Pre-Construction Conference Subjects

National Park Service (NPS) - Denver Service Center (DSC) | 11-27-23

|  |  |
| --- | --- |
| Date: |  |
| Park: |  |
| Project Title: |  |
| Contract Number:  |  |
| PMIS Number: (Project Management Information System) |  |

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# Roles & Responsibilities

## CONTRACTING OFFICER’S (CO) LINE OF AUTHORITY

Only the CO may:

* approve changes to contract drawings or specifications
* issue Change Orders or enter into supplemental agreements
* make adjustments in the contract price and/or time for completion
* issue orders to suspend or resume work
* issue notices to proceed or notices of final acceptance
* make decisions under the Disputes or Differing Site Conditions clauses
* issue cure notices and/or terminate contracts for default or convenience
* approve final payment

The working relationship and responsibilities of the CO, Contracting Officer’s Authorized Representative (COR), Construction Management Representative (CMR), Construction Contractor, Construction Contractor Representative, Architect-Engineers (AE) Consultants and Park Superintendent are outlined below.

* Construction Contractor has been or will be notified in writing by the CO of the name and responsibilities of the COR.
* Construction Contractor will consult with and receive instructions from the COR only as designated in writing by the CO.
* On projects where AE Consultants provide construction review, the Construction Contractor will not contact these AE Consultants directly unless authorized to do so, in writing, by the COR. Should the AE Consultants be requested to furnish any information regarding this project, they will refer all such requests to the COR.

## Key Personnel for this Project

|  |  |
| --- | --- |
|  | **NPS-DSC Contracting Officer (CO):** |
| Name: |  |
|  | NPS-DSC Contracting Services |
| Email: |  |
| Phone Number: |  |
|  |  |
|  | **NPS-DSC Contract Specialist (CS):** |
| Name: |  |
|  | NPS-DSC Contracting Services |
| Email: |  |
| Phone Number: |  |
|  |  |
|  | **NPS-DSC Contracting Officer's Representative (COR):** |
| Name: |  |
|  | NPS-DSC Design & Construction |
| Email: |  |
| Phone Number: |  |
|  |  |
|  | **NPS-DSC Project Manager (PM):** |
| Name: |  |
|  | NPS-DSC Design & Construction |
| Email: |  |
| Phone Number: |  |
|  |  |
|  | **NPS-DSC Project Specialist (PS):** |
| Name: |  |
|  | NPS-DSC Design & Construction |
| Email: |  |
| Phone Number: |  |
|  |  |
|  | **Construction Management Representative (CMR):** |
| Name: |  |
|  | Company Name |
| Email: |  |
| Phone Number: |  |
|  |  |
|  | **Park Point of Contact:** |
| Name: |  |
|  | Park Name |
| Email: |  |
| Phone Number: |  |
|  |  |
|  | **Construction Contractor Point of Contact:** |
| Name: |  |
|  | President |
| Email: |  |
| Phone Number: |  |
|  |  |
|  | **Construction Contractor Point of Contact:** |
| Name: |  |
|  | Project Executive |
| Email: |  |
| Phone Number: |  |
|  |  |
|  | **Construction Contractor Point of Contact:** |
| Name: |  |
|  | Project Manager |
| Email: |  |
| Phone Number: |  |
|  |  |
|  | **Construction Contractor Point of Contact:** |
| Name: |  |
|  | Site Project Manager |
| Email: |  |
| Phone Number: |  |
|  |  |
|  | **Construction Contractor Point of Contact:** |
| Name: |  |
|  | Site Superintendent |
| Email: |  |
| Phone Number: |  |

# THE PARK

## PARK SERVICE RULES AND REGULATIONS

Construction Contractor shall conduct operations in conformance with the rules and regulations promulgated by the Secretary of the Interior for the NPS. Construction Contractor's Name shall also conform to appropriate regulations as the Park Superintendent may require including but not limited to:

*Before pre-construction conference, discuss with Park Superintendent about requirements and who should lead the discussion for the Park. Edit accordingly. Include information about:*

* *medical emergency processes, availability of emergency numbers, contacts, etc.*
* *park permits, burning construction waste, rules of the road, alcohol use, housekeeping, firearms, pets, natural and cultural resource concerns*
* *questions and public relations*

## JOBSITE SAFETY

*Park, Regional, or DSC Safety officer must be present to contribute to this section.*

Comply with contract clauses entitled **Accident Prevention** and **Permits and Responsibilities**. In case of conflicts between Federal, State, and local safety and health requirements, the most stringent shall apply. Equipment or tools not meeting Occupational Safety and Health Administration (OSHA) requirements will not be allowed on the project sites. Failure to comply may result in suspension of work.

