

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL
DATE: JULY 3, 2008

AGENDA ITEM
D-6
JULY 9, 2008

WIP CONSTRUCTION MANAGEMENT REQUEST FOR PROPOSALS

ITEM

Authorize processing of Waterline Intertie Project construction management request for proposals (RFP) [RECOMMEND ADOPTION].

BACKGROUND

Attached is a draft RFP for Construction Management Services for the Waterline Intertie Project. As detailed in the RFP, staff has broken the requested services into a Pre-Construction Phase and a Construction Phase. Staff proposes to retain one firm that can do both phases but only select one firm for the Pre-Construction Activities this year with the understanding that a separate agreement will be negotiated for Construction Activities once construction starts if the first phase activities are successful.

RECOMMENDATION

Staff recommends that your Honorable Board authorize staff to circulate the RFP and work with the Supplemental Water Project Committee to recommend the firm to be selected for subsequent Board consideration.

ATTACHMENTS

- Draft WIP CM RFP

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NIPOMO COMMUNITY

BOARD MEMBERS

MICHAEL WINN, PRESIDENT
JIM HARRISON, VICE PRESIDENT
LARRY VIERHEILIG, DIRECTOR
CLIFFORD TROTTER, DIRECTOR
ED EBY, DIRECTOR



SERVICES DISTRICT

STAFF

BRUCE BUEL, GENERAL MANAGER
LISA BOGNUDA, ASSISTANT ADMINISTRATOR
JON SEITZ, GENERAL COUNSEL
PETER SEVCIK, DISTRICT ENGINEER

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Xxxxx Yy, 2008

CM Firms Mail Merge List

SUBJECT: REQUEST FOR PROPOSAL FOR CONSTRUCTION MANAGEMENT SERVICES – WATERLINE INTERTIE PROJECT

Dear Zz:

Nipomo Community Services District (DISTRICT) intends to construct Phase I and II of the Santa Maria Waterline Intertie Project (WIP) as described in the May 2008 "Preliminary Engineering Memorandum" posted on NCS.D's website. DISTRICT expects to complete Environmental Review by the end of January 2009; complete the Final Design by October 2009, open Bids in November 2009; start construction by December 2009; and complete construction by October 2010 (See attached project schedule). The PROJECT ENGINEER is Mike Nunley of Boyle Engineering, San Luis Obispo. The PROJECT ENGINEER'S estimate of project construction cost is \$20 million.

DISTRICT is seeking proposals from qualified Construction Management firms (CONSTRUCTION MANAGER) to initially provide QA/QC during design phase and the under a separate agreement, Construction Management Services during the construction of WORKS by the CONTRACTORS (NCS.D expects to retain 5 separate prime CONTRACTORS). CONSTRUCTION MANAGER would be expected to execute NCS.D's standard CONSTRUCTION MANAGER Services Agreement and to work on a time-and-materials basis with a not-to-exceed expenditure limit. CONSTRUCTION MANAGER would interact with the CONTRACTOR(S), PROJECT ENGINEER, PEER REVIEW TEAM, DISTRICT staff and the DISTRICT Board to implement the tasks detailed in the attached Task Listings.

SERVICES REQUESTED

See the attached listings of Pre-Construction Tasks and Construction Phase Tasks.

QUOTE REQUIREMENTS

Ten copies of the proposal must be received by DISTRICT in a sealed envelope by 3 p.m. on **Tuesday August 5, 2008**, to be considered. The exterior of the envelope must identify the quote as "WIP Construction Management Services". Faxes, E-Mails, proposals not enclosed in a sealed/labeled envelope, and proposals received after 3:00 p.m. on Tuesday August 5, 2008, will not be considered and will be returned to the submitter.

The Proposal shall include, as a minimum, the following:

1. Cover Letter/Introduction
 - Present your understanding of the project and the services requested.
 - The Cover Letter shall be signed by an official authorized to bind the firm and shall contain a statement that the proposal is valid for ninety (90) Days.
2. Scope of Services
 - Detail your proposed approach to both phases of the assignment.
 - Describe any proposed scope amendments; exceptions to the attached Task Listings or exceptions to the terms of the attached Construction Management Agreement.
3. Personnel
 - Identify the Team Leader and provide résumé.
 - Identify any additional team members and provide résumés.
 - Include an Organization chart depicting the name and position of each participant
 - Describe the role of each team member
4. Experience & References
 - Describe your experience in providing similar services to local government entities in California
 - Provide references for projects of similar scope and nature performed over the last four years.
5. Cost Estimate
 - Complete and submit the attached Quote Sheet for the Pre-Construction Phase that has been signed by a principal authorized to represent the firm.
 - Submit a listing of fees and charges.
 - For the Pre-Construction Phase, include line item cost estimates for each task and sub-task including staff classification, hourly rates, and hours as well as all other costs including sub-consultant costs and project expenses.
 - For the Construction Phase, provide a budget assuming 1 FTE inspector during the actual construction of the project.

