



United States Department of Agriculture

COR Webinar Series

Part III

Administration of a Construction Contract – Starting on the Right Foot

- Pre-Construction Conference
- Schedules
- Safety

Instructors: Crystal Blackburn & Dennis Clute

Participants will learn

- Preconstruction conference objectives
- Who attends the preconstruction conference
- Items that should be discussed at the preconstruction conference
- How to create a construction schedule
- How to use the schedule to track construction progress
- Responsibilities of both the contractor and NRCS related to safety on a construction site



United States Department of Agriculture

Preconstruction Conference



Preconstruction Conference References

- FAR 52.236-26 - Preconstruction Conference
- Informational Guidance Document (IG 4I-36.212)



Preconstruction conference discussion items

- Purpose
- Conference attendees
- Roles and responsibilities at the meeting
- Meeting agenda
- Specific items for discussion
- Documentation

Purpose of preconstruction conference



- Get acquainted
- Establish lines of communication
- Discuss the contract requirements

Conference attendees

Contractor

- Owner
- Project manager
- Superintendent
- Quality control manager
- Subcontractors
- Material suppliers

NRCS

- Contracting Officer (CO)
- Contracting Officer's Representative (COR)
- Inspector
- District Conservationist (DC)
- Sponsors/Partner(s)

Roles and responsibilities at the meeting

- CO typically chairs the meeting and covers contract administration items
- COR covers the items of work
- Inspector participates in discussion of items of work and may record meeting minutes
- Contractor's personnel, subcontractors, and suppliers discuss operational plans safety plan, and seek clarification on items as needed
- Sponsors/partners and the DC are available to answer questions, but are generally not assigned a part on the agenda

Meeting agenda

- Authority
- Construction Safety
- Roles and responsibilities
 - Contractor personnel
 - NRCS personnel
- Contract clauses pertaining to construction
- Contract requirements



Commencement of work

- Work may only commence after notice to proceed (NTP)
- NTP sets performance time start and end date
- Items required prior to issuance of NTP
 - Performance and payment bonds
 - Insurance certificates (if required)
 - Statement and Acknowledgement (SF 1413) for each subcontractor
 - Construction progress schedule (within 5 days after work commences)
 - Appointment of superintendent
 - Safety program





Contract administration

- Liquidated damages
- Work week
- Daily hours of work
- Requests to work outside stated dates/times
- Suspension of work/weather
- Seasonal shutdown (if any)
- Modification process and approval authority

Pay estimates and invoicing

- Payment for bonds
- Requirement for payrolls
- Unit quantities
- Lump sum items
- Contractor's measurements for progress payments
- Who to invoice
- How to invoice

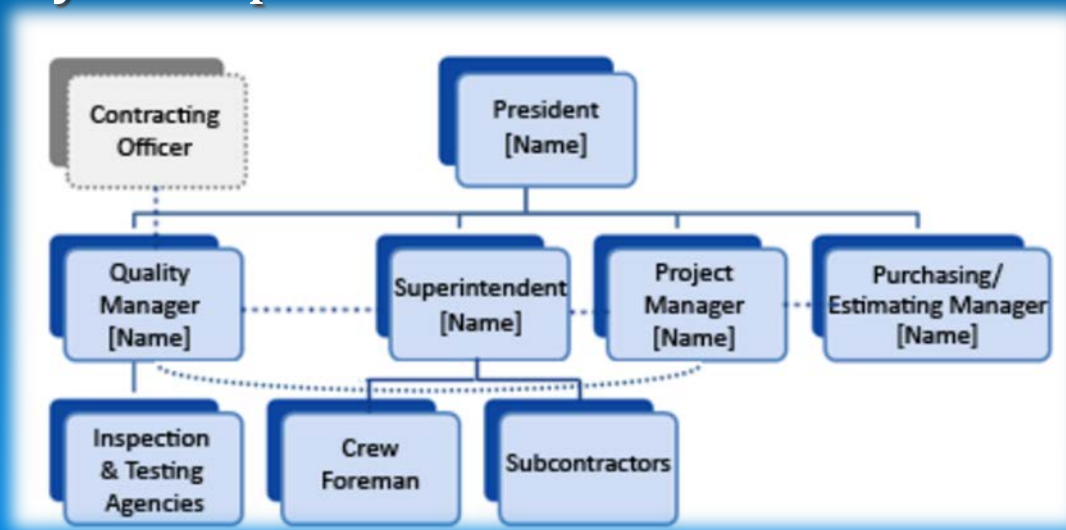


Compliance with labor laws

- Davis-Bacon poster (WH-1321)
 - Must include the CO's name, address, and telephone number to inform workers to whom they may submit complaints or raise questions concerning labor standards
 - Must post the wage determination(s) stated in the contract
- Contract Work Hours and Safety Standards
- Copeland Act

