefit; otherwise, leave that field blank. Then enter the **% Per Hour** and the **$ Per Hour** for that benefit. (The dollar amount will calculate automatically based on the percentage entered if you are filling out the workbook electronically.)

**B. Total Benefits Per Hour**

Total all benefit **$ Per Hour** amounts to determine the total benefits per hour and enter this total in all three cells
**($ Per Hour**, **Regular Time Rate** column, and **Premium Time Rate** column.)

NOTE: The **Total Benefits Per Hour** for the **Premium Time Rate** *must be entered manually* when you are completing this form electronically.

PAYROLL TAXES AND INSURANCE

*Do not include liability insurance in this section.* **F.I.C.A./Social Security**, **Medicare**, and **Federal** **Unemployment** are self-calculating, dependent upon the entry in the **Gross Pay Year-to-Date (YTD)**, when you fill in the form electronically. If you are completing it manually, fill in the required entries as follows:

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| **F.I.C.A./Social Security**(up to the maximum required by law) | For 2014, if **Gross Pay YTD** is more than $1.00 and $117,000 or less, enter **6.20** (for **%)**. If **Gross Pay YTD** is more than $117,000, enter **0.00**. |
| **Medicare** | No entry is necessary. |
| **Federal Unemployment**(up to a maximum of $56.00 per employee per year) | If **Gross Pay YTD** (up to the first $7,000 of base salary per employee per year) is $7,000 or less, enter your actual Rate and that Rate as % (Federal Max UI Rate is 1.2). If Gross Pay YTD is more than $7,000, then enter 0.00. |
| **State Unemployment**(proof of State Unemployment Rate is required) | For 2014, if **Gross Pay YTD** (up to the first $10,300 of base salary per employee) is $10,300 or less, enter your actual **Rate** and that **Rate** as **%** (NYS Max UI Rate is 9.9). If **Gross Pay YTD** is more than $10,300, enter the appropriate **Rate** and **0.00** (for **%)**. |
| **Disability** | If the **Rate** is **0.25** or less, enter the appropriate **Rate** and same for **%**. If the **Rate** is more than **0.25**, enter the appropriate **Rate** and **0.25** for **%**. |
| **Workers Compensation**(proof of Workers Compensation Rate is required) | Enter the appropriate four-digit **Workers Compensation** **Code** and your actual **Rate**. This form calculates an hourly billing rate based on a 40 hour work week and takes into account the Payroll Limitation Law enacted by New York State Legislation in 1998. If the employee’s wage rate exceeds the weekly limitation, an hourly billing rate will be calculated. If not, the worker’s compensation rate will be applied. |
| **Other Payroll Tax** | Enter the type of payroll tax (i.e., MTA Tax), **Rate** and **%**, if any. Appropriate backup must be included with your submission as verification of this tax.  |

**C. Total Taxes and Insurance Per Hour**

Select (fill in) the appropriate option button to indicate whether all benefits or only those indicated by “\*” are paid directly to the employee.

If the first option *(all benefits are paid directly)* is chosen: (represents that your company offers ZERO benefits to your employees: including no vacation time, no holidays, no sick time, no personal time, no health insurance, etc.)

For **Regular Rate (C2)**:

1. Add the **Regular Base Rate** to the (Regular) **Total Benefits Per Hour** and enter that total in **(a.)**.
2. Total all of the (benefits) percentages and enter that total in **(b.)**.
3. Multiply **(a.)** times **(b.)** to determine the dollar amount and enter it in the **C2** - **Regular Rate** column.

For **Premium Time Rate (C2)**:

1. Multiply **(a)** times the **Workers Compensation** **%**.
2. Add the **Premium Time Base Rate** to the (Premium Time) **Total Benefits Per Hour**.
3. Subtract the **Workers Compensation %** from **(b)**. *(Workers Compensation Rate applies only to Regular Time Rate.)*
4. Multiply the results of steps 2 and 3.
5. Add the results of steps 1 and 4 and enter the amount in the **C2** - **Premium Rate** column.

