

*CHAPTER 40 – THIRD NOTIFICATION

As referenced in 00150.90(b), the Project Manager (PM) must issue Third Notification when all of the following items have been satisfactorily performed:

- All On-Site construction and other Work required under the Contract is completed, including punch list Work;
- All construction Equipment is removed; and
- All required certifications, warranties, guarantees, bills, forms, and other documents are received from the Contractor.

For Design-Build projects, the Design-Builder is required to submit all required design documents in addition to the items listed above before Third Notification can be issued. Refer to Section DB150.90(c) of the DB General Provisions.

Do not withhold Third Notification for anticipated billings from Force Account Work or because of outstanding claims submitted under Sections 00180.60, 00195, or 00199.

The PM must record the date of Third Notification on the [Notification of Commencement and Completion, form 734-3233](#) (and include the dates of First and Second Notifications) and distribute as indicated on the form.

The date of Third Notification is significant because the Agency must pay interest, at the rate specified by statute, starting 30 Calendar Days after the date of Third Notification, on any monies still owed the Contractor, including retainage. Any such interest is not eligible for Federal-Aid participation.

Once Third Notification is received by the Contract Administration Unit (CAU), final payment will be made to the Contractor.

After issuing Third Notification, if the PM determines that the Contractor still has unfinished or corrective Work to be completed, or still needs to furnish additional documentation, the PM must rescind Third Notification until the needed items are completed. The PM must promptly notify the Contractor that Third Notification is being rescinded, and of the items yet to be completed or submitted. Provide a copy of this information to the CAU. Reissue Third Notification when the needed items are completed.

**OREGON DEPARTMENT OF TRANSPORTATION
CONSTRUCTION MANUAL**

			NOTIFICATION OF COMMENCEMENT AND COMPLETION DATES FOR CONTRACT PROJECTS		
PROJECT NAME (SECTION) CONSTRUCTION MANUAL FORM EXAMPLE			CONTRACT NO. C12345		
HIGHWAY Main Highway	COUNTY Marion	E.A. NO. CON004231			
CONTRACTOR PRIME CONSTRUCTION COMPANY			F.A. PROJECT NO. X-STP-S001(12)		
PROJECT MANAGER (sign) _____		DATE 2/22/2010	DATE OF AWARD 3/25/2008		
FIRST NOTIFICATION DATE <u>October 13, 2008</u> ON WHICH THE ERECTION OF A SIGN OR PLANT, THE DEVELOPMENT OF AGGREGATE SOURCES, OR THE PERFORMANCE OF A CONTRACT CONSTRUCTION OPERATION BEGAN					
SECOND NOTIFICATION					
SPECIFIED COMPLETION (FROM SECT. 00180.50)		DAYS CHARGED BEYOND SPECIFIED COMPLETION	DATE(S) THE WORK WAS COMPLETED AND THE TIME CHARGES STOPPED.		
(A)	<u>8-28-09 (CCO #4, CCO #14)</u>	<u>0</u>	<u>8/27/2009</u>		
(B)	<u>9/30/2009</u>	<u>2</u>	<u>10/2/2009</u>		
(C)	<u>12/11/2009</u>	<u>0</u>	<u>12/11/2009</u>		
(D)	_____	_____	_____		
ALL CLAIMS FOR ADDITIONAL COMPENSATION MUST BE SUBMITTED BY: <u>DATE Saturday, December 26, 2009</u> (SEE SUBSECTION 00199.30 OF THE CONTRACT PROVISIONS FOR ADDITIONAL REQUIREMENTS.)					
KNOWN ITEMS NECESSARY TO COMPLETE THE REQUIREMENTS FOR 'THIRD NOTIFICATION' ARE: Submit all required Quality, Quantity and Labor Compliance Documentation. Completion of all punchlist work identified at final inspection (see attached).					
THIRD NOTIFICATION <u>Monday, February 22, 2010</u> ON WHICH ALL CONTRACT WORK WAS COMPLETED, INCLUDING CORRECTIVE WORK, EQUIPMENT AND PLANT REMOVAL, SITE CLEANUP, AND PROJECT MANAGER'S RECEIPT OF ALL CERTIFICATIONS, BILLS, AND OTHER DOCUMENTS REQUIRED UNDER THE CONTRACT.					