



United States Department of Agriculture

USDA RURAL DEVELOPMENT RURAL UTILITIES PROGRAM

Construction Documents

Syracuse, New York
June 12, 2014



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 | | | | |
| Title: | | Date Reviewed: | | |
| Municipality: | | Date of LOC: | | |
| Local Office: | | County: | | |
| Check List | Contents | Pages | Form | |
| | Table of Contents | varies | Prepared by Consultant | |
| | Advertisement for Bids | varies | EJCDC C-111 | |
| | Instructions to Bidders | varies | EJCDC C-200 as modified by RUS Bulletin 1780-26 (4/11/14) | |
| | Bid Form | varies | EJCDC C-410 as modified by RUS Bulletin 1780-26 (4/11/14) | |
| | Bid Bond | 2 | EJCDC C-430 | |
| | Statement of Contractor's Qualifications | 12 | EJCDC C-451 | |
| | Compliance Statement | 2 | Form RD 400-6 (12/09) | |
| | Certification Regarding Debarment | 2 | Form AD-1048 (1/92) | |
| | Certification for Contracts, Grants & Loans | 1 | RD Instruction 1940-Q, Exhibit A-1 (8/21/91) | |
| | Notice of Award | 1 | EJCDC No. C-510 | |
| | Agreement | varies | EJCDC No. C-520 as modified by RUS Bulletin 1780-26 (4/11/14) | |
| | Performance Bond | 3 | EJCDC No. C-610 | |
| | Payment Bond | 3 | EJCDC No. C-615 | |
| | Certificate of Owner's Attorney / RUS Concurrence | 1 | RUS Bulletin 1780-26 (4/11/14) Exhibit I | |
| | Standard General Conditions | 70 | EJCDC No. C-700 | |
| | Supplementary General Conditions | varies | EJCDC C-800 as modified by RUS Bulletin 1780-26 (4/11/14) | |
| | Special Conditions | varies | Prepared by Consultant | |
| | Resident Project Representative Services - Exhibit D | 4 | EJCDC E-500 (2014) | |
| | NYS Wage Rates | varies | NYS Wage Rates | |
| | Federal Wage Rates | varies | Davis Bacon Wage Rates - Only required if other funding source requires | |
| | Davis Bacon 29 CFR 5.5 | 6 | Rural Development version - Only required if Federal Wage Rates have been included | |
| | Project Sign | 1 | Rural Development version | |
| | Notice to Proceed | 1 | EJCDC No. C-550 | |
| | Contractor's Application for Payment | 1-4 | EJCDC No. C-620 - Only cover sheet required, but entire document may be used | |
| | Contract Change Order | 1 | EJCDC No. C-941 | |
| | Certificate of Substantial Completion | 1 | EJCDC No. C-625 | |
| | Engineer's Certification of Final Plans and Specifications | 1 | RUS Bulletin 1780-26 (4/11/14) Exhibit J | |
| | Seismic Certification | 1 | RD Seismic Certification | |
| | Plans and Specifications | varies | Engineer Submittal | |
| 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. 123; 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/NY_WEP_Home.html | General Information | | |
| | http://www.rurdev.usda.gov/RDU_Bulletins_Water_and_Environmental.html | RUS Bulletin 1780-26 | | |
| | http://www.rurdev.usda.gov/NY_WEP_Engineering.html | Form RD 400-6, Form AD-1048, RD Instruction 1940-Q, Exhibit A-1 Seismic Certification, Project Sign, Bacon Davis 29 CFR 5.5 | | |



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?