Reportable Accidents must be documented on the [DSC Contractor Accident/Property Damage Report](https://www.nps.gov/dscw/con_accreport216.htm) (CM-22) within 7 days of occurrence and submitted to the CO. This includes accidents resulting in death, occupational disease, traumatic injury to employees or the public, fires, and property damage by accident in excess of $100.

Construction Contractor employees must be physically able to perform their duties safely, unimpaired, trained in jobsite safety and in the safe operation of equipment that they will operate.

Accident Prevention Plan:

1. Status of Plan:
*Discuss any outstanding issues with the Construction Contractor's plan. Include acceptance/rejection and supplemental information, as needed.*
2. No work can begin on site without an accepted Accident Prevention Plan (APP).

Safety Meetings:

1. At a minimum, the Construction Construction Supervisor shall conduct weekly 15 minute "toolbox" safety meetings. All construction personnel shall attend and topics should coincide with work scheduled for the following week. Document and submit meeting minutes to the CO.
2. Monthly safety meetings shall be conducted by management and attended by all construction contractor and subcontractor personnel working on site. At a minimum, topics shall include the effectiveness of the APP, safety and health issues, issue resolution, etc. Supplement and edit accident prevention plan as required.

## Emergency Response / First Aid

1. Construction Contractor must provide adequate facilities and trained personnel to meet the demands of the project.
2. Post telephone numbers and reporting instructions for ambulance, physician, hospital, fire department, Park Police, in conspicuous locations on the project site.
3. Assistance available from the Park includes:
*Have park safety officer or ranger review available assistance from the park. Include emergency medical technicians, ambulance, 911 dispatch, firefighting, search and rescue, etc.*

# THE CONTRACT

## DOCUMENTS REQUIRED UNDER CONTRACT

In our letter scheduling this conference, it was stated that the following documents were required to be submitted prior to scheduling this meeting. Documents that are unacceptable at this time are:

*Discuss only unacceptable items at this time. Describe deficiencies and obtain re-submittal date from Construction Contractor. Refer to Division 1 Specifications and prepare to explain requirements and consequences of non-conformance.*

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| 1. Letter Designating Construction Contractor Project Superintendent
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| 1. Construction Progress Schedule
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| 1. Schedule of Values
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| 1. Accident Prevention Plan (APP)
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| 1. List of Subcontractors
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| 1. Written Statement from each Subcontractor Certifying Compliance with Labor Standards Clauses
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| 1. Satisfactory Evidence Liability Insurance Coverage and Workers' Compensation
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| 1. Storm Water Pollution Prevention Plan (SWPPP) (if required)
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| 1. Waste Management Plan (WMP) (if required)
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| 1. Quality Control Plan (QCP)
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| 1. Indoor Air Quality (IAQ) Management Plan (if required)
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| 1. Noise and Acoustics Management (NAM) (if required)
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| 1. Construction Contractor Commissioning Plan (if required)
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| 1. Historic Preservation Treatment Plan (HPTP) (if required)
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## SUBCONTRACTORS

The Construction Contractor, through his on-site superintendent, will be responsible for the control and coordination of the work performed by their subcontractors. Instructions to subcontractors regarding the work being done will be given to them through the Construction Contractor's on-site superintendent only. Therefore, the presence of the Construction Contractor's on-site superintendent is required on the job site during all working hours. The Prime Construction Contractor will perform the specified percentage of work according to the requirement set forth in the contract clause Federal Acquisition Regulation (FAR) Section I., 52.236-01, PERFORMANCE OF WORK BY THE CONTRACTOR. (For 8(a) contracts refer to FAR Section I, 52.219-14, LIMITATIONS ON SUBCONTRACTING.)

