**Contract Document Guidelines**

The following information is required when assembling contract documents for use on a USDA – Rural Development (RD) funded project. Any deviation from the requirements listed below will require a letter from the Engineer stating the reason(s) for the change and justification. RD will review the request and respond as to whether or not the modification is acceptable.

1. The Contract Documents shall be reviewed and approved by RD prior to bidding. Two copies of the complete Contract Documents shall be provided to RD (one each to the State Engineer and appropriate Area Specialist) for review.
2. The Contract Documents shall comprise the EJCDC and RD documents as shown on the attached Contract Document Checklist (5/2014) as modified in accordance with RUS Bulletin 1780-26 (4/11/14), which can be found at <http://www.rurdev.usda.gov/RDU_Bulletins_Water_and_Environmental.html>.
3. The use of alternative documents is allowed; such documents must be submitted to RD for review and consideration and must be modified to meet all Federal and State requirements. Such documents must also be approved by the USDA Office of General Counsel (OGC) which could take a significant amount of time.
4. The EJCDC documents are available from any sponsoring organizations: the National Society of Professional Engineers, the American Council of Engineering Companies, the American Society of Civil Engineers, or EJCDC directly. RD offices will not distribute EJCDC documents as these documents are copy-write protected.
5. Earlier versions of the EJCDC contract documents will no longer be accepted after 6/11/14 except under special circumstances subject to approval by RD. The EJCDC 2013-2014 contract documents shall be used for all new projects effective immediately.
6. RUS Bulletin 1780-26 (4/11/14) explains the use of the EJCDC contract documents and how to modify them for use on RD funded water and waste water projects. Exhibit D specifically explains the use of the EJCDC contract documents and RD-required modifications. RD-required modifications shall be made using **bold** type additions and single line ~~strike-out~~ deletions.
7. Other modifications (requested by the Owner or the Engineer) to the EJCDC documents are to be minimized to the extent possible. All such revisions shall be incorporated either by attaching additional pages to the documents or making the changes using **bold** type additions and single line ~~strike-out~~ deletions.
8. Unlike previous versions of the contract documents where RD provided certain contract forms, the Engineer is now required to develop the Instructions to Bidders, Bid Form, and Supplementary Conditions using the following approved EJCDC documents, as modified by RD 1780-26 (4/11/14): C-200 (2013), C-410 (2013), and C-800 (2013). Instructions are included within each of these documents.
9. The General Conditions EJCDC C-700 (2013) are not to be modified; changes to C-700 are to be made via the Supplementary Conditions.
10. All blank, bracketed, and highlighted areas in the Contract Documents shall be filled in with the corresponding information or “N/A”. All “Note(s) to User” shall be deleted. The documents may offer several versions of suggested wording; the Engineer and Owner shall choose the appropriate version and delete the rest.
11. It is recommended that the Owner’s attorney review the contract documents and insurance limits prior to bidding.
12. RUS Bulletin 1780-26 (4/11/14) Exhibit D Page 3 has two typos in the listing of the “Assembling the Construction Contract and Bidding Documents”:

* The Certificate of Owner’s Attorney is not Attachment GC-A but rather Exhibit I.
* The Engineer’s Certification of Final Plans and Specifications is not Attachment GC-B but rather Exhibit J.

1. The Engineer’s Certification of Final Plans and Specifications, RUS Bulletin 1780-26 (4/11/14) Exhibit J, is a certification by the Engineer to the Owner and RD that the plans and specifications have been completed in accordance with RD requirements. This certificate is to be provided to RD with submittal of the final plans and specifications prior to advertisement for bids.
2. The Certificate of Owner’s Attorney and Agency Concurrence page, RUS Bulletin 1780-26 (4/11/14) Exhibit I, is to be included with the construction contract and signed upon the contract’s execution. It is recommended that the Owner’s attorney review the Agreement and insurance limits.
3. Five copies of the complete Contract Documents with original signatures are required at the time of execution (2 for RD, 1 for the Engineer, and 1 for the Owner). Contract documents shall be submitted to the State Engineer and the appropriate Area Specialist in accordance with instructions that will be included in the contract document review letter, which will be issued with the RD approval to go to bid.