

**THE ENGINEERING AGREEMENT
MODIFICATIONS FOR RUS FUNDED PROJECTS**

1 PURPOSE

This exhibit explains the use of the EJCDC Owner – Engineer Agreement for RUS funded projects and includes instructions for modification and review of the Agreement Between Owner and Engineer for Professional Services (EJCDC E-500)

2 GENERAL INFORMATION

The EJCDC has developed a 2014 edition of the Owner-Engineer Agreement that, when assembled as described in this Bulletin, is acceptable for use on WWD projects funded by RUS.

3 INSTRUCTIONS

a Process: Instructions to modify EJCDC E-500 prior to use on RUS funded WWD projects are as follows:

- (1) Engineer must attach the list of “Revisions to the EJCDC E-500” to the Agreement as an addendum or make the specific changes listed using bold type additions and deletions with strike-outs.
- (2) Engineer must include the “RUS Certification Page” in the Agreement (Exhibit C of this Bulletin).
- (3) Project-specific requirements may be added to Exhibit J of E-500.
- (4) Owner and Engineer must select a payment method from Exhibit C of E-500 (see below).
- (5) Owner and Engineer must sign the Agreement and complete and sign the RUS Certification Page (Exhibit C of this Bulletin).
- (6) Agency must review to ensure changes were made as required or revisions were attached and that the certification is attached, completed, and acceptable.
- (7) Agency completes and signs the RUS Certification page.

b Approval. The executed Owner-Engineer Agreement must be approved by Rural Development prior to Agency concurrence in any payment of RUS funding for engineering services.

c Subsurface Utility Data. ASCE 38, “Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data,” is mentioned in Exhibits A and B of the Agreement. Note that the use of this ASCE standard is optional, but the scope of engineering services in this Agreement includes the Engineer discussing whether or not the standard will be used on a given project.

- d Payment for Services. The standard Exhibit C from E-500, “Payments to Engineer for Services and Reimbursable Expenses,” should be used along with the E-500 Owner-Engineer Agreement, but only the following Compensation Packets are allowed for use with RUS funded projects (other compensation packets are not allowed):
- (1) Allowed for Basic Services:
Lump Sum (Compensation Packet BC-1)
Standard Hourly Rates (Compensation Packet BC-2)
 - (2) Allowed for RPR Services:
Lump Sum (Compensation Packet RPR-1)
Standard Hourly Rates (Compensation Packet RPR-2)
 - (3) Allowed for Additional Services:
Standard Hourly Rates (Compensation Packet AS-1)
- f Insurance. Exhibit G (to E-500), “Insurance,” amounts should be established by the Owner based on advice from the Owner’s attorney or a risk manager hired by the Owner.
- g Limitations of Liability. Exhibit I (to E-500), “Limitations of Liability,” is not to be used on RUS funded projects. It should be deleted or crossed out by the Engineer and Owner prior to execution of the Agreement.