

Clean Water State Revolving Fund Design-Bid-Build Manual

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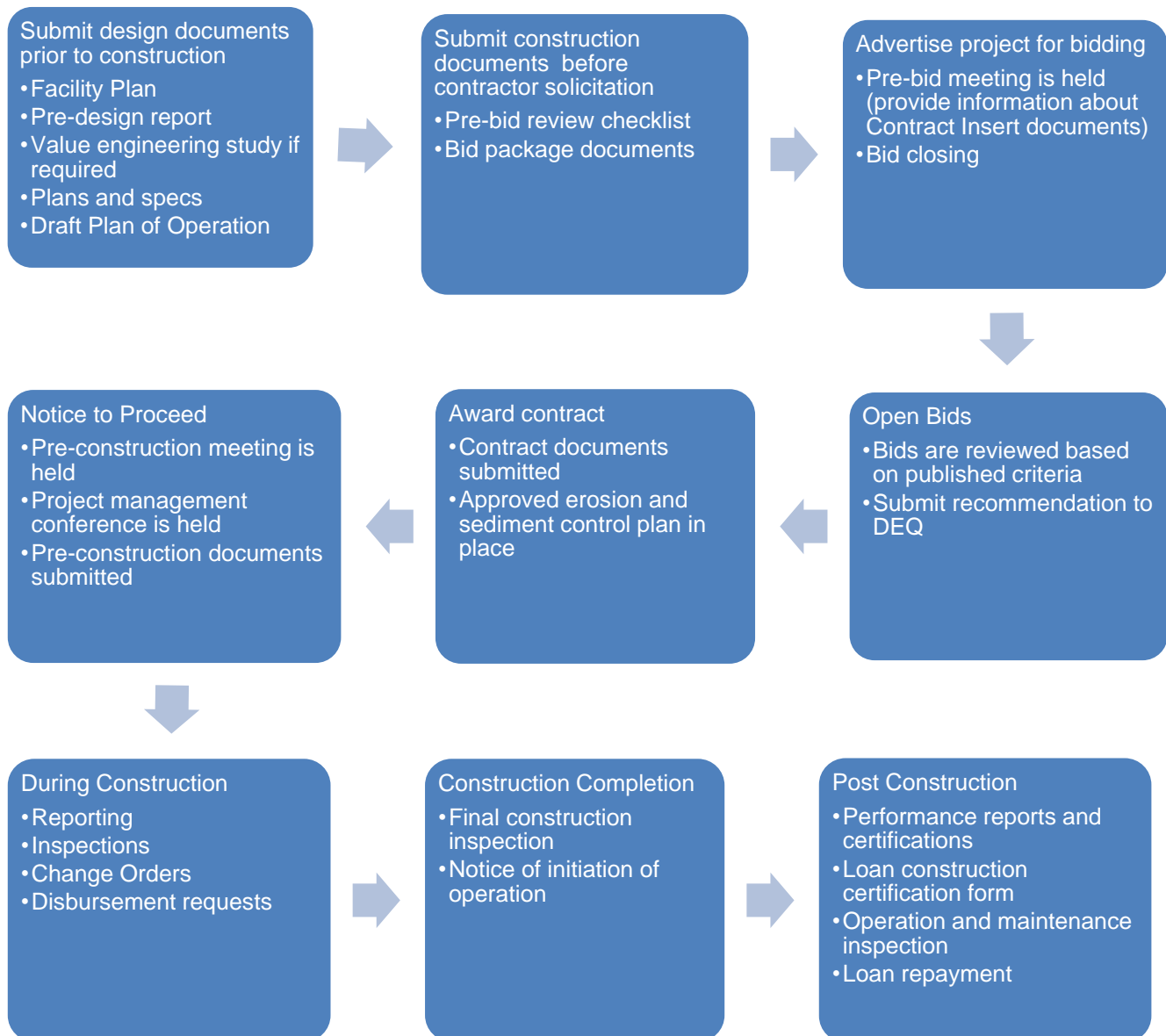
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Executive summary

The Oregon Department of Environmental Quality offers low-interest loans to public agencies through the Clean Water State Revolving Fund for projects that enhance, protect or restore water quality. The loans have state reporting and documentation requirements. Loan recipients, as well as their consultants and contractors, will use this manual when executing wastewater treatment construction projects as defined by Section 212 of the Clean Water Act to comply with process, reporting and documentation requirements.

