

## Compliance Assessment Program (CAP) Summary Performance Year 2019

### Questions

1	Do the project records document that the State verified the eligibility of the prime contractor (that they are not suspended, debarred, or voluntarily excluded) for the Federal-aid project?
2	Based upon a review of at least one construction subcontract for each project reviewed, are the Form FHWA 1273 contract provisions physically incorporated into the subcontract?
3	Were all bids publicly opened and announced?
4	Was the construction contract awarded by competitive bid unless another method was approved as more cost effective or due to an emergency?
5	Are the bidding documents free of a requirement for the contractor to obtain a license before submission of a bid or before the bid may be considered for award of a contract?
6	Was the standardized changed conditions contract clause for differing site conditions (23 CFR 635.109(a)(1)(iiv)) included verbatim in the contract or excluded for acceptable reasons relating to a State statute, or because it is a design-build contract?
7	Was the standardized changed conditions contract clause for suspension of work ordered by the engineer (23 CFR 635.109(a)(2)) included verbatim in the contract, or excluded for acceptable reasons either relating to a State statute or because the contract is a design-build procurement?
8	Did the successful bidder or proposer file an executed statement that it has not colluded to restrain free competitive bidding in connection with the award?
9	Was the non-collusion provision per 23 CFR 635.112(f) included in the bidding documents?
10	Do project documents show environmental review of the project per 23 CFR part 771 was completed prior to construction authorization, and that a determination was made before construction authorization that the project's NEPA document(s) remained valid for the authorization decision, or supplemental NEPA documentation was completed before the construction authorization?