



OFFICE OF LOCAL CIVIL COMPLIANCE

# Prompt Payment

February 2024

# Prompt Payment

## **POLICY**

Effective September 1, 2023, the new Exhibit 9-P: Prompt Payment Certification will replace [form Exhibit 9-F](#).

### Roles & Responsibilities:

- Local Public Agencies (LPAs) are to require all prime contractors or consultants to use Exhibit 9-P until the prime contractor or consultant completes all DBE and non-DBE subcontracting or material supply activity on any federal-aid funded project.
- LPAs must verify all Exhibit 9-P information, monitor compliance with prompt payment requirements for DBE and non-DBE firms, and address any issues to the DBE commitment and prompt payment issues until the end of the project.

This change aligns closer with the requirements in 49 § CFR 26.29(a), 49 CFR § 26.37(c), BPC 7108.5, and CCC 3321. This change additionally requires Caltrans to effectuate changes in the Local Assistance Procedures Manual ([LAPM](#)) at Chapters 9 and 16 in addition to Exhibits 10-R and 12-G.

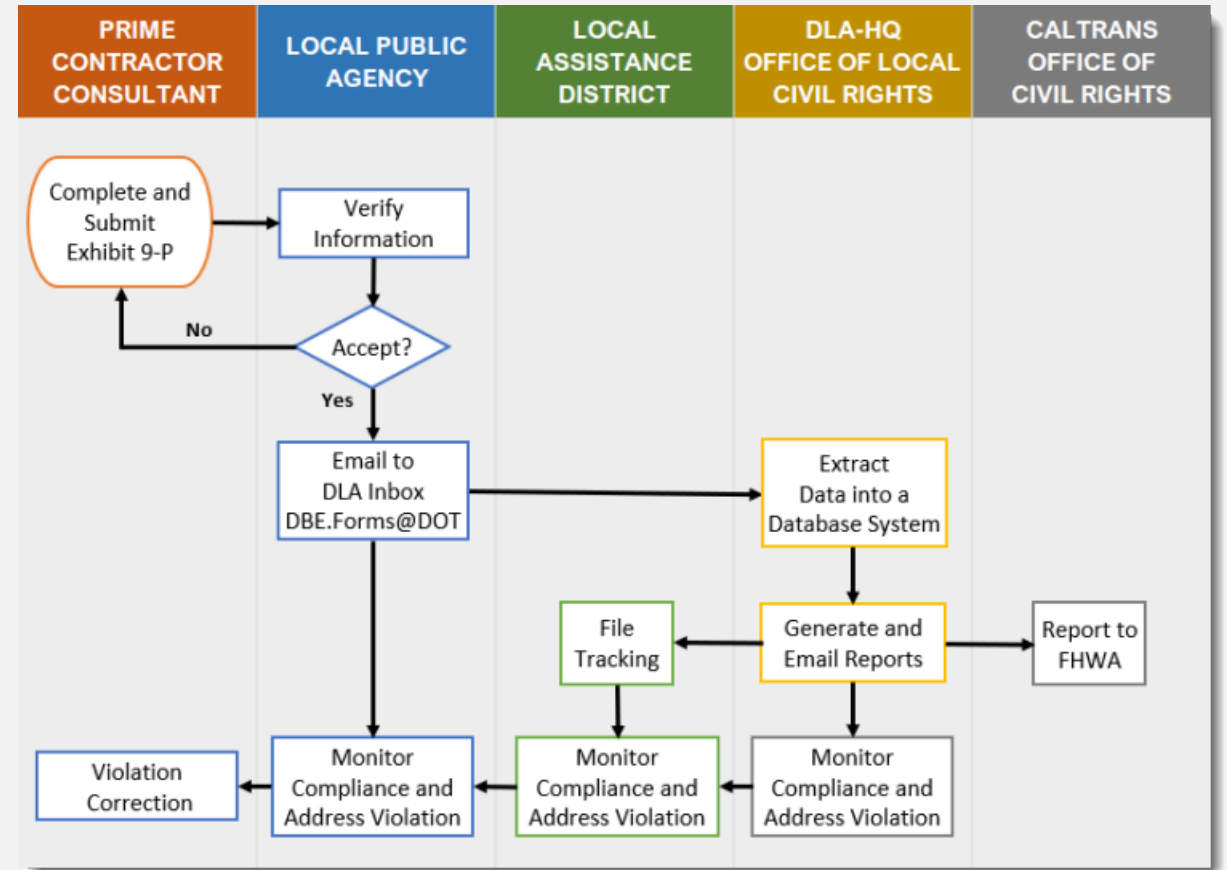
# Prompt Payment

## Projects Awarded After 09/01/2023

- Exhibit 9-F is no longer accepted – contractor's and consultants must submit Exhibit 9-P
- Submissions must be made by the 15<sup>th</sup> of the month following the month in which payments were made.
- If the Prime does not make a payment for that month, "No payments were made to subs this month" on the Exhibit 9-P.

## Projects Awarded between 03/01/2020 – 09/01/2023

- After submitting an invoice for reimbursement that includes a payment to a DBE, but no later than the 10<sup>th</sup> of the following month, the prime contractor/consultant must complete and email Exhibit 9-F: Disadvantaged Business Enterprise Running Tally of Payments to business.support.unit@dot.ca.gov with a copy to local administering agencies.
- Additional information can be found at: <https://dot.ca.gov/-/media/dot-media/programs/local-assistance/documents/ob/2023/ob23-02r.pdf>



# Office of Local Civil Compliance

For questions regarding Prompt Payment, please contact:

Aaron Catubig

Branch Chief, Local Civil Compliance Data and Oversight

[Aaron.Catubig@dot.ca.gov](mailto:Aaron.Catubig@dot.ca.gov)

For any other Local Civil Compliance questions:

[Local.Compliance@dot.ca.gov](mailto:Local.Compliance@dot.ca.gov)