§ 237. Statements showing amounts due for wages. 1. Subcontractors engaged for service work by a contractor or its subcontractor shall, upon receipt from the contractor or its subcontractor of the schedule of wages and supplements specified in the contract, provide to the contractor or its subcontractor a verified statement attesting that the subcontractor has received and reviewed such schedule of wages and supplements, and agrees that it will pay the applicable prevailing wages and will pay or provide the supplements specified therein. Such verified statement shall be filed in the manner described in subdivision three of this section. It shall be a violation of this article for any contractor or its subcontractor to fail to provide for its subcontractor a copy of the schedule of wages and supplements specified in the contract.

2. Before payment is made by or on behalf of a public agency of any sums due on account of a contract for service work, it shall be the duty of the comptroller of the state or the financial officer of such public agency or other officer or person charged with the custody and disbursement of the state or corporate funds applicable to the contract under and pursuant to which payment is made, to require the contractor to file a statement in writing in form satisfactory to such officer certifying to the amounts then due and owing from such contractor filing such statement to or on behalf of any and all service employees for daily or weekly wages on account of labor performed upon the work under the contract, setting forth therein the names of the persons whose wages are unpaid and the amount due to or on behalf of each respectively, which statement so to be filed shall be verified by the oath of the contractor that he or she has read such statement subscribed by him or her and knows the contents thereof, and that the same is true of his or her own knowledge.

3. Before payment is made by or on behalf of a public agency of any sums due on account of a contract for service work and representing the final portion of twenty percent of the total consideration payable under the contract, it shall be the duty of the comptroller of the state or the financial officer of such public agency or other officer or person charged with the custody and disbursement of the state or corporate funds applicable to the contract under and pursuant to which payment is

made to require the contractor to file every verified statement required to be obtained by the contractor from its subcontractors pursuant to subdivision one of this section and to file a statement in writing in form satisfactory to such officer setting forth the amounts known by the contractor to be then due and owing from a subcontractor, or from a subcontractor of such subcontractor, for such wages and supplements, or certifying that the contractor has no knowledge of such amounts owing to or on behalf of any service employees of its subcontractors, and that in the event it is determined by the commissioner that the wages or supplements or both of any employees of such subcontractors have not been paid or provided pursuant to the appropriate schedule of wages and supplements, the contractor shall be responsible for payment of such wages or supplements pursuant to the provisions of section two hundred thirty-nine-a of this article. Before final payment is made of any sums due on account of such service work contract, the contractor shall be required to file a supplemental statement setting forth any additional amounts known by the contractor to be then due and owing by each subcontractor for such wages or supplements, or that the contractor has no knowledge of such amounts owing to or on behalf of any employee of its subcontractors. Such statements so to be filed shall be verified by the oath of the contractor that he or she has read such statements subscribed by him or her and knows the contents thereof, and that the same is true of his or her own knowledge, except with respect to wages and supplements owing by subcontractors which may be certified upon information and belief.

4. If any interested person shall have previously filed a protest in writing objecting to the payment to any contractor or subcontractor to the extent of the amount or amounts due or to become due to him for daily or weekly wages for labor performed on the work for which such contract was entered into, or if for any other reason it may be deemed advisable, the comptroller of the state or the financial officer of the public agency or other officer or person charged with the custody and disbursement of the state or corporate funds applicable to the contract for such work, may deduct from the whole amount of any payment on account thereof the sum or sums admitted by any contractor or subcontractor in such statement or statements as filed to be due and

owing by him or her on account of labor performed on such work before making payment of the amount certified for payment in any estimate or voucher, and may withhold the amount so deducted for the benefit of the service employees whose wages are unpaid as shown by the verified statements filed by any contractor or subcontractor, and may pay directly to any person the amount or amounts shown by the statements filed as hereinbefore required to be due to him or her or his or her duly authorized collective bargaining labor organization receiving such payment to the extent of the amount thereof.