

APD ALERT



PROCEDURE FOR PRECONSTRUCTION CONFERENCE AGENDA

Purpose

This Alert establishes the procedures for conducting Preconstruction Conferences (Replaces FDSOP-05-001). This Alert will create a consistent approach for project start-up. The intent is to improve customer service and project communication within and outside the Business Service Centers.

Abbreviations

A-E	Architect-Engineer	EPM	Engineering Project Manager
BSC	Business Service Center	FD	Facilities Division
CC	Construction Contractor	LM	Location Monitor
CO	Contracting Officer	RPM	Research Program Manager
COR	Contracting Officer Representative	RPR	Research Program Representative
CIC	Construction Inspection Contractor		

Procedures

All construction projects will have a preconstruction conference and agenda. COs shall insert FAR Clause 52.236-26, Preconstruction Conference, into all construction solicitations. In accordance with Federal Acquisition Regulation (FAR) 36.212(c), the contracting officer shall:

1. Conduct the conference prior to the start of construction at the worksite;
2. Notify the successful offeror of the date, time, and location of the conference; and,
3. Inform the successful offeror of the proposed agenda and any need for attendance by subcontractors.

The CO and EPM will develop and coordinate the attached preconstruction conference agenda with RPM, RPR, LM, A-E, and CC. The attached preconstruction conference agenda must be edited for each project based on the contract requirements. Note that new minimum requirements for Accident Prevention Plan/Safety Plan, have been incorporated into Section 2.8.8 of the attached agenda.

Point of Contact

Acquisition Programs and Oversight Branch, E-mail at APOB@ars.usda.gov or phone at 301-504-1725.

2 Attachments

Issue Date: November 2012

APD Alert 2013-03

PRECONSTRUCTION CONFERENCE AGENDA

Contact No.:

Project Title:

Project Location:

NOTE TO THE CO AND EPM:

The Preconstruction Conference Agenda must be discussed and agreed upon by all interested parties (CO, EPM, RPR, LM, A-E, and CC) before finalizing the document and conducting the Preconstruction Conference. The Preconstruction Conference Agenda must be edited for each project specific. The CO will chair the conference or may delegate the chair to the EPM.

1. PURPOSE/OBJECTIVE

The purpose of this meeting is to establish lines of communications, authority, and responsibilities, clarify procedures to be followed during construction, and discuss items of mutual interest as required by the Contract Documents. Administration of the construction contract for this project will be performed by (insert A-E name) with USDA. The preconstruction conference will in no way change the contractor's responsibility to follow the requirements of the contract documents.

2. PRECONSTRUCTION MEETING AGENDA

2.1 Introductions and Sign In

2.2 Introductory Remarks, Project Acknowledgements, and Research Program Overview

2.3 Points of Contacts

2.3.1 Construction Contractor (CC):

(Insert Contact Information: Name, Telephone and E-mail Address)

2.3.2 Construction Management A-E and Construction Inspector (CM & CI)

(Insert Contact Information: Name, Telephone and E-mail Address)

2.3.3 Design Architect-Engineer Firm (A-E)

(Insert Contact Information: Name, Telephone and E-mail Address)

2.3.4 Contracting Officer (CO)

(Insert Contact Information: Name, Telephone and E-mail Address)

2.3.5 Contracting Officer's Representative (COR)

(Insert Contact Information: Name, Telephone and E-mail Address)

2.3.6 Engineering Project Manager (EPM)

(Insert Contact Information: Name, Telephone and E-mail Address)

2.3.7 Research Program Representative (RPR)

(Insert Contact Information: Name, Telephone and E-mail Address)

2.3.8 Location Monitor (LM)

(Insert Contact Information: Name, Telephone and E-mail Address)

2.3.9 Facility Engineer (FE)

(Insert Contact Information: Name, Telephone and E-mail Address)

2.4 Roles and Responsibilities

2.4.1 Construction Contractor (CC)

The CC shall furnish all labor, tools, materials, equipment, supplies transportation, and supervision for complete construction (*insert name of project*) in accordance with the plans, specifications, and all terms and conditions of Contract No. (*insert contract number*).