A DEQ regional project officer will guide you through the process and is your single point of contact for submitting documents before, during and post project construction. Please consult the [staff list](#) to find your regional contact, or call 503-229-LOAN.



Milestones flow diagram for a 212 wastewater treatment construction project

Before construction

Record keeping guidance: Before construction

The [pre-construction record keeping guidance \(BC23\)](#) can help the loan recipient track files and records that must be retained.

Important record keeping requirements

Loan recipients must retain project files and records pertinent to a loan for six years after project performance affirmative certification or project completion as determined by DEQ, or longer as required by applicable state or federal law. A loan recipient must also retain financial files and records until all payments due under the loan are fully repaid. If there is unresolved litigation or a claim at the end of the loan repayment period, the project records must be retained subject to final completion or resolution.

DEQ, the Oregon Secretary of State, U.S. Environmental Protection Agency and the federal Office of Inspector General reserve the right to audit the loan recipient's records at any time in relation to a project funded by a program loan, therefore it is in the recipient's best interest to maintain accurate records.

Application process

Step 1

Before [applying for a construction loan](#) the wastewater utility must submit a DEQ approved wastewater planning document, which is generally a [comprehensive facilities plan](#), but may be an engineering report which meets the requirements of USDA-Rural Development if they are the primary lender and the revolving fund provides the interim loan. Contact your project officer for specific requirements. If a planning document has not yet been prepared and approved, please contact your CWSRF Project Officer to discuss the appropriate scope and content. New plans require a kick-off meeting with a DEQ project officer and engineer. A DEQ water quality engineer may require updates for plans more than five years old at the time of application.

Step 2

A [value engineering study](#) applies to SRF-funded treatment plant projects which are more than \$10 million. The type of study required depends on whether the project approach is Design-Bid-Build or Construction Management/General Contractor. DEQ's plan review engineer or circuit rider will work with the loan recipient to determine the requirements on a case-by-case basis.

For SRF-funded projects that are more than \$10M but are *not* treatment plant projects, DEQ's plan review engineer or circuit rider will work with the loan recipient to outline the proper approach to using a Cost and Effectiveness Analysis, which is a requirement for all SRF-funded projects.

Step 3

The loan recipient submits design documents to the project officer after signing a loan and before construction begins, and will have required building, stormwater, biosolids and any other relevant permits in place. A DEQ engineer will review the design.

Design documentation

Reports

Planning Loans: a report is not required

Design Loans: a planning report or a technical memorandum is required

Design and Construction Loans or Construction–Only Loans require:

- Engineering Reports: Basis-of-Design Report and/or Preliminary Design Report
- Plans, Specifications, Bid Documents

The loan applicant or loan recipient must submit an engineering report to DEQ and receive DEQ's acceptance. The engineering report must describe:

- Design objective
- Basis of design criteria
- Intended operation
- Summary of hydraulic calculations
- Standard details for trench, turnouts, valve assemblies, etc.
- Evaluations and selection of pipe materials, and hydroelectric facilities if applicable

A DEQ engineer must approve a final set of engineered plans and specifications before construction may start. DEQ's approval letter will include a number of conditions, such as:

- Inspection and certification of proper construction by the design engineer
- Preparation of a plant Operation and Maintenance Manual in accordance with the [Guidelines for Preparation of Operations and Maintenance Manuals for Domestic Wastewater Treatment Facilities](#)
- Submittal of a Plan of Operation, if one has not already been submitted. A DEQ engineer may waive the requirement for a Plan of Operation through written approval.
- Submit a [Cost & Effectiveness Analysis](#), which is required before final design
- Preparation of draft and final Performance Evaluation Standards
- Submittal of Project Performance Certification. The loan recipient shall correct any factors that do not meet the performance criteria as described in a corrective action plan previously approved by the DEQ.
- Effective erosion control requirements
- Specification defining startup testing Conformance to all applicable electrical, plumbing, building, fire, and mechanical codes and safety requirements
- Preparation of as-built drawings upon completion of construction. The loan recipient must retain the as-built drawings for the life of the facility

Bid process

Step 1

Pre-bid documentation described in Section 2 help ensure bids conform to state and federal laws. The loan recipient will submit these checklists and the bid document package to the project officer **before** advertising the invitation to bid.

Step 2

The loan recipient will typically meet with prospective bidders to explain the project and requirements, and answer questions. The project officer or DEQ engineer may attend this meeting, in addition to the loan recipient and their consultants.

