

MILLER ACT CLAIM CHECKLIST

01.

Confirm the Project Qualifies

- Project is a federal construction project.
- Prime contract exceeds \$150,000.
- Payment bond was issued.
- Obtain a copy of the payment bond from the prime contractor or contracting officer.



02.

Confirm Your Eligibility

- You are a first-tier subcontractor (contracted with prime contractor), OR
- You are a second-tier subcontractor or supplier.
- You are NOT a third-tier subcontractor (generally not covered).



03.

Track Critical Deadlines

- Identify your last date of furnishing labor or materials.
- If second-tier claimant: Send written 90-day notice to prime contractor.
- Calendar the one-year deadline to file suit in federal court.



04.

Prepare Required Documentation

- Signed subcontract or purchase order.
- Approved change orders.
- Invoices and pay applications.
- Proof of delivery or work performed.
- Correspondence regarding payment.
- Evidence of last date of work or delivery.



05.

Draft and Send Proper Notice

- Written notice stating amount owed.
- Sent within 90 days of last work performed.
- Addressed to prime contractor.
- Sent via method that provides proof of delivery.



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