2.4.2 Construction Management (CM) A-E and Construction Inspector Contractor (CIC)

When construction inspection is required, the A-E shall provide a qualified inspector for proper control during all times of the construction-monitoring phase as specified in the A-E's contract, whether it be full-time or part-time. The inspector shall examine the construction to assure conformance to the design intent, perform quality assurance functions, witness tests and record results. The function of the inspector is to observe, record, maintain requisite

documentation, and refer actions to the A-E for interpretation of conformance to design intent and to the CO and COR for those items which require contract interpretation.

2.4.3 Design Architect-Engineer Firm (A-E) – Construction Phase

The A-E firm is the principal interpreter of the technical intent of the drawings. The A-E shall review and approve/disapprove shop drawings as meeting/not meeting the intent of the design, and provide recommendations for approval/disapproval for those items which require CO approval, and forwarding them to the CO and COR. The A-E shall monitor and inspect construction as specified in their Task Order/Contract to assure conformity with the requirements of the design. In the event any difference may arise between the A-E and the CC, the A-E shall immediately inform the CO and the COR providing details of pertinent facts and his/her recommendation of actions to be taken.

2.4.4 Contracting Officer (CO)

The CO is the legal Government representative to the Contractor. He/she is authorized to enter, administer, and terminate contracts on behalf of the Government. The CO is the only member of the Project Team with the authority to obligate Government funds or change the contract. The CO is responsible for ensuring that the contract performance complies with all contractual provisions, including, but not limited to, scope, budget, and schedule. The CO is responsible for ensuring adequate contract performance and contract management, overseeing and conduct negotiations, and other actions necessary to protect the Government's interests.

2.4.5 Contracting Officer's Representative (COR)

The assignment as COR is made at the beginning of the project by an official designation letter from the CO outlining the responsibilities, authority, and limitations. The COR is responsible for interpreting technical data in the A-E, construction, and CIC contracts. The COR is responsible for the review of progress and pay requests for these contracts and making acceptance/rejection recommendations to the CO. The COR may approve minor changes to the project that do not affect the program requirements, price, scope, and performance time of the contracts.

2.4.6 Engineering Project Manager (EPM)

The EPM will serve as the lead point of contact and shall disseminate information to the appropriate Project Team members for their action and involvement, and also to the contractors for day-to-day business, working within the terms of the contract. It is the responsibility of the EPM to see that all Project Team members are kept advised of the actions, plans, and

progress of the projects.

2.4.7 Research Program Representative (RPR)

The RPR serves as a resource to the Project Team, and is expected to notify the CO, the EPM, and the COR if he/she becomes aware of unusual or important circumstances pertinent to the construction project. The RPR has no responsibility for construction inspection or supervision.

2.4.8 Location Monitor (LM)

The LM is an ARS representative at the construction site and is formally designated by the CO. The LM serves as a point of contact for the A-E, CIC, or the CC to provide information regarding location rules and regulations.

2.4.9 Facility Engineer (FE)

The FE will provide assistance to the Project Team and is invited to participate in progress meetings, equipment testing, and final inspections. The FE may serve as the COR on some projects.

2.5 Team Remarks and Expectations

2.5.1 Project Overview: The RPR will provide research program overview, program objectives, and expectations.

2.5.2 Design Architect-Engineer: Design intent, design philosophy, and overall design overview.

2.5.3 A-E, Construction Phase: Project inspection, quality assurance, and commissioning.

2.5.4 Construction Contractor: Contract execution, construction methodology, and sequence.

2.6 Contact Requirements

2.6.1 Regular Work Hours: (*Insert times a.m. to p.m.*) Monday through Friday. The CC must notify the CO at least 7 calendar days prior to scheduling any work outside regular work hours.

2.6.2 Severe Weather (*CO/EPM must edit as per location specific or delete the paragraph*)

2.6.3 Contract Performance Period: In accordance with the contract terms, this contract shall be completed with (*insert number*) calendar days after the Notice to Proceed.