Step 3

The loan recipient reviews the bids and makes a recommendation for contract award to the project officer. This should include:

- proof of bid advertisement
- the [bidders list](#) in accordance with 40 CFR 33.501(b) and (c)
- the bid tabulation, which summarizes the bids received for the project, with the loan recipient's engineer's estimate
- the completed bid review checklist, and a copy of the bid package
- Applicable Davis-Bacon and BOLI rates should be included with the bid package
- Before construction can begin, the loan recipient must submit the applicable CWSRF-required contract forms and documents described in Section 4

The project officer approves the recommended contractor if all requirements are met and sends the loan recipient a letter confirming DEQ's concurrence.

The loan recipient submits a copy of the executed contract and the notice-to-proceed to the project officer after awarding the contract.

Step 4

Pre-construction meetings

The loan recipient and consulting engineer hold a pre-construction meeting with the successful contractor, representatives of the funding agencies, the utilities and other affected parties. The project officer, and possibly the DEQ engineer, attends the meeting to explain applicable program requirements.

A loan recipient will typically hold a project management conference on the same day as the pre-construction conference at their main office. The loan recipient, their consulting engineer and the project officer, along with other relevant funders, review DEQ expectations during construction for record keeping and documentation, inspections, submittals, construction management and general conformance with program requirements, among other issues.

The borrower and contractor must follow [American Iron and Steel requirements](#).

During construction

Record keeping checklist: During construction

Loan recipients must retain project files and records during construction for their Clean Water State Revolving Fund loan, DEQ's [record keeping guidance](#) can help.

Step 1

Reporting continues until the project is complete. This includes:

- [weekly certified payroll](#)
- [monthly inspection reports](#)
- [annual Disadvantaged Business Enterprises utilization reports](#) as long as contractors are on site
- [Disbursement requests](#) are submitted to the project officer at the discretion of the loan recipient in conjunction with the loan specialist.

Step 2

Change orders

DEQ written approval is required before executing any change that could alter project performance, or when a change order exceeds \$100,000 in either added or deducted costs for the construction portion of the project, excluding construction-phase design or inspection services. The loan recipient submits a [Change Order Summary Sheet](#) to the project officer before construction is complete.

Step 3

Inspections and submittals

The loan recipient coordinates with the project officer to schedule inspections within a timely manner.

- The first site inspection for construction projects generally occurs when mobilization is complete, and construction is underway at roughly the 30 percent completion point. The loan recipient may postpone the first inspection for projects that consist of gravity sewer construction until the project is 50 percent complete.

Before the project reaches 50 percent completion the loan recipient must coordinate with DEQ regarding the following, as applicable:

- draft performance evaluation standards
- draft operations & maintenance manual
- next site inspection

Before 90 percent project completion, the loan recipient submits a final version of the project performance standards to DEQ.

- The final operations and maintenance manual must be submitted prior to start-up of the constructed facility; note that the sections on instrumentation and control may be delayed beyond start-up if approved by a DEQ engineer.
- The project officer may schedule inspections as needed.

Step 4

Final inspection

A DEQ engineer attends a final inspection with the loan recipient's consulting engineer and contractor at substantial completion of construction. Invite any other funding agencies involved with the project to attend. The DEQ engineer will generate a punch list of items for the addressed. The loan recipient or consulting engineer will submit a report to the project officer explaining how they addressed the items. The loan recipient issues a notice of initiation-of-operation to the project officer within 30 days after the project becomes operational or DEQ assigns the initiation date.

Post-construction

Initiation of operation

Record keeping checklist: Post-construction

Loan recipients must retain project files and records for their Clean Water State Revolving Fund loan, DEQ's [post construction record keeping guidelines](#) can help.

Step 1

The "initiation of operation" is a letter from the loan recipient to DEQ indicating when the newly constructed project will begin to operate. It is a federal requirement of the Clean Water State Revolving Fund program and used to determine the dates of subsequent milestones.

The owner must receive an approval letter from a DEQ engineer of final operation and maintenance prior to start up, per OAR 340-52-040(4). On a case-by-case basis, the DEQ engineer may allow for a short-term start-up of operations under the draft manual.

Step 2

The consulting engineer submits a [Construction Certification Form](#) to DEQ's project officer after initiation of operation.

Step 3

During the first 10 months of operation, the loan recipient will closely monitor project performance, record monitoring data for the performance evaluation report and notify the project officer of any problems that may interfere with a positive certification. For larger projects and those with performance issues DEQ will visit the site to discuss operational issues and review project progress monitoring reports.

