

Submit to: Fermi National Accelerator Laboratory
Attention: _____
P.O. Box 500 - MS 210
Batavia, IL 60510-0500

"Along with each request for progress payments, the [Sub]contractor shall furnish the following certification, or payment shall not be made." (FAR 52.232-5(c))

CERTIFICATION/REQUEST FOR PROGRESS PAYMENTS
Fixed Price Construction Subcontracts

SUBCONTRACT NO. _____ AMOUNT: \$ _____

I hereby certify, to the best of my knowledge and belief, that -

- (1) The amounts requested are only for performance in accordance with the specifications, terms, and conditions of the subcontract;
- (2) All payments due to sub-subcontractors and suppliers from previous payments received under the subcontract, have been made, and timely payments will be made from the proceeds of the payment covered by this certification, in accordance with sub-subcontract agreements and the requirements of Chapter 39 of Title 31, United States Code;
- (3) This request for progress payments does not include any amounts which the Subcontractor intends to withhold or retain from a sub-subcontractor or supplier in accordance with the terms and conditions of the sub-subcontract; and
- (4) This certification is not to be construed as final acceptance of a sub-subcontractor's performance.

Subcontractor Name

By _____
Signature *Typed or Printed Name*

Title *Date*

APPROVED FOR PAYMENT:

Fermilab Procurement Administrator Date

NOTE: If the Subcontractor, after making a certified request for progress payments, discovers that a portion or all of such request constitutes a payment for performance by the Subcontractor that fails to conform to the specifications, terms and conditions of this subcontract (hereinafter referred to as the "unearned amount"), the Subcontractor shall -

- (1) Notify Fermilab of such performance deficiency; and

- (2) Be obligated to pay Fermilab an amount (computed by Fermilab in the manner provided in 31 U.S.C. 3903(c)(1)) equal to interest on the unearned amount from the 8th day after the date of receipt of the unearned amount until -
 - (i) the date the Subcontractor notifies Fermilab that the performance deficiency has been corrected or
 - (ii) the date the Subcontractor reduces the amount of any subsequent certified request for progress payments by an amount equal to the unearned amount.