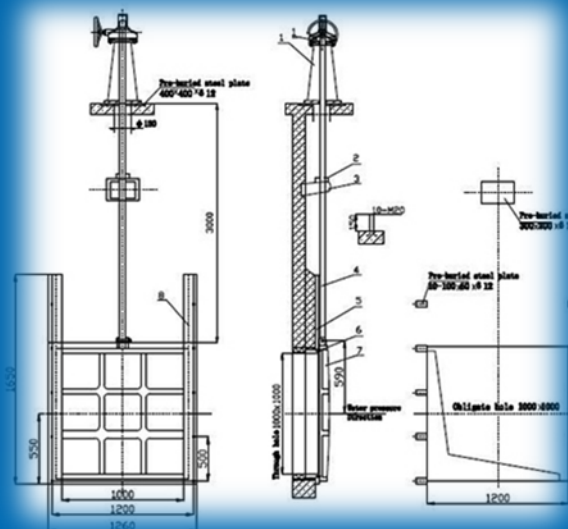
Quality control and assurance

- Contractor quality control and NRCS quality assurance
 - Contract requirements
 - Field tests
 - Authority of assigned personnel
 - Intensity of inspection



Materials imported to site

- Source
- Quality
 - Manufacturer's test results
 - Waivers
 - Shop drawings
 - Record drawings
 - Submittals
 - Approvals
 - Estimated time for NRCS material approval/disapproval



Construction layout

- Responsibilities
- Staking and marking
- Baselines and benchmarks
- Quantity survey responsibilities
 - Initial
 - Final
 - Interim



Items of construction

- Utilities
- Pollution control
- Drawings and specifications
- Quantity variations
- Dewatering and control of water
- Clearing and earthwork
- Borrow and waste areas
- Over-excavation



Concrete

- Supplier
- Specification
 - Job mix, strength requirements, air content, slump, etc.
 - Installation
 - Form removal, curing, and concrete repair
- Required NRCS engineer approvals
 - Mix
 - Subgrade
 - Reinforcing steel
 - Forms and placement plan
 - Coatings
 - Repair plan
 - Other



Contract completion

- Final cleanup
- Acceptance of work
 - Check-prior-to-final inspection
 - Final inspection



Prior to concluding the meeting

- Ask all attendees if there are any issues they would like to address



Detailed minutes of the conference

- Minutes should be taken by someone other than the person chairing the meeting
 - Experienced NRCS inspectors generally take good minutes
- Distribute minutes to the contractor and other attendees
- Minutes are filed with other contract documentation