Step 4

All construction projects have performance standards, which includes a schedule for evaluating project performance. The loan recipient must submit a final evaluation report to the project officer 10.5 months after the initiation of operation date. The report is based on the performance evaluation standards established during project construction.

Certification

Step 5

One year after the project's initiation of operation date, the loan recipient submits to the project officer a positive or negative certification substantiated by the performance evaluation report. Submit the [affirmative certification form](#) when the certification is positive. Then the DEQ engineer conducts a site operation and maintenance inspection to check compliance with performance standards and consistency with procedures in the operations and maintenance manual.

If the certification is [negative](#), the loan recipient must submit a corrective action plan to the project officer within two months. The DEQ engineer will be involved until a positive performance certification is attained, then the inspection and reporting process begins.

Final Project Owner Acceptance and Operation The loan recipient must only accept the project after receiving a final operations and maintenance manual approved by the DEQ engineer and prior to start-up of the facility. For more information, see Guide for Preparation of Operations and Maintenance Manuals for Domestic Wastewater Treatment Facilities on the [loan program website](#).

Loan Repayment

Loan repayments begin within six months of the initiation of operation date.

Pre-bid document checklist

Instructions

The loan recipient must review construction documents for revolving loan-financed projects. The purpose of the pre-bid document review is to ensure that bidder requirements are clearly stated and that resulting bids conform to state and federal law.

The loan recipient completes and signs the five-part [Pre-Bid Document Checklist](#) and returns it to the project officer prior to bidding the project. The loan recipient must incorporate the checklist items into the final bid documents. The loan recipient also must resolve protests related to the solicitation of project bids. If clarification is required, the loan recipient should consult their legal counsel.

“Yes” answers to the questions in this checklist are necessary for bid documents to be clear. Attach additional sheets, as necessary, to explain any special circumstances. If a question does not pertain to your project, check N/A.

Submittal checklists for construction projects

Instructions

The loan recipient can use the following three checklists to track submittals that must be made to DEQ on construction projects after the bid opening. Address submittals to the project officer unless otherwise directed by the specific submittal instruction. Submit copies of original documents kept by the loan recipient, unless otherwise noted. Forms must be completely and properly executed for reimbursement.

Submit document originals in two-sided, hard copy form or electronically.

Project: **Clean Water State**
Revolving Fund Loan No.:

Before construction checklist

The loan recipient submits the following items before construction begins:

Form or Document	Submit the following documents to the project officer:
<input type="checkbox"/> Proof of Bid Advertisement	One copy of the affidavit of publication and one copy of the newspaper clipping containing the advertisement. (Note: Bidding requirements for this project are subject to Oregon procurement statutes. If the loan recipient has not adopted its own procurement rules, state statutes require advertising of bids for a minimum period of 14 days.)
<input type="checkbox"/> Bid Tabulation and Engineer's Estimate	One table of all bidders, plus the loan recipient engineer estimate, showing complete line item/lump-sum pricing along with subtotals/totals for each.
<input type="checkbox"/> Bid Package	One copy of all the items listed in the Bid Review Checklist (BC3) . Include documentation demonstrating good faith efforts. The Pre-Bid Document Checklist (BC2) is required, as is the Bidders' List for loans over \$250,000.
<input type="checkbox"/> Signed Contract Documents	One copy of the signed and dated contracts for each contract award for the project funded by the loan.
<input type="checkbox"/> Proof of 1200-C Permit (if required)	One copy of the DEQ cover letter approving the 1200-C stormwater discharge permit and the front page of the 1200-C permit to demonstrate that DEQ's stormwater program received the plan.
<input type="checkbox"/> Notice to Proceed	One copy in the loan recipient's format.

Form or Document Plan of Operation**Instructions**

Submit one copy to project officer for review by a DEQ engineer at least 30 days prior to groundbreaking. The loan recipient shall incorporate DEQ's comments into the final plan of operation and submit it to the project officer before groundbreaking begins. A DEQ engineer may waive the requirement for a Plan of Operation through written approval.