## LABOR LAW APPLICATION

1. **Minimum Wage Rates:** This contract is subject to the provisions of the Davis-Bacon Act. The minimum hourly rates and fringe benefits (or cash equivalents) contained in the wage determination section of the contract are to be paid to the laborers and mechanics performing on-site work specified in the contract not less than once a week.
2. **Posting of Minimum Wage Rate:** Contract Minimum Wage Rates shall be posted at the site of the work in a place conspicuous to employees working on the project.
3. **Unlisted Classification:** If the labor classification of a person employed is not listed in the wage rate schedule, procedures are outlined in the labor standards clauses of the contract for determining the correct wage rate. Standard Form 1444, Request For Authorization Of Additional Classification And Rate must be completed for each unlisted classification and submitted to the CO for processing.
4. **Overtime:** According to the Labor Standards clauses of the contract.
5. **Apprentices:** Refer to labor standards clauses. The apprentice program must be an approved Federal or State approved program.
6. **Nondiscrimination in Employment:** Refer to the applicable clause of the contract. The importance of compliance with affirmative action and equal employment opportunity requirements cannot be overemphasized.
7. **Employee Interviews:** CMR/COR will conduct interviews periodically with the Construction Contractor's employees on the job, collecting information necessary to ensure compliance with labor standards clauses as required by the Federal Acquisition Regulations (FAR). At least one interview will be conducted for each trade employed by the Prime Contractor, and for at least one employee of each Subcontractor. CMR/COR will complete a Standard Form (SF) 1445, Labor Standards Interview form for each employee interviewed. Completed SF Forms 1445 will be submitted to the CO.
8. **Physical Inclusions:** The labor standards clauses of the Prime Contract must be physically included as a part of each subcontract. Construction Contractor must provide a Standard Form 1413, Statement and Acknowledgement from each Subcontractor attesting to such inclusions. Subcontractors cannot begin work on site until the form has been submitted.

## MODIFICATIONS

The contract clauses reserve the right of the CO to make contract modifications. Processing a proposed modification with a minimum of delay is essential. COR will furnish the Construction Contractor details of proposed modification including revised plans and specifications if necessary. If any monetary adjustment and/or additional contract time is involved, submit a detailed cost proposal within a specified period, usually not to exceed ten (10) days.

Comply with the following requirements to permit the CO to decide quickly whether a proposal is acceptable:

1. The proposals must be in detail, itemizing material, equipment, labor, overhead, profit, and bond markup. Each item must be listed at its estimated cost to the Construction Contractor. Labor must be itemized by craft and the hourly rate paid. Labor burden percentages will be established at the time the first modification is negotiated. The Corps of Engineers equipment rates will be used for all modifications.
2. If a modification includes the deletion of work from the contract, Construction Contractor will be required separately to justify all costs for work performed on the deleted item (if any) and any cancellation costs for materials ordered but not used in the work.
3. Contract time extensions shall be justified and supported in detail in the proposal.
4. **No modification work will be started until the CO has issued an approved modification or signed written directions.**

## PAYMENTS TO THE CONTRACTOR

As a general policy, the NPS makes progress payments monthly as the work proceeds. At a convenient time each month the Construction Contractor will discuss the work progress with the CMR/COR and submit an agreed to payment application to the CO. Payments for materials delivered to the site or off the site may be made as covered in the terms of the contract. If Construction Contractor does not receive payment within the contract specified time, Construction Contractor should request an action be taken to determine status of payment.

**The cutoff date for processing payments will be the insert date of every month.**

**Progress payments may be affected for the following reasons:**

1. No payments will be made for defective and/or rejected work that is not corrected. Payment will also not be made for any work that is built upon rejected work.
2. Payroll submissions are not kept up-to-date and discrepancies in payrolls are not promptly corrected or reconciled. See item F below.
3. Progress payments may be reduced if project record drawings are not maintained and up to date. The Architect/Engineer (A/E) Project Inspector, upon submittal of the progress payment, will verify the status of the drawings.
4. Progress payments may be reduced if monthly submissions of waste management documentation are not complete, up to date, and furnished to the CO.
5. Payment will not be made for work completed without approved submittals and/or satisfactory test results.
6. Payment will not be made unless all Contractor Quality Control (CQC) Reports (Daily, Test, Accessibility Inspection) are properly completed, up to date and furnished to the CO. Accessibility Inspections must be conducted in a timely manner.
7. If Construction Contractor requests payment for bond or permits, Construction Contractor must provide evidence of payment to the surety company.

## PAYROLL REPORTS

Prime Contractor and all their Subcontractors are to furnish to the COR one copy of all payrolls covering payments to laborers and mechanics for on-site work within seven days after the regular payment date of each weekly payroll. Payrolls may be submitted on a Department of Labor Form WH-347. Payrolls shall also be submitted with a signed statement indicating Federal Labor Standards requirements have been complied with. This may be done by completing the Statement of Compliance on the reverse side of WH-347. Only one copy of each payroll and completed Statement of Compliance is required. Failure to furnish payrolls in a timely manner may result in progress payments being delayed or partially withheld.

