

## ***Guidance for Facilitating a Pre-Construction Meeting State Revolving Fund***



### **Roles and responsibilities**

- The owner is responsible for the design, construction, operation and maintenance of the facility or system which will comply with all applicable statutory and regulatory requirements.
- The owner is responsible for SRF program loan and conditions requirements stated in the State of Colorado Specifications for SRF Loan Projects.
- The owner can delegate reporting and/or duties to consulting engineer, general contractor, and/or sub-contractor resulting in shared responsibility.
- State responsibilities
  - Reviews pay requests.
  - Transmit change orders for technical review.
  - Monitors SRF program requirements:
    - Davis Bacon.
    - American Iron and Steel.
    - Disadvantage Business Enterprise.
    - Environmental changes.
    - Sign requirements.
  - Conducts final inspection.
- Local regulations
  - Resident notification.
  - Hours of construction.
  - Parking and storage of materials.
  - Access to site.
  - Excessive noise.
  - Pollution control.
  - Burning.
  - Dust.
  - Medical assistance.
  - Regular safety meetings to meet OSHA requirements.
  - Fire and police protection.

### **Loan conditions**

- TMF resolution (DWRF Only).
- Sewer use ordinance (recommend draft be submitted prior to receipt of 50% loan

payment). Should be adopted by 95% completion of construction.

- O&M reserve.
- O&M manual.
- Plan of operation.
- Other conditions as determined by program.

### **SRF program requirements**

#### Davis-Bacon

- On site interviews.
- Certified payrolls.
- Davis Bacon certification.
- Posters with wage determination on site.
- Wage classification.
  - Proof of back pay.
- Request for Authorization of Additional Classification & Rate

#### Disadvantaged Business Enterprise (DBE)

- DBE Certification Form.
- DBE Program Subcontractor Performance Form.
- DBE Program Subcontractor Utilization Form.
- Document six good faith efforts.

#### American Iron and Steel

- Step certification process.
- Certification and tracking.
- Waivers.

#### Safety OSHA

#### Civil Rights

#### Aliens

#### Archeological findings

#### Environmental changes

#### Equal Employment Opportunity Requirements

- Department of Labor receives notification from contractor.
- Contractor will submit labor utilization forms as required by the Department of Labor.
- Contractor will display EEO poster.

### **Change order procedure**

- State approval for eligibility is required.
- Changes to the scope of work or changes requiring additional loan funds require prior written state approval.
- An adequate breakdown, including overhead and profit and documentation, including evidence of negotiation in writing between owner and contractor should be submitted with change order.
- The State shall be kept informed of disputes or unresolved change orders.
- The State shall approve time extensions to assure eligibility of applicable costs.

### **Progress payments**

Pay request and processing procedures:

- Pay requisitions are e-mailed to [cdphe\\_grantsandloans@state.co.us](mailto:cdphe_grantsandloans@state.co.us) and the project manager on a monthly basis.
- Disbursement of loan payments from the state shall be completed within 7-10 days of request.

Final Pay Request:

- Final requisition can be approved after a final inspection is conducted and project files are collected including project closeout documents.

### **Inspection and project closeout**

- The state shall conduct a final construction inspection upon notification of completion from the owner.
- When construction is approximately 90% completed, the project manager will request a 30-day notice of substantial completion from the owner. The owner is responsible for submitting the following documentation before final payment is released:
  - 30-day notice substantial completion
  - CDPHE Construction Application
  - Resolution from owner to contractor accepting construction.
  - 30-day legal notice regarding contractor's final payment
  - Final project budget summary

The complete project files must be submitted to the project manager in addition to a final inspection performed by the division engineer and project manager before final payment is processed.