For treatment plant or pump station projects, a complete Plan of Operation includes:

- a construction sequencing plan
- a description of how the contractor will avoid interruption of operation of existing facilities
- how flows will be rerouted temporarily while maintaining facility function if required
- how to execute the transfer from existing to new facilities

A Construction Sequencing Plan includes Construction specifications typically use the MasterFormat indexing system created by the Construction Specification Institute. For projects using that system, Section 01015 typically addresses these considerations on the operation during construction by requiring the contractor to submit a Construction Sequencing Plan prior to construction

Project: **Clean Water State
Revolving Fund Loan No.:**

During construction checklist

The loan recipient submits the following items during construction:

Form or Document	Submit the following documents to the project officer:
<input type="checkbox"/> <u>Inspection Reports</u> (monthly)	One original, completed and signed Monthly Inspection Report per month.
<input type="checkbox"/> <u>DBE Utilization Reports (Standard Form 5700-52A)</u> (collected annually in September)	One original Disadvantaged Business Enterprises Utilization Report by the end of September each year as long as the contractor is on site. Detailed instructions to filling out DBE Utilization form are available <u>online</u> .
<input type="checkbox"/> <u>Change Orders (DC5)</u> (as issued)	DEQ written approval is required before executing any change that could alter project performance, or when a change order exceeds \$100,000 in either added or deducted costs for the construction portion of the project, excluding construction-phase design or inspection services. The loan recipient submits a change order summary sheet to the project officer before construction is complete.
<input type="checkbox"/> <u>Disbursement Requests (DC4)</u>	Disbursement request forms after expenses are incurred. Supporting documentation must accompany disbursement requests. Lengthy requests should include a summary of all payments by cost classification. Supporting documentation includes: <ul style="list-style-type: none"> • verified copies of the contractor's pay request • invoices from the engineer, with details on time and expenses • equipment invoices • time sheets and payroll information • System for Award Management report (<u>www.sam.gov</u>) for borrowers, renewed annually • American Iron and Steel <u>Certification form</u>.

REMINDER: Requests should be calculated on the basis of invoiced costs less any contractual payment retainage. Retainage will be reimbursed if paid into an escrow account and the public agency submits payment vouchers with the disbursement request.

DEQ will process and disburse funds payable to the public agency within **30** days of receiving disbursement requests, when documentation is

complete. DEQ will review requests for payment and will make adjustments for, but not limited to: 1) math errors; 2) unacceptable construction; and 3) ineligible expenditures.

Form or Document

Instruction

- | | |
|---|--|
| <input type="checkbox"/> Performance Evaluation Standards (if required) | <p>Submit to project officer two copies of the draft performance evaluation standards prior to 50 percent completion of construction, and one copy of the final before 90 percent completion. A DEQ engineer is available to discuss these requirements for each project funded by the revolving fund.</p> <p>Performance evaluation standards are criteria for evaluating the completed project to demonstrate whether or not it performs as intended. For gravity sewers, the performance evaluation criteria and standards will be provided by DEQ in the plan approval letter. For other projects, the criteria upon which the performance evaluation standards are based will vary from project to project and should relate to the problems the project is addressing. The performance evaluation standards must list the criteria upon which they are based, the test schedule, report format, report logs and forms to be used, and shall identify testing personnel, locations and methods.</p> |
| <input type="checkbox"/> Operation and Maintenance Manual (if required) | <p>All treatment facilities built with program funds, except gravity sewer systems, require the submittal of draft and final copies of an operations and maintenance manual to the project officer. The draft operation and maintenance manual is submitted when project construction is 50 percent complete. The final operation and maintenance manual is submitted when project construction is 90 percent complete. Consult with your project officer to verify the number of draft and final copies to submit. Guidelines for writing the manual is available. Treatment works, disposal systems, and lift stations require a DEQ approved Operations and Maintenance Manual prior to start-up of such facilities (OAR 340-052-0040(4)).</p> |

Project:

**Clean Water State
Revolving Fund Loan No.:**

Post-construction checklist

The loan recipient submits the following items after substantial completion of construction:

Form or Document	Instruction
<input type="checkbox"/> Notice of Initiation of Operations	<p>The loan recipient issues a Notice of Initiation of Operations upon substantial completion of the project. Submit one copy to the project officer within 30 days of issuance.</p>
<input type="checkbox"/> Loan Construction Certification Form	<p>The loan recipient's consulting engineer completes, signs and submits the form to the project officer after the Notice of Initiation of Operations is issued. The completed form documents project construction inspection by the design engineer or his authorized representative and it certifies that the project was constructed according to approved plans and specifications.</p>
<input type="checkbox"/> Project Performance Progress Report	<p>After initiation of operation the loan recipient will closely monitor project performance, record monitoring data for the performance evaluation report and notify the project officer of any problems that may interfere with a positive certification. For larger projects and those with operational issues DEQ will visit the site to discuss operational issues and review project progress monitoring reports.</p>
<input type="checkbox"/> Performance Evaluation Report	<p>The loan recipient's engineer submits this report to the project officer 10.5 months after the date of Initiation of Operations. It is an evaluation of the project's performance based on the results of the testing and monitoring performed according to the approved performance evaluation standards. The performance evaluation report must include sufficient information to support the evaluation without being lengthy.</p>
<input type="checkbox"/> Performance Certification Statement	<p>The loan recipient must submit to the project officer either the affirmative certification (AC2) or negative certification (AC3) statement one year after the date of Initiation of Operations for the project. Final closeout of the loan can only occur after DEQ accepts and approves an affirmative certification.</p>
<input type="checkbox"/> Corrective Action Plan (if necessary)	<p>If the loan recipient submits a negative certification for the project, the loan recipient must also submit a corrective action plan.</p> <p>The loan recipient must submit a corrective action plan to the project officer within two months of the signature date on the negative performance certification statement. The plan must analyze the cause(s) of failure, provide proposed alternatives for correction, state the lowest-cost reasonable alternative and provide a schedule for completion of corrective action. DEQ must approve the corrective action plan before construction is undertaken.</p>

Design-Bid-Build construction project contract insert documents

Information for bidders

This project is funded by the Oregon Clean Water State Revolving Fund using federal dollars. DEQ administers the state revolving fund. The use of Federal funds imposes several requirements on contractors.

The following checklists are for your convenience. The forms and documents listed must be inserted into contracts between the loan recipient and the prime contractor, the prime contractor and subcontractor, or serve to notice contractors that certain loan recipient requirements will affect subsequent procurements for the project. Instructions for each specific form and document is included on the checklist. The forms can be found on the Clean Water State Revolving Fund website [forms and documents page](#).

Reimbursement by DEQ will depend on these forms being completely and properly executed.

Checklist 1: Contract integrity forms and documents

This group of project construction contract inserts will support the general integrity of the loan recipients' contract.

Form or Document	Instructions
<input type="checkbox"/> Certification of Independent Price Determination (BC7)	The prime contractor must sign this form and submit it as part of its bid/proposal to the loan recipient. A copy of this signed form must be included in the contract copy between the loan recipient and the selected prime contractor that the loan recipient submits to the project officer. The prime contractor must obtain a signed copy of this form from each subcontractor, and retain them in the prime contractor's contract file.
<input type="checkbox"/> Contract Bidders List (BC1)	This form applies only to loans over \$250,000. Keep this form current for as long as the loan recipient receives Clean Water State Revolving Fund dollars for this particular loan, and retain it in the loan recipients' project file. It must be made available to DEQ, EPA or an auditor auditing this project.
<input type="checkbox"/> Certification Regarding Lobbying Activities (BC9)	The prime contractor must sign this form and submit it to the loan recipient by the time the contract is awarded. A copy must be included in the contract copy to DEQ. The prime contractor must obtain a signed copy of this form from each subcontractor, and retain them in the prime contractor's contract file.
<input type="checkbox"/> Disclosure of Lobbying Activities (BC10)	Standard form LLL must be submitted only when the prime or subcontractor uses non-federal funds to lobby in connection with the Clean Water State Revolving Fund program, including a project currently funded with federal funds under an existing loan. Submit via email to grants@omb.eop.gov with the form in the text of the message and not as an attachment.

Checklist 2: Disadvantaged business enterprises forms

These forms demonstrate and document the loan recipients' good-faith efforts to achieve participation by disadvantaged business enterprises and their selected prime contractor and subcontractor's awareness and understanding of Oregon's "Fair Share Objectives" regarding subcontractors and suppliers.

Form or Document	Instructions
<input type="checkbox"/> <u>Fair Share Objectives, Six Good Faith Efforts, Contract Administration and Contract Language (BC8)</u>	<p>The loan recipient, prime contractor and any subcontractor who will further subcontract on the project within the scope of the loan must complete initial and sign this form.. Submit one completed form for the prime contractor as part of the bid/proposal to the loan recipient. Submit one completed form for each subcontractor who will further subcontract, prior to contract award. A copy of those must be included in the contract copy to DEQ, along with one form initialed and signed by the loan recipient.</p>
<input type="checkbox"/> <u>List of Contacted DBE Businesses (BC6)</u>	<p>The prime contractor must complete and submit as part of the bid/proposal to the loan recipient. A copy must be included in the contract copy to DEQ. All Minority Business Enterprises and Woman Business Enterprises must be <u>certified</u> by the either the State of Oregon Certification Office of Business Inclusion and Diversity or the state in which they are located.</p>
<input type="checkbox"/> <u>Sworn Statement of Compliance (BC4)</u>	<p>To be eligible for award of this contract, each bidder must execute, and submit, as part of their proposal, and together with their bid, the following certification relating to SBE/WBE/MBE participation. The certification below shall be deemed a part of the resulting contract.</p>