## CONTRACT TIME

The time for completion of the work of this project is insert time from final contract documents from the Notice to Proceed date.

## LIQUIDATED DAMAGES

Liquidated damages will be assessed according to FAR 52.211-12 Liquidated Damages-Construction.

## CONTRACTOR PERFORMANCE EVALUATION

*If contract is below $650,000, a performance evaluation is not required. Determine the need for an evaluation and include this topic only if an evaluation will be done.*

*If the contract includes FAR 52.219-9 Small Business Subcontracting Plan, inform Construction Contractor past performance evaluations will include an assessment of contractor performance on achieving goals identified in the small business subcontracting plan.)*

In accordance with FAR 42.1502, a past performance evaluation will be prepared on this project. Construction Contractors will be given a minimum of 30 days to submit comments, rebutting statements, or additional information. NPS will review any disagreements between the parties regarding the evaluation and will provide a decision. Copies of the evaluation, contractor response, and review comments, if any, will be retained as part of the evaluation. These evaluations may be used to support future award decisions and will be marked **Source Selection Information**. The completed evaluation will be released to Government personnel only, for use in source selection. A copy of the annual or final past performance evaluation will be provided to the Construction Contractor once finalized.

## DISPLAY OF HOTLINE POSTERS

FAR 52.203-14 Display of Hotline Posters applies to all contracts in excess of $3,000,000. Visit United States Department of the Interior's [Office of Inspector General (OIG) Hotline Forms](https://www.doioig.gov/hotline) to download hotline posters and instructions for obtaining hard-copy posters to be displayed on projects regardless of size.

## NOTICE TO PROCEED

The Notice to Proceed date is hereby mutually agreed upon and established to be on insert date.

# TECHNICAL ISSUES

## COMMUNICATION-GENERAL PROCEDURE

Address all correspondence to:

insert CO name

Contracting Officer (CO)

National Park Service

12795 West Alameda Parkway
Lakewood, CO 80228-2838

Prior to start of on-site construction phase of this contract, mail all correspondence to:

Attention: insert COR name

Contracting Officer Representative (COR)

National Park Service

12795 West Alameda Parkway
Lakewood, CO 80228-2838

Not more than a single subject will be dealt with in any letter. All correspondence will include the name of the park, project title, subject (such as request for proposal number), modification number, contract number, and package number. The CO or designated COR will reply to correspondence from the Prime Contractor only.

Construction Contractor's Contact Information:

|  |  |
| --- | --- |
| Contractor Name: |  |
| Attention: |  |
| Street Address: |  |
| City, State, Zip Code:  |  |
| Email Address:  |  |
| Phone Number: |  |

All oral instructions or rulings given by the CO or the COR to the Construction Contractor will be confirmed in writing. Similarly, for his or her own protection, Construction Contractor shall confirm in writing any oral communications received from the COR concerning the contract work.

## NPS Project Management and Communication Software

Use for managing project communication and documentation during contract period on:

1. Project directory
2. Project correspondence
3. Meeting agendas and minutes
4. Contract modifications documentation and logs
5. Request for Information (RFI) form and processing
6. Task and issue management
7. Photo documentation
8. Baseline schedule, schedule updates and calendar management
9. Submittal form and processing
10. Progress payment coordination documentation
11. Drawing and specification document hosting, viewing, and updating
12. Online document collaboration
13. Reminder and tracking functions
14. Archiving functions

Some documents however are not suitable to be shared using the NPS project management and communication software. Documents containing Personal Identifying Information (PII) (i.e. certified payrolls) shall not be shared using the NPS project management and communication software and shall be coordinated with the project team as appropriate.

## ACCEPTANCE/REJECTION OF WORK

Construction Contractor will monitor operations to ensure compliance with requirements of contract documents. In instances of non-compliance, the COR will inform the Construction Contractor in writing of the deficiencies which the Construction Contractor will correct as soon as possible and before proceeding with any more work associated with the deficiency.

## CONSTRUCTION MEETINGS

Construction meetings will be held weekly with the Prime Contractor and their major Subcontractors to review the upcoming scheduled week's work, the status required shop drawings, and to help resolve existing or potential construction problems. (For this project, construction meetings will be held every insert day of week & time in the CMR's office.

