

Exhibit A-2
CHECKLIST FOR CONSTRUCTION CONTRACTS

Although the use of this checklist is not mandatory, its use by the Recipient will expedite EDA's review of the construction contract. When used by the Recipient, it should be submitted to EDA at or before the invitation for construction contract bids is published. EDA reserves the right to perform a pre-award review of the proposed procurement documents or a review of the executed contract documents at any time within the record retention time frame. The appropriate responses should be circled in ink and the authorized representative of the Recipient should sign the form where indicated.

The following documents are included in the invitation for bids:

Y N An index

Y N The advertisement for bids

Y N The information for bidders

Y N The bid form

Y N The contract form

Y N EDA's Supplemental General Conditions (to be furnished by EDA)

Y N The Recipient's general conditions

Y N The technical specifications

Y N The working drawings

Y N The applicable wage rates (to be furnished by EDA)

Y N Notice of Requirements for Affirmative Action to Ensure Equal Employment Opportunity (to be furnished by EDA)

The bid documents contain the following provisions:

Y N Details of how the successful bidder will be selected

Y N Actions to be taken by the Recipient if the lowest bid exceeds the funds available

Y N Requirement for 5% bid bond, 100% payment bond and 100% performance bond

Y N The order in which alternates, if any, are to be taken

Y N Provisions for termination of the contract including default of the contractor and conditions beyond the control of the contractor

Y N Provisions for administrative, contractual or legal remedies for contractor breach or violation of contract terms and provision for such sanctions and penalties as may be appropriate

Y N A requirement that the contractor maintain all relevant project records for three years after the Recipient has made final payment to the contractor

Y N A requirement that the bidders submit proof of qualification to do the work called for in the contract

Y N Notice that progress payments will have a 10% retainage (unless otherwise required by State or local law)

Y N A requirement for the contractor to submit all shop drawings, samples and change orders to the Architect/Engineer and Recipient for approval

Y N A requirement for a construction progress estimate and periodic progress reports from the construction contractor

Y N A procedure for the settlement of disputes between the contractor, the contractor's subcontractors, the Architect/Engineer and the Recipient.

Y N A liquidated damages provision for failure of the contractor to meet the specified construction timetable. The amount specified in the proposed contract is \$ _____ per day

Y N The proposed design contains no materials or products specified by brand name without an "or equal" provision

Y N A requirement is included for compliance with Federal regulations as listed in EDA's Supplemental General Conditions, EDA's Standard Terms and Conditions to the grant award and the Special Conditions to the grant award

Y N The bidders will be limited to those on a prequalified list maintained by the Recipient. If so, explain on an attached sheet the procedure that is used to place prospective bidders on the list.

Y N Recipient furnished materials and/or equipment will be incorporated into the project outside the construction contract. If so, attach a list of such materials and/or equipment.

Y N No part of the project construction will be accomplished by the Recipient's own forces or by labor hired directly by the Recipient for this specific project. If so, contact the EDA Regional Office for further guidance

Y N The contract is solely for the EDA project. If non-EDA work is included, contact the EDA Regional Office for further guidance.

Y N The land, rights-of-way and easements required for the construction and operation of the project are owned by the Recipient or otherwise have been appropriately permitted by the responsible authorities.

Y N The Recipient's share of the project cost is on hand or immediately available.

Y N Provisions for construction inspection are in place.

Y N All applicable terms and conditions of the grant award have been satisfied. If not, please explain on an attached sheet.

Y N The scope of work for the project as described in the grant award has not changed.

The construction period specified in the proposed contract is for _____ months.

The Architect/Engineer's cost estimate for construction is \$_____.

The advertising period will be from _____ to _____.

Recipient's Authorized Representative Date.

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