Construction Documents

• Can be found at:

http://www.rurdev.usda.gov/NY_WEP_home.html
http://www.rurdev.usda.gov/RDU_bulletins_water_and_environmental.html
http://www.rurdev.usda.gov/NY_WEP_engineering.html
Construction Documents

• Consulting Engineer prepares
• Regulatory Agency reviews (NYSDEC, NYSDOH, County/Local DOH, NYSDOT, County/Local DOT, ARC, SRBC, USACOE)
• RD State Engineer review and approve prior to bid
• Owner’s Attorney review
Construction Documents

Engineers Joint Contract Document Committee (EJCDC)(2013) with RUS Bulletin 1780-26 (4/11/14) for guidance

We will no longer accept previous editions (rare exceptions may be allowed for a short time with approval from the RD State Engineer)
# Contract Documentation Checklist

**USDA - RD Contracts using EJCDC Funding Agency Edition 2013 Documents**

<table>
<thead>
<tr>
<th>Title:</th>
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<tr>
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**Check Contents Page**
- Form RD 400-6 (12/09) for Compliance Statement
- Form AD-1048 (1/92) for Certification Regarding Debarment
- RD Instruction 1940-Q, Exhibit A-1 (8/21/91) for Certification for Contracts, Grants & Loans

<table>
<thead>
<tr>
<th>Check List</th>
<th>Contents</th>
<th>Pages</th>
<th>Form</th>
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**NOTES:**

1. Engineering Joint Contract Documents Committee (EJCDC) are available from the National Society of Professional Engineers (http://www.nspe.org or 1-800-417-0348). RD offices can not distribute EJCDC documents.

2. For questions please contact Marcy Newman, P.E. (315) 782-7289, ext. 125; marcy.newman@ny.usda.gov or John T. Helgren, P.E., (315) 477-6427; john.helgren@ny.usda.gov.

3. All other documentation can be located on the following web sites:
   - http://www.rurdev.usda.gov/General Information

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**Seismic Certification**
RUS Bulletin 1780-26 (4/11/14)

• Information about engineering and contractor agreements and construction documents
• Exhibit I – Certificate of Owner’s Attorney and Agency Concurrence
• Exhibit J – Engineer’s Certification of Final Plans and Specifications
• Engineer now develops all documents with guidance and wording to be added from 1780-26
Other Documents

- Other USDA Forms: 400-6, 1940Q, 1048
- Project sign
- Use Engineers Special Conditions for other items
Wage Rates

- Only NYS wage rates required by RD
- Federal wage rates and Davis-Bacon required only if other Federal Agency is involved: HUD (GOSC), ARC, EDA or EFC
- RD 29 CFR 5.5 Davis Bacon language must be included; it is slightly different than EFC’s
- W/MBE not required by RD
Seismic and Codes Requirements

• All new above-ground structures must comply with the National Earthquake Hazards Reduction Program (NEHRP).

• RD has a pre-printed form for the PE to fill out and sign; it may be more appropriate for the contractor to fill out and sign (for example, for a water storage tank).

• Buildings must be ADA compliant; there is a procedure for requesting a waiver in certain circumstances.
RD Review of Documents

• Project as identified in PER
• Contract Provisions
• Free and open competition
• Make sense, modest in design?
• Environmental mitigation measures from ER
• Regulatory compliance
Free and Open Competition

• 1 Manufacturer and “or equal”
• Pipe Materials: DI vs PVC vs HDPE
• Tank type: Life cycle cost analysis comparison in PER or after Bid
Other Items

• Bid Schedule
  – No manufacturers to be listed
  – Alternates: add/delete alternates, full project from PER

• Contract Price must be clearly shown

• Contract Times

• Liquidated Damages

• Permits
Other Items

• Soil boring/test pits
• Property Ownership/Easements: permanent & temporary
• Resident Inspection
• SWPPP
Procurement Methods

• Competitive sealed bids
• Pre-selection
• Small purchases procedures
  – follow New York State Municipal Law
  – quotes from three qualified sources
• Short form contract
• Owner Construction/Self Help/Force Account-
  separate documentation required
Pre-Selection

• Equipment that impacts design
• To obtain best price for equipment
• Locked in price for bid of project
• Need to discuss with State Engineer first
Submittal of Contract Documents

• Submit one set of documents to State Engineer and Area Specialist pre-bid
• Letter of Conditions MUST have been issued and all conditions fulfilled
• Review letter will be sent to the Consultant Engineer with a copy for the Owner
  – Call if significant issues
  – Acceptable for bid contingent on changes
Submittal of Contract Documents

• As-bid set - sent to the State Engineer right away
• As-bid set - given to Area Specialist at the precon
• Addenda - to be sent to the State Engineer prior to issuance for review and approval
• Addenda - executed copies sent to the State Engineer and Area Specialist
• Reduced sized drawings - provided to the RD Construction Control Inspector at the precon
Questions?