## SUBMITTALS (SHOP DRAWINGS, SAMPLES, Manufacturing DATA, REPORTS, MANAGEMENT PLANS, ETC.)

**Coordination:** Coordinate preparation and processing of submittals with performance of construction activities. Review for legibility, accuracy, completeness, and compliance with Contract Documents.

1. Coordinate submittal with fabrication, purchasing, testing, delivery, other submittals, and related activities that require sequential activity.
2. Coordinate transmittal of different types of submittals for related parts of Work so processing will not be delayed because of need for concurrent review coordination.
	1. Contracting Officer reserves right to withhold action on a submittal requiring coordination with other submittals until related submittals are received.

**Processing Time:**

Allow enough time for submittal review and re-submittals. Contract time extensions will not be authorized if submittals are not transmitted with enough time to permit processing, including re-submittals.

1. Action Submittals:
	1. Initial Review: Allow 30 days for initial review of each submittal. Allow additional time if coordination with subsequent submittals is required.
	2. Re-submittal Review: Allow XX days for review of each re-submittal.
2. Informational submittals:
	1. Review: Allow 10 days for review of each submittal.

**Action Submittals:** Contracting Officer will review each submittal, generate comments on corrections or modifications required, and indicate appropriate action on the Transmittal Form (CM-16). Submittal will be marked as defined below:

1. Approved: Acceptable with no corrections.
2. Approved with Notations: Minor corrections or clarifications required. Comments are clear and no further review is required. Construction Contractor shall address review comments when proceeding with the work.
3. Disapproved - Resubmit: Rejected as not in accordance with the contract or as requiring major corrections or clarifications. CO will identify reasons for disapproval. Construction Contractor shall revise and resubmit with changes clearly identified.

Informational Submittals: CO will review each submittal and will either accept or reject it.

## ENVIRONMENTAL REQUIREMENTS

Construction Contractor's Environmental Manager will present an overview of environmental issues and summarize site specific procedures relating to the management plans (SWPPP, IAQ, WMP, etc.).

## NPS FINAL ACCESSIBILITY INSPECTION

NPS Accessibility Inspector will conduct a Final Accessibility Inspection for compliance with Architectural Barriers Act Accessibility Standard (ABAAS) requirements. All deficiencies will be added to the Final Punch List.

## PROJECT RECORD DRAWINGS AND OPERATION AND MAINTENANCE MANUALS

In accordance with the applicable requirements of the Contract Documents, Construction Contractor shall prepare and maintain a set of project record drawings marked-up to show any changes or modifications. Project record drawings shall be kept current and shall be made available for inspection by the CMR at the time of the Contractor's monthly payment request. Project record drawings shall be transmitted to the COR at the completion of construction as part of the closeout submittals. Construction Contractor shall prepare and furnish operation and maintenance data manuals for the materials and equipment furnished on the project. The required operation and maintenance data may include, in addition to the manufacturer's standard printed operation and maintenance documentation, custom-written operation and maintenance descriptions, filled out equipment data sheets, final material and equipment lists and schedules, vendor-generated project record drawings, test reports, and a subcontractor list. Construction Contractor shall submit completed operation and maintenance data before requesting a final inspection. If the data is not substantially complete, the final inspection may be delayed.

## SATURDAYS, SUNDAYS, FEDERAL HOLIDAYS AND NIGHT WORK

Work on Saturdays, Sundays, federal holidays, or at night may be performed only with prior consent of the CO with concurrence by the park. A 48-hour advance written request will be submitted to the CO for approval in accordance with the clauses of the contract.

## REFERENCE MATERIALS

Construction Contractor will have appropriate reference materials on-site for review as required by the Contract (e.g., International Building Code (IBC), American Concrete Institute (ACI), National Eletrical Code (NEC), etc.).

## VALUE ENGINEERING (Not applicable to Design-Build (DB) Contracts)

This contract is subject to value engineering changes in accordance with FAR 52.248.3 Value Engineering-Construction.

# JOBSITE TOUR

All attendees of the pre-construction conference will be taken on a tour of the jobsite. Construction Contractor material storage areas and locations for the CMR/CO’s field office and other structures required may be discussed and designated during the jobsite tour. Emphasize any safety concerns and point out potentially unsafe conditions related to the upcoming work.

# PRE-CONSTRUCTION fORMS

See DSC Workflows > Construction > Pre-Construction > [Conduct Pre-Construction Conference](https://www.nps.gov/dscw/precon_conduct12.htm).