If the second option *(only those benefits identified with “\*” are paid directly)* is chosen:

For **Regular Rate (C2)**:

1. Add the **Regular Base Rate** to only those benefits with an asterisk next to them and enter that total in **(a.)**.
2. Total all of the (benefits) percentages and enter that total in **(b.)**.
3. Multiply **(a.)** times **(b.)** to determine the dollar amount to enter in **C2** - **Regular Rate** column.

For **Premium Time Rate (C2)**:

1. Multiply **(a.)** times the **Workers Compensation %**.
2. Add the **Premium Time Base Rate** to only those benefits with an asterisk next to them.
3. Add all of the (benefits) percentages minus the **Workers Compensation %**.
4. Multiply the result of step 2 times the result of step 3 and enter the amount in the **C2** - **Premium Rate** column.

**D. Total Labor Rate**

Add the totals for **A**, **B**, **C1**, and **C2** in both the **Regular Rate** and **Premium Time Rate** columns to determine the **Total Labor Rate**. Transfer both totals to the appropriate employee line on the BDC 271.

***Certified Payroll***

Certified payroll for the prime contractor and all subcontractors is required to be maintained on site in accordance with the New York State Labor Law Section 220. A second copy of certified payroll for both the prime contractor and any subcontractors must be submitted with each payment application. This certified payroll must include all dates within the **Submission Period**.

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| **BDC 272.1 – EMERGENCY SUBCONTRACTOR MATERIAL EXPENSE REPORT**All materials used during the submission period, and the date installed, as detailed on the **BDC 269 - Daily Material and Equipment Report**(s) should be summarized on this form. There are 2 copies of this form included in the workbook; if more than 2 are required, you will need to start a new workbook for the material portions and expense and fee summary only (BDC 272 and BDC 274). The **Payment Submission No.**; and **Period** (first and last day of work completed for the submission) would be the same.  |

◄◄ Any credits, returns, and/or discounts your company receives or expects to receive from your subcontractors and suppliers are required to be reported to the Office of General Services. Discounts received by holding a customer account with subcontractors and suppliers are to be submitted as well. Documentation of such credits, returns, and/or discounts must be included with your payment submissions. ►►

Top Portion:

Complete this section with the required information where indicated:

(OGS) **Project No.**; **Contractor Name**, **Address**, **Phone** and **FAX** numbers; **Date** (date you’re completing the forms); **Submission No.**, and **Period** (beginning and ending dates for the submission).

Material Description

1. Enter ALL information as indicated on the form for each entry cell. List one type of material per line, and list all materials used for the entire submission period (as summarized from the daily BDC 269s). All material billed must have been verified by the EIC on the daily BDC 269s. If material quantities listed on Daily BDC 269s pertain, in all or part, to stock materials, state ‘From Stock’ within the Detailed Description of Materials Used.
2. Multiply **Quantity** times **Unit Cost** to obtain **Total Material Cost**.
3. Add all **Total Material Cost**(s) to obtain **Total Contractor Material**.
4. Enter the **Total Contractor Material** on BDC 274.1, Section A, Line 2. When using multiple forms, be sure to include all totals in this amount on the BDC 274.1. If you are completing the workbook electronically, this will occur automatically.
5. Include original invoices and all daily BDC 269s as backup documentation for this report.

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| **BDC 275.1 – EMERGENCY SUBCONTRACTOR TRAVEL EXPENSE REPORT***All expenses associated with overnight lodging must be pre-approved in advance by the EIC* ***before any expenses are incurred****.* Use form **BDC 270 – Emergency Contractor Travel Pre-Approval**, described below, to request this approval. Once you’ve received approval allowing you to apply for reimbursement of the expenses incurred, use this form to summarize lodging, per diem, and meal expenses. |

Top Portion:

Complete this section with the required information where indicated:

(OGS) **Project No.**; **Contractor Name**, **Address**, **Phone** and **FAX** numbers; **Date** (date you’re completing the forms); **Submission No.**, and **Period** (beginning and ending dates for the submission).