SELECTION PROCESS

NCSD will screen proposals from August 5, 2008 to August 27, 2008. The Board is tentatively scheduled to select a firm at its August 27, 2008 meeting. NCSD may conduct interviews during the screening process.

PROPOSAL EVALUATION

Proposals will be evaluated on the following:

- Responsiveness to Request for Quote
- Scope Amendments and Exceptions to Task Listing and/or Agreement
- Experience of the team to perform the requested services
- Qualifications of the personnel proposed for the project
- Cost for Pre-Construction Phase including fees and reimbursables (Not to Exceed Expenditure Limit)

Notes:

This is a time-sensitive project.

The selected CONSTRUCTION MANAGER will be expected to execute a standard CONSTRUCTION MANAGER Services agreement (attached).

NCSD reserves the right to reject any and all submittals and/or solicit new submittals at its discretion. NCSD reserves the right to negotiate with lesser ranked firms, if the negotiation with the top ranked firm is unsuccessful. The submitter retains no interest in the proposal once received by NCSD. Proposers are responsible for all costs associated with the proposal.

For more information on the project or this RFP, contact NCSD General Manager Bruce Buel at 805-929-1133 or bbuel@NCSD.CA.GOV.

Sincerely,

NIPOMO COMMUNITY SERVICES DISTRICT

Bruce Buel
General Manager

CC: Mike Nunley, Boyle Engineering
Peter Sevcik, District Engineer
WIP File

Enclosures

- Quote Sheet
- Listing of Tasks
- Project Schedule
- Standard CONSTRUCTION MANAGER Agreement

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**WATERLINE INTERTIE PROJECT
PRE-CONSTRUCTION CM SERVICES QUOTE SHEET**

Date: _____

NAME OF FIRM: _____

NAME OF PRINCIPAL: _____

NAME OF CM TEAM LEADER: _____

ADDRESS: _____

PHONE: _____ FAX: _____

E-MAIL: _____

NOT TO EXCEED EXPENDITURE LIMIT FOR ALL FEES & CHARGES: _____

Signature of Principal Authorized to Sign for Firm and Date

This quote shall be valid for 90 Days from the date of Signature

A. LISTING OF PRE-CONSTRUCTION PHASE TASKS

1. Design Review Activities

- a. CONCEPT REVIEW CONCEPT REVIEW – The CONSTRUCTION MANAGER shall coordinate with the PEER REVIEW TEAM to critique the 30% design for possible project design changes to reduce cost and issue a memorandum to the DISTRICT and PROJECT ENGINEER regarding any such possible changes.

- d. Review of Design Documents - The CONSTRUCTION MANAGER shall review the design documents at 60% and 95% completion for clarity, consistency, bidability, constructability and coordination among the trades. The CONSTRUCTION MANAGER shall provide the results of the review in writing and as notations on the documents. The CONSTRUCTION MANAGER shall make recommendations to the DISTRICT and PROJECT ENGINEER with respect to constructability, construction cost, sequence of construction, and construction duration.

2. Bid Service Activities

- a. Construction Management Process Plan - The CONSTRUCTION MANAGER shall prepare a Construction Management Process Plan for the Project including all bid schedules. In preparing the Construction Management Process Plan, the CONSTRUCTION MANAGER shall consider the Mitigation and Monitoring Program and the DISTRICT's schedule, cost and design requirements for the Project. The Construction Management Process Plan shall describe how the various GENERAL CONTRACTORS shall coordinate their respective bid schedules. The CONSTRUCTION MANAGER shall then develop various alternatives for the sequencing and management of the Project and shall make recommendations to the DISTRICT. The Construction Management Process Plan shall be presented to the PROJECT ENGINEER for review and the DISTRICT for acceptance.