- 2.6.4 Interruption to Government operation/Construction schedule.
- 2.7 Notice to Proceed (NTP) will be issued after receipt and approval of:
 - 2.7.1 Performance and Payment Bonds
 - 2.7.2 Insurance Certificates: The CC must maintain the following insurance coverage as a minimum (*insert dollar amount*).
 - 2.7.3 Comprehensive General Liability: \$500,000 per occurrence
 - 2.7.4 Automobile liability: \$200,000 per person, \$500,000 per occurrence for bodily injury, \$20,000 per occurrence for property damage.
 - 2.7.5 Worker compensation in the amount required by Federal and State workers compensation and occupational disease laws.
 - 2.7.6 Employer's liability coverage of \$100,000.
 - 2.7.8 Statement and Acknowledgement (Form 1413) from each subcontractor.
 - 2.7.9 Notice to Proceed Date
 - 2.7.10 Groundbreaking Ceremony (If applicable)
 - 2.7.11 Completion Date
- 2.8 On-Site Construction Start: Prior to construction start, the following submittals must be submitted to the CO for approval:
 - 2.8.1 Quality Control Plan, Section (*Insert specification section*)
 - 2.8.2 Have a meeting on Quality Control mutual understanding, Section (*Insert specification section*)
 - 2.8.3 Obtain digging permit
 - 2.8.4 Environmental Protection Plan, Section (*Insert specification section*)
 - 2.8.5 The Preliminary Network Analysis must be reviewed and approved.
 - 2.8.6 Submit resumes for key personnel to the CO for approval: Project Manager, Superintendent, Quality Control Manager, Scheduler, Safety Officer, etc. (*review the contract document for key personnel requirements.*)

- 2.8.7 Construction site plan showing construction trailer location, staging area and other major construction site components
- 2.8.8 Accident Prevention Plan/Safety Plan, Section (*Insert specification section*)

The safety plan, the use of proper contractor-furnished equipment, and further assurance of the contractor's qualifications shall be discussed. In addition, the contractor shall be reminded that periodic inspections of the work site will be conducted by ARS personnel. Discussions shall be thorough enough during the preconstruction meetings to ensure the construction contractor understands occupant emergency plans, hazard communications for chemicals in the workplace, and any potential job specific hazards.

- 2.8.9 Waste Management Plan, Section (*Insert specification section*)
- 2.8.10 Storm Water Management and Sediment Control Permits, Section (*Insert specification section*)
- 2.8.11 The CC shall provide to the CO a list of contract personnel of the general and subcontractors, who will be emergency contacts, including address, and telephone number for use in an emergency. As changes occur and additional information becomes available, the CC shall update the list.

2.9 Contract Administration

- 2.9.1 The CO has the overall contract administration responsibility regarding contractual matters. During his/her absence, this responsibility will be delegated to personnel designated to act in his/her capacity.
- 2.9.2 Correspondence relative to the interpretation of the contract documents shall be addressed to the CO with copies to the EPM, COR, and the A-E. All questions pertaining to payrolls, labor provisions, bonds, etc., shall be sent to the CO. (Sample list attached)
- 2.9.3 Superintendent: Adequate full-time supervision of the contractor's employees and subcontractors is required at all times. The Government will not take the responsibility of acting for the prime contractor's superintendent.
- 2.9.4 Housekeeping: During construction, the contractor shall dispose of the resultant dirt and debris each workday and keep the premises clean. Dust control measures will be enforced.
- 2.9.5 Utilities: The contractor shall provide all temporary utilities required for construction and until beneficial occupancy or Government acceptance of the facility. If it is agreeable with the LM and the COR, the contractor may use location utilities; however, the contractor shall be responsible for connection and

disconnection expenses. Contractor shall coordinate through the LM and give 2 weeks notice.

- 2.9.6 Toilet Facilities: The contractor shall provide toilet facilities for all its employees including subcontractors. Toilet facilities shall comply with State and local regulations and shall be maintained in neat sanitary condition. The location of such accommodations will be subject to the LM approval.
- 2.9.7 Responsibility of Subcontractors: The prime contractor is responsible for all actions of its subcontractors. The Government has no contractual relationship with subcontractors or suppliers.
- 2.9.8 Record and Shop Drawings: The contractor shall keep updated record drawings and specifications on site at all times. The contractor also shall keep all approved shop drawings and submittals on site at all times.
- 2.9.9 Liquidated Damages: Refer to Section (*insert contract section*) of the contract, \$ (*insert dollar amount*) per each calendar day.
- 2.9.10 Delays: Any requests for time extensions shall be accompanied by an explanation with supporting proof. The contractor is expected to complete the project for acceptance and occupancy within the contract period. We emphasize the importance completely documenting and notifying the CO of any cause for delay, before the delay actually occurs.
- 2.9.11 Project Sign and Construction Office Trailer or Building: The contractor shall coordinate sign locations with the LM. The construction office should be located as conveniently as possible, yet not interfering with the work progress. A project sign is not a contract requirement and, if agreed to, shall be at the contractor's expense.
- 2.9.12 Construction Entrance and Staging Area: The contractor shall coordinate construction entrance and staging area locations with the LM. The construction entrance shall be constructed as per local/State codes and standards.
- 2.9.13 Request for Information Process (RFI): All RFIs will be numbered sequentially and submitted to the A-E with copies to the CO, EPM, and COR. Verbal communications for technical clarifications and field directions may be referred directly to the CI and the COR. Discrepancies not readily resolved shall be referred to the CO, EPM, and COR. Only the CO can make changes to the contract amount, period of performance, and specifications.
- 2.9.14 Field Conditions – Changes
- 2.9.14.1 Minor: The COR is authorized to make minor changes to meet field conditions not involving price, scope, performance period, or

