

SECTION 6

PREREQUISITES TO PROJECT CONSTRUCTION

6-1. General.

This chapter covers the functions of the resident office on construction projects that generally occur prior to the contractors notice to proceed (NTP).

6-2. Biddability, Constructibility, and Operability (BCO).

a. General. The BCO review, governed by ER 415-1-11, should occur twice. The first review occurs when the design is 35 percent complete, a point at which it is sufficiently complete for substantive comment, and the final review occurs at least 30 days prior to advertising, following final design completion. The BCO reviews serve to reduce costly, time consuming modifications. The resident engineer and/or staff personnel, who have extensive knowledge of the construction market place and experience in construction control, supervision, and management, should make the initial review of the plans and specifications, especially to incorporate past "lessons learned." An adequate number of copies of the plans and specifications are furnished for all reviewers to work simultaneously. Reviewers should be advised of the actions taken on their comments. The district chiefs of construction and engineering will certify in writing that all appropriate BCO review comments have been incorporated in the proposed solicitation document in accordance with ER 415-1-11.

b. First Review. The resident engineer and his office staff must assure that the contract documents include the following:

(a) Accurate depiction of site conditions and restrictions such as access, utility availability, drainage, storage, existing underground utilities, and general layout.

(2) Adaptation of design structures and features to site conditions and constraints.

(3) The RE should coordinate with the DEH and verify that appropriate comments have been forwarded to the project manager.

c. Final review. The final review assures that an accurate incorporation of all previous review comments has been made to the final drawings and specifications.

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In addition, design features included since the first review are checked for comments against the items in paragraph b above, and examined for coordination with the entire design. It is this review that preempts early modifications to the contract. The following items should be considered in the final review:

(1) Appropriateness of contract sequencing and relationship to other work, contract performance time, CQC, submittal requirements and network analysis system (NAS) provisions for the specific project in accordance with ER 1180-1-6 (Construction Quality Management), ER 1-1-11 (Network Analysis System), and ER 415-1-10 (Contractor Submittal Procedures).

(2) Adequacy of space and access for all site contractors and Government operations as well as provisions for coordination to preclude onsite operational conflicts.

(3) Coverage, clarity, and consistency of specifications.

(4) Clarity, simplicity, and essentiality of items on the bid schedule.

(5) Availability of local and special materials and labor skills.

(6) Special project configurations, design features, equipment phasing, and long lead requirements.

(7) Comparative economy of selected materials and structural systems to others available in the area.

(8) Inclusion of all bench marks and baselines.

(9) Adequacy of O&M manuals, training procedures, and warranty clauses.

6-3. Considerations prior to Award.

a. Contractor coordination meetings. Provisions for coordination of work schedules may be included in contracts where existing facilities will be enlarged, where construction is complex, or where work areas overlap. A weekly or biweekly written work schedule, along with frequent coordinating meetings with all affected parties, are helpful management tools.

The resident engineer, in analyzing plans and specifications prior to construction, may request the inclusion of a written work schedule in certain contracts.

b. Prospective bidders/proposers. Visits by prospective bidders/proposers are encouraged by solicitation documents on every construction project. In these documents a contact point is given either in engineering division or at the resident office as a means for the interested contractors to make an appointment to visit the site. The resident engineer typically provides a knowledgeable representative to conduct the visits. The representative assures that all visitors get the same information and that the technical point of contact given in the solicitation document is advised of any special information provided during the meeting. It is the responsibility of the contractor to visit the site if there are questions regarding existing conditions. All solicitations are normally prefaced by the statement that it is the bidders responsibility to verify all conditions, as provided in the solicitation documents. Questions regarding the interpretation of drawings and specifications, the request for proposal, or the invitation for bids, must be requested in writing. The district must then allow sufficient time for a reply to reach all bidders/proposers.

6-4. Award, Notice to Proceed, and Commencement of Work.

a. Contract award. The contract documents are prepared in the district and mailed or delivered directly to the contractor. An authenticated copy of the contract is furnished to the resident engineer, who then issues a letter to the contractor providing guidance on contract and administrative items such as arrangements for the preconstruction conference, material submittals, safety, CQC, payrolls, shop drawings, or correspondence. At this time the RE should verify that the site of work is ready for construction to start.

b. Notice to proceed.

(1) The contracting officer issues the NTP, with a copy to the resident engineer, after receiving the properly executed documents from the successful bidder. Most often, the NTP will be delivered by certified mail, return receipt requested. The day following acknowledgment of receipt of the NTP by the contractor is considered the first day of the contract.

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(2) Normally the contract provides for completion within a given number of calendar days after NTP. In some cases, the contract establishes a firm completion date with a provision that if the NTP is received after a certain date, the completion date will be adjusted. In these cases, adjustment of the completion date is spelled out in the contract in such a way that it is automatically established and does not require a contract modification.

c. Commencement of work. After the contractor acknowledges receipt of the NTP, the contract generally requires work to commence within a minimum number of days as required in FAR clause 52.212-3. For the record, the resident engineer informs the district, in writing, of the date on which the contractor begins work at the jobsite. Should the contractor fail to commence the work, as provided for in the contract, the resident engineer immediately files a report giving all essential facts to the contracting officer.

6-5. Preconstruction Conference.

a. General. After the contract is awarded, but before physical work begins the resident engineer arranges a conference to include the contractor, the resident office, the district office, and the using service, when appropriate. At this conference, the contractor will be oriented on Government procedures, contractual lines of authority, and administrative and construction matters. If the magnitude of the project demands, the preconstruction conference will be held in two parts for the convenience of the personnel involved. The first conference will cover district and user functions and the second will cover local administrative features between the resident engineer office and the contractor's local office.

b. Agenda. The agenda of this meeting covers introduction, safety, design briefings (if required), user coordination, labor relations, defense materials system, environmental protection, administrative and technical requirements, Government and contractor organizations, critical items, and problem areas. An attendance sheet and a detailed suggested agenda are shown in appendix B, sections I and II. Safety, and environmental protection plans are sometimes discussed at meetings separate from the preconstruction conference, if warranted. The CQC system should be discussed at a separate meeting with the contractor based on a set agenda.

c. Minutes. Detailed minutes of the meeting are prepared promptly to include all items discussed at the conference, but a verbatim report is not necessary. A sample of typical preconstruction conference minutes is shown in Appendix B, section III. The original minutes are forwarded to the contractor for review and formal written concurrence is requested typically within 5 days (there is no contract requirement for the contractor to respond). The final minutes of the preconstruction conference endorsed by both the resident engineer and the contractor are sent to the district with a courtesy copy to the contractor.

6-6. Federal, State, and Local Regulations.

a. The resident engineer is aware of using service, Federal, state, and local regulations required under the terms of the contract. These regulations are enforced by the resident office staff and must be obeyed by all contractor personnel over which the resident office has jurisdiction.

b. The contractor is responsible for conforming to all state and local laws and Federal regulations under the terms of the contract. Features of work typically requiring state and/or local permits are handling and storing of explosives, operating cranes near power lines and railroad tracks, and operating steam boilers, mines, quarries, and labor camps. In addition, permits are frequently required for overweight loading of trucks and temporary access to state and local roads. The contractor is responsible for securing the permit and for protecting all roadways, structures, utilities, and vegetation. Damage to Government or other property by the contractor is repaired by, or at the expense of, the contractor. The resident engineer keeps an accurate record of all damages. Emphasis should be placed on cooperation with state and local authorities.