End preconstruction conference



Construction Schedule

Schedule references

- FAR 52.236-15 - Schedules for Construction Contracts



Construction schedule

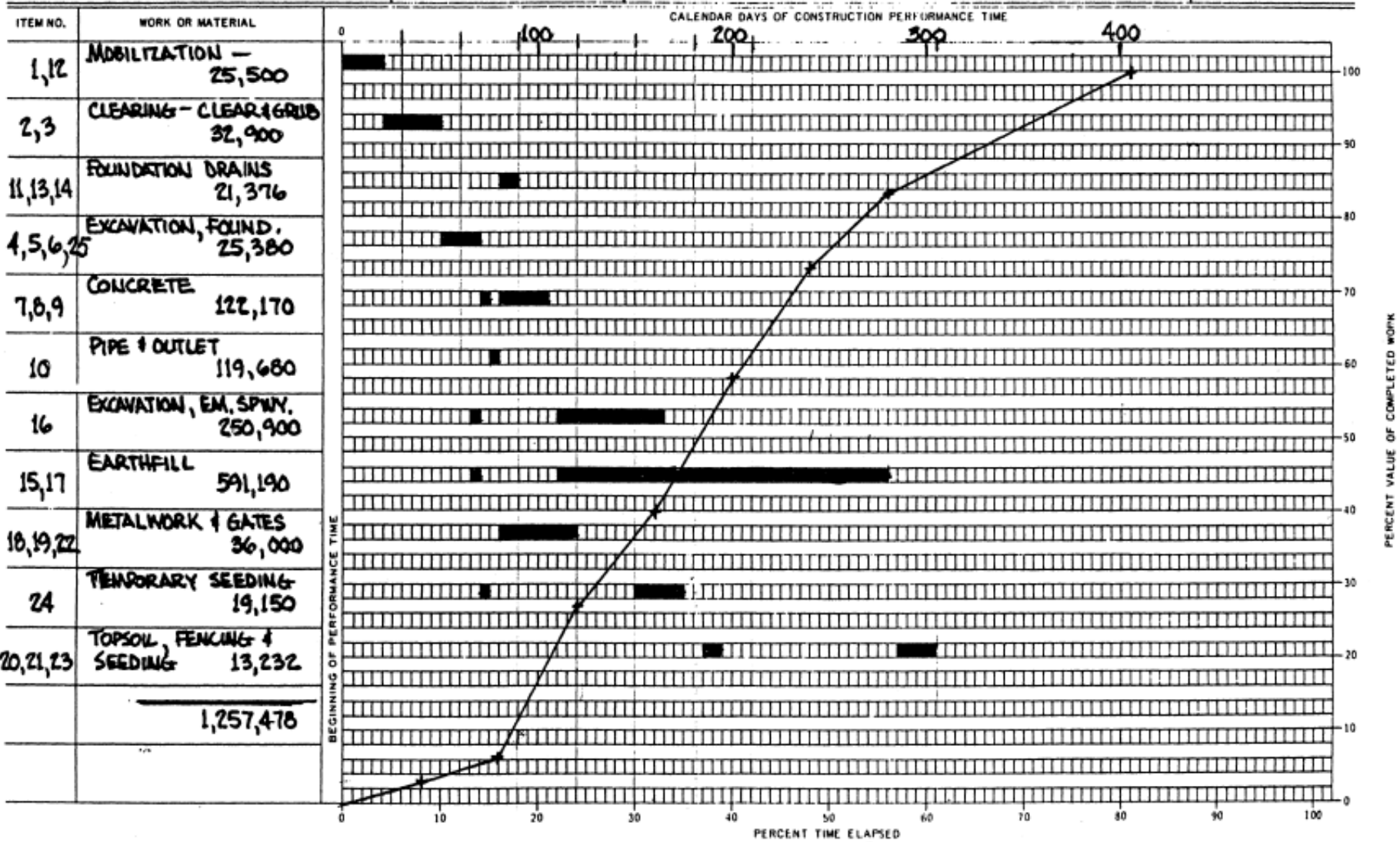
- The schedule must:
 - Be made by the contractor
 - Be practicable
 - Show the order in which the Contractor proposes to perform the work
 - Show the dates on which the Contractor contemplates starting and completing the several salient features of the work including acquiring materials, plan, and equipment

Progress chart

- The schedule must be in the form of a progress chart of suitable scale to indicate appropriately the percentage of work scheduled for completion by any given date during the performance period

SCHEDULE OF OPERATIONS FOR CONSTRUCTION

Project **SOUTH FOURCHE # 3** State **ARKANSAS** Contractor _____ Invitation of Contract No. _____