other contract terms. The CO shall be promptly notified if an emergency occurs.

2.9.14.2 Major: Major changes, which affect the contract price, terms, conditions, specifications, or performance period must be approved by the CO and documented by change order signed by the CO.

2.9.15 Access to the Site: Government engineers and contracting personnel shall be allowed access to the project site at all times while work is in progress. Others may visit the site only with permission of the COR or LM. The CO, COR, or LM shall be informed of all suspected unauthorized individuals or other suspicious activity.

2.9.16 Equal Employment Opportunity (EEO) requirements and posters shall be permanently displayed on the job site for the duration of the project.

2.9.17 Payrolls: It is the responsibility of the prime contractor to review contractor and subcontractor's payrolls to ensure that they are properly prepared. Payrolls are due weekly to the CI/A-E. Final payment will not be made until all payrolls have been submitted. The CI/A-E will perform a cursory review of payroll compliance with the Department of Labor (DOL) Wage Determination on a monthly basis. The CI/A-E will forward the reviewed payroll and associated documentation with recommendation to the CO for final approving and processing.

NOTE TO THE CO AND EPM:

Payment Procedures: The CO and EPM must discuss the Schedule of Values. The Schedule of Values will subdivide the contract effort into defined phases or area of building, specification section, materials, equipment, labor, bond, and general condition items. The Schedule of Values may use ARS Form 371/372, the AIA Document G702/G703, based on cost loaded Network Analysis Schedule (NAS). Information will come from the Contractor's Schedule of Values. Subdivisions shall be mutually agreeable to by the CO and the A-E firm.

2.10 Application for Payment Procedures (Note: Timeframes may be adjusted upon mutual agreement of the parties.)

2.10.1 The contractor shall complete and sign the Contractor's Request for Payment Transmittal ARS Form 371 or Application and Certificate for Payment AIA Document G702, along with Schedule of Values identifying the work Accomplished to date using the ARS Form 372, AIA Document G703, or a Cost loaded Network Analysis Schedule in sufficient detail to allow ease of verification.

2.10.2 A “draft” copy and backup will be prepared for A-E review on the first of the month.

2.10.3 The A-E shall review all requests for payment by the CC.

2.10.4 Upon review and agreement of the facts, a final application will be typed, including adjustments and signed by the contractor. Final application shall be submitted within three (3) calendar days after the draft is approved. The subcontractors’ and suppliers’ applications will be attached.

2.10.5 The A-E shall review the CC’s certified payroll, and assure compliance with all wage and labor requirements. The A-E shall immediately notify the CC and the CO through the EPM of delinquent payrolls or errors and omissions found during review.

2.10.6 The A-E will submit an approval recommendation within three (3) workdays and forward to the CO with copy concurrently to the COR.

2.10.7 The COR will review and recommend approval/disapproval and submits to the CO for approval.

2.10.8 The CO is responsible for approval and processing payment requests.

2.10.9 The Government will make payment to the contractor on a schedule consistent with the Prompt Payment Act. Payments will be made by the Electronic Funds Transfer (EFT) procedure. Upon award, the contractor shall contact the Miscellaneous Payment Section at the National Finance Center (NFC) to initiate the enrollment process of the Vendor Express Program (VEP). The VEP will assign a number to the contractor for payment under the EFT. NFC can be reached at 1-800-421-0323.