Enter all information as indicated by column headings for each employee having incurred travel expenses during the submission period. List one employee and one date of lodging per line. Add **Lodging Amount / Flat Per Diem Rate** and **Meal Allowance** to obtain the **Total Travel Expense** for each employee. Total all employees’ expenses to derive **Contractor’s Total Travel Expense**. Transfer this total to the BDC 274, Section C, Line 4. The contract **Percentage Fee** (Section C, Line 2) does *not* apply to contractor/subcontractor travel expenses. Refer to **BDC 270 Reverse – Guidelines for Payment of Overnight Travel Expenses** for complete information regarding acceptable expenses and requirements for reimbursement.

Under the **NYS Method II** method of reimbursement:

Meal receipts are *not* required; however, the contractor is only entitled to meal/incidental reimbursement in the amount that was actually paid to the employee. The contractor is required to maintain documentation substantiating the amount paid to the employee, and such documentation must be provided to the Contracting Officer upon request. The maximum amount that will be reimbursed will be the maximum allowed per federal rates.

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| **BDC 124E.1 – EMERGENCY SUBCONTRACTOR EQUIPMENT EXPENSE REPORT**All contractor equipment used during the submission period as detailed on the **BDC 269 - Daily Material and Equipment Report**(s) should be summarized on this form. There are 5 copies of this form included in the workbook; if more than 5 are required, you will need to start a new workbook for the equipment portions and expense and fee summary only (BDC 272.1 and BDC 274.1). The **Payment Submission No.**; and **Period** (first and last day of work completed for the submission) would be the same. If you receive a credit from another vendor, subcontractor, or supplier for any of the equipment used, you are required to submit documentation of this credit to the Office of General Services. |

Top Portion:

Complete this section with the required information where indicated:

(OGS) **Project No.**; **Contractor Name**, **Address**, **Phone** and **FAX** numbers; **Date** (date you’re completing the forms); **Submission No.**, and **Period** (beginning and ending dates for the submission).

Equipment Description

1. Enter ALL information as indicated on the form for each entry cell. List one piece of equipment per line, and list all rental or self-owned equipment with a purchase price of $500 or more used for the entire submission period (as summarized from the daily BDC 269s). All equipment billed must have been verified by the EIC on the daily BDC 269s. All equipment listed must be listed on a corresponding BDC 269 for each day it was on site.
2. Indicate whether the equipment is **Owned** “O” or **Rented** “R” by filling in column 1.
3. When the equipment is rented, fill in an “R” for **Rented** (column 1) and enter only the **Complete Equipment Description** (column 3), **Hours Required On Site** (column 4), and the **Total Equipment Cost** (column 12). Rented equipment will be reimbursed at actual cost in accordance with Document 007304, Supplementary Conditions of your contract. Submit an original Rental Return Invoice pertaining to the submission period being billed, and ensure that the rental(s) is(are) included in the BDC 269s for the days/period being billed. Fuel costs for rented equipment may be submitted at actual cost with proper backup documentation. Original receipts are necessary, and the receipts must have been verified by the EIC on the BDC 269(s) on the actual day purchased.
4. Rates for self-owned equipment are derived from the *Rental Rate Blue Book* purchased by K-III Directory Corporation (800-669-3282). Indicate the **Reference Page** number from the *Blue Book*, if known, and be sure to include a detailed description of the equipment in column 3.
5. **Actual Operating Hours** means the hours the equipment was actually running and being used. Operating hours are required to be listed on a daily basis on the BDC 269(s) and verified by the EIC.
6. Follow the directions at the top of the columns for calculating costs.
7. Enter the **Total Contractor Equipment Expense**, and transfer the total to the BDC 274.1, Section A, Line 3. When using multiple forms, be sure to include all totals in this amount on the BDC 274.1. (If completing the workbook electronically, this will occur automatically.)

