

## **Clean Water Construction Funding Requirements for Contracting Officers, Bidders, Prime Contractors Subcontractors, and Subgrantees**

### **What document must be included in each contract solicitation:**

- *Federal Requirements and Contract Provisions for Work Under the Federal Water Pollution Control act, As Amended (Federal Insert)*

### **The requirements of the Federal Insert apply to contracting Officers, Bidders, Prime Contractors, Subcontractors, and Subgrantees. These requirements are summarized below:**

#### **What must be submitted with the Bid/Application?**

- *Certification Regarding Lobbying* form (no EPA form number)

#### **What special requirements must contractor/subgrantee adhere to when subcontracting and purchasing materials and supplies?**

- The Bidder/Prime Contractor/Grant Applicant MUST document that it has performed outreach to Disadvantaged Business Enterprises (DBE) for procurement of construction, equipment, services and supplies. Documentation of DBE outreach efforts can consist of a phone log, emails, and internet postings.
- Whenever possible, solicitations for bids must remain open for at least 30 days.

#### **What documents must be submitted during the project?**

- Proof of 100% Performance Bond and Payment Bond for construction or facility improvement contracts or subcontracts. (DDOT contractors must provide only a 50% payment bond).
- Documentation of DBE outreach efforts to any subcontractors added during the course of the project.
- Schedule of work, to be updated as necessary
- Certified Payroll
- Weekly status reports of work planned and performed, including but not limited to materials submission, two-week look ahead at work detailed schedule, difficulties encountered that affect the work, etc.
- Invoices detailing time & materials, description of work performed, and documentation of all expenditures.

#### **What documents must be submitted at the end of each fiscal year?**

- MBE and WBE participation must be reported on EPA Form 5700–52A

#### **What postings/documents are required to be posted at the construction site during the period of work?**

- Permits, as applicable
- Wage Rates (landscaping/tree planting projects are exempt from posting of wage rates)

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- Project sign detailing funding sources. Example of project sign provided in the attachment to the RFP/RFA titled “Federal Requirements and Contract Provisions for Work Under the Federal Water Pollution Control Act, As Amended.” Use of the EPA logo vs. the EPA Seal will be determined by DOEE, and will be in accordance with EPA sign design guidelines.
- Equal Opportunity Posting (<http://www1.eeoc.gov/employers/poster.cfm>)
- Approved construction plans and specifications, as applicable (present, not posted)

### **Will EPA or DOEE inspect the site to verify all requirements have been met?**

Yes. DOEE will generally perform the inspections for EPA, photo-documenting site compliance. DOEE will interview workers to verify Davis Bacon Wage compliance if applicable. For this reason, it is imperative that the DOEE CWSRF representative be included in scheduling of site visits throughout the project period.