SUBMITTED _____
Contractor

BY _____ DATE _____

TITLE _____

EACH HORIZONTAL INTERVAL EQUALS 5 CALENDAR DAYS OF CONSTRUCTION PERFORMANCE TIME

APPROVED _____
Contracting Officer Date

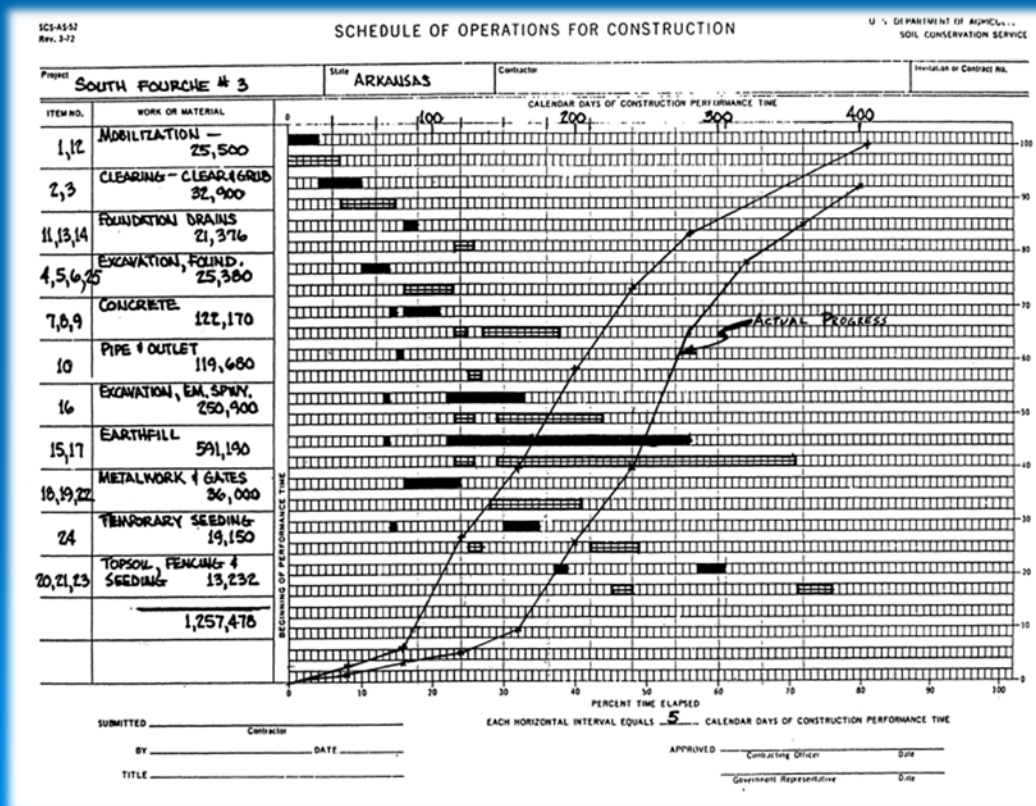
Government Representative Date

Submittal requirements

- Submit three copies of the schedule to the CO within
 - Within five days after the work commences or
 - Another period of time determined by the CO
- If the Contractor fails to submit a schedule within the time prescribed, the CO may withhold approval of progress payments until the Contractor submits the required schedule

As the work progresses

- The contractor must
 - Enter the actual progress on the schedule
 - Immediately deliver three copies of the annotated schedule to the CO



Poor progress

- CO may require Contractor to
 - Take steps necessary to improve progress without additional cost to the Government
 - Increase the number of shifts
 - Increase overtime operations
 - Increase days of work
 - Increase amount of construction plant
 - Submit for approval a supplementary schedule or schedules to demonstrate how the approved rate of progress will be regained

Termination for default

- CO may determine that the Contractor is not prosecuting the work with sufficient diligence to ensure completion within the time specified in the contract
- Upon making this determination, the CO may terminate the Contractor's right to proceed with the work, or any separable part of it, in accordance with the default terms of the contract



End construction schedule

Construction Safety



Safety references

- FAR 52.236-13 - Accident Prevention
- NEH 645, Chapter 4 – Construction Safety and Health
- NEH 645, Appendix A – Inspection Checklists
 - NEH 645 CL 4.1 - Construction Safety Checklist
- NEH 645, Appendix F – NRCS Supplement to OSHA Parts 1910 and 1926



NRCS construction contracts include

- FAR 52.23613 – Accident Prevention
- NRCS Supplement to OSHA Parts 1910 and 1926

**Contractor must insert these
into all subcontracts**

Before commencing work, the Contractor must

- Submit a written proposed plan for implementing the Accident Prevention clause
 - The plan must include an analysis of the significant hazards to life, limb, and property inherent in contract work performance and a plan for controlling these hazards
- Meet with representatives of the CO to discuss and develop a mutual understanding relative to administration of the overall safety program.



Contractor must

- Comply with OSHA 1910 and 1926 and the NRCS Supplement to OSHA 1910 and 1926
- Provide and maintain work environments and procedures which will:
 - Safeguard the public and Government personnel, property, materials, supplies, and equipment
 - Avoid interruptions of Government operations and delays in project completion dates
 - Control costs in the performance of this contract.
- Provide appropriate safety barricades, signs, and signal lights

Contractor must

Ensure that any additional safety measures the CO determines to be reasonably necessary are taken

- This includes requirements in the NRCS Supplement to OSHA Parts 1910 and 1926
- Additional requirements may be needed
- Emphasis on specific items of concern may be needed



Noncompliance

- Whenever the CO becomes aware of any noncompliance with these requirements or any condition which poses a serious or imminent danger to the health or safety of the public or Government personnel, the CO will notify the Contractor orally, with written confirmation, and request immediate initiation of corrective action
- This notice, when delivered to the Contractor or the Contractor's representative at the work site, shall be deemed sufficient notice of noncompliance and that corrective action is required. After receiving the notice, the Contractor must immediately take corrective action

Contractor's failure to act

- If the Contractor fails or refuses to promptly take corrective action, the CO may issue an order stopping all or part of the work until satisfactory corrective action has been taken
- The Contractor is not entitled to any time or money for a safety related stop work order



NRCS Supplement to OSHA Parts 1910 and 1926

- Appendix F of NEH 645
- Included in all NRCS construction contracts
- Recommended that it is included in CLO contracts
- Emphasizes specific OSHA requirements
- Adds requirements (e.g. hardhats must be worn on site at all times during construction)

Thank You for Attending COR Webinar Series Part III

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➤ Pre-Construction Conference

➤ Schedules

➤ Safety

Contact Information

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[COR Webinar Series Handouts](#)

(Employee Intranet)