**Additional Required Documentation**

***Travel (if applicable)***

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| **BDC 270 - EMERGENCY CONTRACTOR TRAVEL PRE-APPROVAL**Use this form to request pre-approval from the OGS EIC to incur overnight travel expenses ***prior*** *to any travel expenses being incurred*. Travel expenses will be reimbursed only when pre-approved. Be sure to read the Guidelines on the “Reverse” side of the form for details concerning reimbursement for travel expenses. The form is in Word format and may be filled in electronically with the exception of signatures. |

***Final Payment***

*The following is required for* ***Final Payment*** *applications only:*

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| **AC 2948 - SUBCONTRACTOR’S CERTIFICATION***Two original copies with original signatures and properly notarized are required.*This form is in Word format and can be filled in electronically with the exception of the signatures and notarization. |

**Payment Submission Errors**

The following are examples of common payment submission errors which could cause substantial delays in payment or result in submission rejection.

A payment submission will be rejected if any of the following apply:

1. The correct forms have not been completed.
2. There are multiple deficiencies that would cause an unreasonable amount of audit time.
3. The submission has been certified with the wrong Project Number.
4. The Emergency Subcontractor Expense and Fee Summary (BDC 274.1) is not signed by the subcontractor. The signature must be original; photocopies are unacceptable.
5. The Emergency Subcontractor Expense and Fee Summary (BDC 274.1) is not properly notarized.

Other common errors include:

***Missing Daily Forms***

Daily Labor Reports (BDC 268) and Daily Material and Equipment Reports (BDC 269) for all shifts of all days work is performed during the submission period must be submitted with the payment application package. Each Daily Labor Report (BDC 268) submitted for payment must have a corresponding Daily Material and Equipment Report (BDC 269) for verification of work performed on that date.

1. ***Missing/Incorrect Information Regarding Labor***
* Blank or vague description of the work accomplished.
1. ***Missing/Incorrect Information Regarding Material and Equipment***
* Blank or vague description of the work accomplished.
* Invoice numbers are listed on the Daily Material and Equipment Reports (BDC 269) rather than descriptions of the actual material/equipment used.
* The description of the equipment is not complete enough to determine the Blue Book rate.
* Material/equipment not verified by EIC on the Daily Material and Equipment Reports (BDC 269).

***Missing Certifications (Original Signatures) and/or Notarization***

1. The following forms *must have original signatures* to certify them. Photocopies are not acceptable.
* BDC 268 - Daily Labor Report for Emergency Contracts
* BDC 269 - Daily Material and Equipment Report for Emergency Contracts
1. The following forms *must have original signatures* to certify them AND *be properly notarized*. Photocopies are not acceptable.
* BDC 125E.1 - Emergency Subcontractor Labor Rate Worksheet(s)
* BDC 274.1 - Emergency Subcontractor Expense and Fee Summary

***Missing Information/Documentation for Subcontractor’s Expense and Fee Summary Workbook (BDC 271.1 – 275.1)***

1. Travel expenses are billed but not pre-approved and/or the Emergency Contractor Travel Pre-Approval (BDC 270) is missing.
2. Missing or not fully completed Labor Rate Worksheets (BDC 125E.1).
3. Missing original signatures/notarization on Labor Rate Worksheets (BDC 125E.1). *Photocopies are not acceptable.*
4. Emergency Subcontractor Equipment Expense Report (BDC 124E.1) does not accurately reflect the actual operating hours of the equipment.
5. Emergency Subcontractor Equipment Expense Report (BDC 124E.1) does not contain enough information about equipment to determine the Blue Book rate.
6. Rented equipment is listed on the Emergency Subcontractor Material Expense Report (BDC 272.1) instead of the Emergency Subcontractor Equipment Expense Report (BDC 124E.1).
7. Missing invoices for rental equipment listed on the Expense Report (BDC 124E.1).

***Missing Documentation for Final Payment***

1. Missing Subcontractor’s Certification (AC 2948)