

Form 6-B
Plans and Specifications Review Approval Letter

Date

To:

RE: (*borrower*), (*Clean Water SRF loan #*)

Dear (*name*):

STANDARD CONDITIONS

- A. All conditions of this letter must be met. The standard conditions on the Department of Environmental Quality (DEQ) review stamp are part of this approval. Supporting reports or documents are considered to be part of the approved documents.
- B. No work may begin until a copy of this approval letter and the plans and specifications bearing the DEQ approval stamp are delivered to and kept on the job site. As the project owner, you must ensure that the contractor, the construction inspector, and the certifying engineer are aware of the approval conditions.
- C. This approval will be voided if: 1) construction is not completed by the date agreed upon as part of the loan agreement; 2) the project is improperly constructed, operated, or maintained; or 3) the project fails to function as intended.
- D. No material deviations can be made from the approved plans without DEQ's prior written approval.
- E. Per the project documents, the Owner or his representative shall ensure that a professional engineer with < *name of firm* > provides supervision of construction.
- F. Within thirty days (30) after completion of construction, the Owner or his representative shall provide DEQ with one of the following documents.
 - 1. Record plans and specifications prepared and sealed by the professional engineer registered in the State of Idaho who is responsible for observation on behalf of the owner. These plans and specifications shall depict significant deviations in the actual construction and illustrate alterations or modifications performed, based on as-built drawings provided by the contractor and field observations made by observer(s) under the direction of the professional engineer.
 - 2. If actual construction does not have significant deviations from the originally approved plans and specifications, the system owners may submit a written statement to DEQ to this effect, prepared and sealed by the professional engineer registered in the State of Idaho. This statement shall be based on as-built drawings provided by the contractor and field observations made by observer(s) under the direction of the professional engineer.

- G. DEQ approval of these documents must not be interpreted as an obligation to provide funding for the project. You may not award any bids until you have received Authorization to Award the Bid from this office.
- H. In general, you must award to the contractor submitting the lowest bid unless the bid proposal is judged to be nonresponsive to the bid invitation. If no acceptable bids are received, please notify me immediately.
- I. A number of documents and evaluations must be provided to this office for review before we can issue the Authorization to Award the Bid. Except as noted, the information may be submitted by <borrower> or <design engineer>. Please provide the following along with any clarifications needed.
1. Confirm that the bid proposal is consistent with the approved specifications.
 2. Provide an executed engineering contract for inspection and construction management.
 3. Provide documentation that the proposed inspector possesses the skills and experience necessary to properly observe the construction on behalf of the borrower.
 4. For political subdivisions: Demonstrate with copies of the advertisements that adequate bid advertising was provided based on Idaho Code 67-23 and 67-28. For projects in excess of \$100,000, a minimum of 14 days is required with bids advertised twice during that period of time (the first must be at least two weeks before the date for opening bids and the second must be at least seven days before the date for opening bids).
 5. Provide the bid tabulations.
 6. The design engineer must confirm that:
 - a. The bid tabulations were reviewed for accuracy, imbalances, irregularities, and ambiguities.
 - b. The contract completion time for the three low bidders was consistent.
 - c. The bids were competitive and within the realm of the estimate of the engineer.
 7. Demonstrate that both the engineer and borrower have recommended the award(s) go to the lowest, responsive bidder(s).
 8. If the borrower requests award to other than the lowest priced, responsive bidder(s), provide justification.
 9. Please provide documentation that the suspended and debarred lists have been checked to ensure the proposed contractors and subcontractors are cleared. The most recent listing of suspended and debarred contractors on www.sam.gov may be used to verify that no contractors or subcontractors are on the list.
 10. Confirm that all addenda have been approved by DEQ prior to the bid.
 11. Provide a copy(ies) of the bid proposal form(s) signed by the contractor(s).

12. Confirm the bidder(s) has signed an acknowledgement of receipt of all addenda.
13. If necessary, based on bid amounts, provide a draft revised Estimated Project Budget. See the Loan Offer Acceptance and Agreement and summary of costs by category.
14. If any bid protests have been filed, provide information on how the protests were reconciled.
15. Confirm the bid bond is adequate and provide a copy of the bond.
16. Pursuant to 40 CFR 33.501, complete Form 6-Y and submit to the DEQ Regional Office.

Most, but not all of the items above, can be found on Forms 8-A or 8-B, Checklist for Reviewing Bid Documents and Checklist for Data Due after Bid Award, in the DEQ Clean Water Loan Account Handbook, available at <http://www.deq.idaho.gov/water-quality/grants-loans/wastewater-system-construction-loans.aspx>.

If construction does not commence within one year of the date of this letter, the DEQ construction approval expires. If construction is not started by this expiration date, plans and related documents may need to be resubmitted to DEQ for review and approval before further construction may proceed.

Any major changes or changes that might result in violation of Idaho law must be reviewed by this office prior to field installation. This office must also be kept informed of the scheduling of all construction phases, so that spot inspections can be made as necessary.

Please also be aware that once the notice of award is issued, the following submittals need to be provided and accepted prior to issuance of the notice to proceed:

1. Certification of Compliance with Anti-Lobbying Act (Form 6-D);
2. Disadvantaged Business Enterprises to be Utilized (Form 6-G);
3. Sworn Statement of Compliance with DBE Utilization Requirements (Form 6-H);
4. Contractors Compliance Statement Relative to Executive Order 11246 (Form 6-I);
5. Certificate of Non-Segregated Facilities (Form 6-J);
6. Notice to Labor Unions or Other Organizations of Workers Non-Discrimination in Employment (if applicable) (Form 6-K);
7. Federally Assisted Construction Contracts (Form 6-L);
8. Contractor for Public Works to Pay or Secure Taxes (Form 6-R);
9. Contractor to Comply with Idaho Executive Order 2009-10 (Form 6-S);
10. DBE Subcontractor Performance (Form 6-U);
11. DBE Subcontractor Utilization (Form 6-V);
12. Material Certificate of Compliance for Iron & Steel Products (Form 6-X, Attachment 6);
13. Construction Contract Bearing Original Signatures;
14. Performance and Payment Bonds; and,
15. State of Idaho Public Works Contracting License Statement.

PROJECT SPECIFIC CONCERNS:

If you have any questions or concerns, please feel free to contact this office at (*phone number*).

Sincerely,

Project Engineer

Regional Office Name

Regional Office Address

Regional Office City, ID ZIP

Enclosure

- c: (*name of contact*), District Health Department
(*name of contact*), Engineering (w/encl)
Idaho Division of Building Safety, Plumbing Bureau (w/checklist, vicinity map)
City of (*city name*)
Other affected funding agencies (*list agencies*) (w/encl)
Source File # (*insert number*)
Reading File
Loan Officer, DEQ State Office