Checklist 3: Labor relations forms

This group of forms demonstrates and documents the loan recipients' awareness and understanding of contract requirements pertaining to labor relations, wages and overtime, and job-site expectations. s

Form or Document	Instructions
<input type="checkbox"/> <u>Contractors Compliance Statement with Executive Order #11246 (BC14)</u>	<p>The prime contractor must sign and submit the compliance statement by the time of contract award. A copy must be included in the contract copy to DEQ by the loan recipient. More information about <u>Executive Order #11246</u> is available.</p>
<input type="checkbox"/> <u>Certification of Non-segregated Facilities (BC11)</u>	<p>The prime contractor must sign and submit the form by the time of contract award. A copy must be included in the contract copy to DEQ by the loan recipient. The prime contractor must obtain a signed copy of this form from each subcontractor and retain them in the prime contractor's contract file.</p>
<input type="checkbox"/> <u>Non-discrimination in Employment, Notice to Labor Unions or Other Organization of Workers (BC12)</u>	<p>The loan recipient must provide this to the contractor and subcontractor(s) advising the labor union or workers' representative of the contractor's commitments under Executive Order No. 11246. The contractor will send a signed notice to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.</p>
<input type="checkbox"/> <u>Prevailing Wage Agreement (BC5)</u>	<p>The loan recipient, prime contractor and subcontractors all must initial and sign this form. The prime contractor copy must be submitted as part of the bid/proposal to the loan recipient. A copy of this form signed by the loan recipient and the prime contractor must be submitted with the contract copy to DEQ. The prime contractor must obtain a signed copy of this form from each subcontractor and retain them in the prime contractor's contract file. The loan recipient conducts wage interviews with a representative group of workers during the project construction at 30 percent, 60 percent and 90 percent project completion. The loan recipient must conduct additional interviews if there is any reason to suspect a contractor or their subcontractor is at risk for violating wage requirements. As provided in 29 CFR 5.6(a)(6), all interviews must be conducted in confidence. The loan recipient must use <u>Standard Form 1445</u> or equivalent documentation to memorialize the interviews.</p>
<input type="checkbox"/> <u>Oregon Overtime Rules</u>	<p>This is informational and does not require a signature. It does not need to be submitted.</p>

Checklist 4: Post-contract award requirement

After the loan recipient awards the contract, there are some posting requirements at the job site.

Form or Document	Instruction
<input type="checkbox"/> Project Sign (DC9)	Post the sign on the project site throughout the course of construction and in public view.
<input type="checkbox"/> Job Site Posting Requirement (DC10)	Display project posters at the job site for the duration of the work. This U.S. Department of Labor website can help you determine which posters are required at your site.

Checklist 5: Federal American Iron and Steel requirements

All of the iron and steel products used in the construction of a treatment works project shall be produced in the United States, in accordance with P.L. 113-76 Consolidated Appropriations Act, 2014. The Act requires American Iron and Steel to be used when funded by the Clean Water State Revolving Fund through a loan executed on or after October 1, 2014.

The term “iron and steel products” means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

A loan recipient can request a waiver from the AIS requirement. A waiver request should be planned during the pre-bid process and only applies under certain circumstances. A waiver is not guaranteed and will take several months to receive a response. The loan recipient should consult with the project officer assigned to their project and ensure that AIS applies to the project before requesting a waiver.

Form or Document	Instruction
<input type="checkbox"/> US EPA American Iron and Steel Guidance	The EPA provides guidelines and answers to frequently asked questions about the American Iron and Steel requirement.
<input type="checkbox"/> Step Certification Form (BC16)	A sample letter of step certification for American Iron and Steel compliance. Documentation must be provided on vendor’s company letterhead.
<input type="checkbox"/> De Minimis Tracking Workbook (BC18)	Workbook for calculating material costs that are incidental and for which the country of manufacture or alternatives are not readily identifiable.
<input type="checkbox"/> AIS Waiver Request Form	Under certain conditions the EPA may grant a waiver for the American Iron and Steel requirements. This review process takes several months and waivers are not generally approved. The EPA works with applicants to find domestic suppliers. Contact your project officer for details.