2.10.10 Final Payment

2.10.10.1 The final payment request shall be accompanied by the Final Release Form which shall contain the contractor’s corporate seal. A corporate officer shall sign the release and be certified by a corporate secretary.

2.10.10.2 Release of Claims – Before final payment, the contractor must release the Government from claims. This release states:

“For and in consideration of the receipt of final payment in the amount of *(Insert dollar amount)* under and pursuant to Contract No. *(Insert number)*, the undersigned hereby releases the Government from any and all obligations whatsoever arising under said Contract.

Signature

Date

2.10.10.3 Withholding Payments:

2.10.10.3.1 Contractor will not request any payment for work not in compliance with contract documents.

2.10.10.3.2 The Government may withhold payment if work is not in compliance with contract documents, Federal or State Laws/Regulations, or has reason to believe that the balance of the work will not be completed within the contract time.

2.10.11 Payment for Stored Material and Equipment

2.10.11.1 The CO must approve payment for material and equipment stored off-site in advance. The CO will require certificates of property insurance or require items to be stored in a bonded or insured warehouse. If the CO approves requests; amount may be included in the Application for Payment.

Whoever issued the document copies all relevant parties

	Soltek Pacific Mike Thalken	Ratcliff Gary Jereczek Bruce Berg	UC DAVIS Joel Swift	USDA ARS Ken Cook	USDA ARS Scott Sentz	USDA WHNRC Dr. Nancy Keim	USDA ARS PWA Wilfred Mah
Types of Correspondence							
RFI's	w/cc to Ron Hicks	X		S-P send Q. Ratcliff send answer	X		
General Correspondence	X	X		X	X		
BULLETINS Proposal Requests	X	Issue		X	X		
Ratcliff D. Reports				X			
Solteck QC Reports (daily)		Bruce		X			
CA Meeting Minutes (monthly) Forward to all participants	X	X	X	X	X	X	X
QC Meeting Minutes	Issue	X		X	X		
Invoice w/ Photos (monthly)		X		X	X	X	
Schedule Updates (monthly)	Issue	Gary Bruce		X	X		
Action Items (Non-Conformance)	X	Issue		X	X		
Modifications (Change Orders)	X	X	X	Issue	Issue	X	X
PCO's	Issue	X		X	X		
Submittals							
SD-01 - Administrative		3	2	1	1	T	
SD-02 - Shop Drawings		8	T	T	T	T	
SD-03 - Product Data		8	T	T	T	T	
SD-04 - Product Samples		1	T	T	T	T	

SD-05 - Structural Calculations		8	T	T	T	T	
SD-06 - Test Reports		8	T	T	T	T	
SD-07 - Certifications		8	T	T	T	T	
SD-08 - Mfg's Instructions		8	T	T	T	T	
SD-09 - Mfg's Field Reports		8	T	T	T	T	
SD-10 - O & M Manuals		3	T ⁽³⁾	T	T	T	
SD-11 - Close Out		8	T	T	T	T	
(3) - Submit one copy of items required by Section 01770 - 1.1 This includes O & M Data equipment/product warranty list, as-built drawings, record of materials, utility as-built drawings, equipment/product warranty tag, monthly project waste summary report, hazardous material reporting, Certification of EPA designated items.							

For more details, see pages 2-5 Submittal Procedures-01330.

SD-01	Preconstruction Submittals	
SD-02	Shop Drawings	Drawings, diagrams & Schedules
SD-03	Product Data	Catalog cuts, Illustrations, schedules, diagrams, performance charts, instructions and brochures
SD-04	Samples	physical samples of maerial, equipment or workmanship. Color samples, field samples and mock-ups
SD-05	Design Data	calculations, mix designs, analyses or other data
SD-06	Test Reports	report signed by authorized official of testing lab that a material, product or system identical to that installed on site has been tested. Investigation reports.
SD-07	Certificates	statements signed by responsible official attesting that product or system meets specs
SD-08	Manufacturers Instructions	Preprinted instructions describing installation incl MSDS
SD-09	Manufacturers Field Reports	documentation of the testing and verification actions taken by manufacturer's rep to confirm compliance w mfg spec.
SD-10	O & M Manuals	
SD-11	Closeout Submittals	documentation to record compliance w technical or administrative requirements or to establish an administrative mechanism. Such as as-builts, special warranties, operating instructions and training.