In general, documents will be managed in the following periods.

Submitted with bid	Checklist
Certification of Independent Price Determination (BC7)	1
Six Good Faith Efforts, Contract Administration and Contract (BC8) Language	2
List of Contacted DBE Businesses (BC6)	2
Prevailing Wage Agreement (BC5) (Davis-Bacon and Oregon BOLI)	3
Sworn Statement of Compliance (BC4)	2
Submitted within 48 hours of bid opening	
Certification Regarding Lobbying Activities	1
Disclosure of Lobbying Activities	1
Contractors Compliance Statement with Executive Order #11246	3
Certification of Non-segregated Facilities	3
Non-discrimination in Employment, Notice to Labor Unions or Other Organization of Workers	3
Additional requirements	
Contract Bidders List	1
Clean Water State Revolving Fund Project Sign	4
Job Site Posting Requirement	4
American Iron and Steel Requirements	5

Project performance evaluation and certification for construction projects

Background

As a condition of the loan, the recipient must submit a performance certification to the project officer following the performance evaluation period, as discussed herein. The certification is based on performance evaluation standards established prior to project completion. Performance evaluation standards for all other projects are established by the loan recipient in agreement with DEQ.

Project performance certification for gravity sewer projects

For gravity sewer projects, no pump stations, DEQ specifies performance criteria and standards, and lists all certification documentation submittal requirements which are outlined below. Successful, timely completion of performance certification is a loan condition.

I. DEQ performance criteria

Gravity sewers built for the project shall conform to the DEQ-approved plans and specifications. Testing and leakage requirements shall be as defined in DEQ-approved specifications. The DEQ engineer will provide the criteria.

II. DEQ performance standards

All sewer pipe, manholes, cleanouts and appurtenances shall be tested as specified in the plans. Failing construction elements shall be repaired and retested until satisfactory performance is obtained. The following additional DEQ performance standards apply:

- Deflection testing of flexible pipe shall be conducted on a manhole-to-manhole basis and shall be done after the line is completely flushed out with water. The tests shall be conducted not less than 30 days after completing trench backfill and compaction and may be conducted concurrently with television inspection (Oregon Chapter, Association of Public Works Agencies, Division 3, Section 303.3.10).
- All adjacent surface restoration shall be completed before conducting a sanitary manhole acceptance test, including finish paving and final adjustment to grade. Tests conducted beforehand are informal and will not count for acceptance.
- Manhole test data shall be recorded using DEQ's [Manhole Test Record form](#). Manhole test logs shall be submitted along with the as-built drawings.
- The [Loan Construction Certification Form](#) shall be completed by the loan recipient and its engineer and submitted along with the as-built drawings.

Performance certification document submittal checklist for all projects

The following performance certification documentation is mandatory for all projects funded by a Clean Water State Revolving Fund loan:

- Notice of Initiation of Operations
 - The loan recipient shall notify DEQ of the initiation of project operation date within 30 days following the event, and
 - DEQ reserves the right to establish an initiation of operation date should that become necessary.

- [Loan Construction Certification form \(AC1\)](#)
 - The loan recipient's consulting engineer completes, signs and submits the [Loan Construction Certification Form](#) to the project officer after the Notice of Initiation of Operation is issued. This form certifies proper construction and satisfies the requirements of OAR 340-052.

- Project Performance Progress Report

During the first 10 months of operation, the loan recipient will closely monitor project performance, record monitoring data for the performance evaluation report and notify the project officer of any problems that may interfere with a positive certification. For larger projects and those with performance issues DEQ will visit the site to discuss operational issues and review project progress monitoring reports.

- Performance Evaluation Report
 - 10.5 months after the initiation of operation, or when otherwise agreed to in the performance evaluation report, the loan recipient shall submit a performance evaluation report.

 - Reports for a gravity sewer shall consist of a summary of the results of the specified warranty inspection.

- [Certification \(AC2\)](#)
 - An affirmative certification statement is required as specified by DEQ's plan approval letter, but not to exceed 12 months from initiation of operations, or after the loan recipient implements corrective action report recommendations, if applicable.
 - If the loan recipient is unable to sign an affirmative certification, a [negative certification](#) must be submitted to DEQ instead, and
 - Following a negative certification, a corrective action plan shall be submitted to DEQ within two months for DEQ approval to provide a basis for discussion and action to correct project deficiencies.