- b. Master Schedule - The CONSTRUCTION MANAGER shall prepare a Master Schedule for each component/bid schedule of the Project in accordance with the Construction Management Plan. The Master Schedule shall specify the proposed start and finish dates for each major activity, including permits, design, construction, testing and start up. The CONSTRUCTION MANAGER shall submit the Master Schedule to the DISTRICT for review and acceptance. As necessary throughout the Pre-construction Phase, the CONSTRUCTION MANAGER shall recommend revisions to the Master Schedule, subject to PROJECT ENGINEER'S review and DISTRICT'S approval.

- e. Contract Submittals - CONSTRUCTION MANAGER will review all CONTRACTORS contract submittals including bonds and insurance documents; determine compliance of each such submittal with contract requirements; and take appropriate actions to secure suitable submittals.
- f. Contract Time - CONSTRUCTION MANAGER will the set the dates for contract time; prepare a draft Notice to Proceed; secure required signatures; and forward Notice(s) to Proceed to CONTRACTOR(S).
- g. Pre-Construction Briefing - CONSTRUCTION MANAGER will organize and conduct a Pre-Construction Briefing for CONTRACTOR(S); PROJECT ENGINEER (responsible for Engineering Services During Construction); DISTRICT; regulatory representatives; utility representatives and other relevant parties.
- h. Pre-Construction Training - CONSTRUCTION MANAGER will arrange for instruction and certification of CONTRACTOR(S) personnel to comply with project Mitigation and Monitoring Program.
- i. Pre-Construction Condition Documentation - CONSTRUCTION MANAGER will perform a digital still photo and video survey of all frontages to be affected by WORKS to document preconstruction conditions. All such images will be electronically marked as to date, time, location, and subject, and available to DISTRICT upon request during construction.
- j. Partnering Sessions - CONSTRUCTION MANAGER will coordinate partnering sessions with CONTRACTORS and PROJECT ENGINEER.

B. LISTING OF CONSTRUCTION MANAGEMENT PHASE TASKS

1. Contract Administration

- a. Construction Management Plan - CONSTRUCTION MANAGER will, in consultation with the DISTRICT and other relevant team members, prepare a project-specific Construction Management Plan that describes roles and responsibilities of DISTRICT, PROJECT ENGINEER and CONSTRUCTION MANAGER's construction management personnel. The Construction Management Plan will include Engineering Services During Construction (ESDC) procedures, and contract administration and inspection procedures and forms.
- b. Correspondence - CONSTRUCTION MANAGER's staff will handle the logging, filing, tracking and processing of correspondence, submittals, RFIs/RFCs and other documents, all of which shall be directed to CONSTRUCTION MANAGER, prepare and distribute meeting minutes, evaluate progress payment applications and change orders and make recommendations regarding payment, to support other field services and services included under this Agreement.
- c. Review of Submittals - Submittals, including but not limited to Shop Drawings, Product Data, and Samples, will be received/logged and then transmitted to the PROJECT ENGINEER. CONSTRUCTION MANAGER shall forward PROJECT ENGINEER's determination to CONTRACTORS with due diligence. CONSTRUCTION MANAGER shall maintain and update a record of submittals, copies of submittals supplied by the CONTRACTORS and a record of all actions taken on submittals.
- d. RFCs/RFIs - Requests for Clarification (RFCs) and Requests for Information (RFIs) will be received/logged and then transmitted to the PROJECT ENGINEER for review. (Selected RFCs/RFIs may be handled in the field by CONSTRUCTION MANAGER when possible.) Where the RFC/RFI is transmitted to the PROJECT ENGINEER, the CONSTRUCTION MANAGER shall forward PROJECT ENGINEER's determination to the relevant CONTRACTOR and DISTRICT with due diligence. This subtask will be coordinated with the potential change order (PCO) process.
- e. Construction Delays – CONSTRUCTION MANAGER shall track construction schedule and weather delays. CONSTRUCTION MANAGER will review CONTRACTORS' requests for time extensions and make recommendations to DISTRICT regarding entitlement and the amount of time extension, if any. CONSTRUCTION MANAGER shall forward all such determinations to the relevant CONTRACTOR.

- f. Material Substitution Requests – CONSTRUCTION MANAGER shall receive material and equipment substitutions that may be proposed during construction; log all such proposals; and forward to PROJECT ENGINEER (Selected material and equipment substitutions may be handled in the field by CONSTRUCTION MANAGER when possible). Where the substitution is transmitted to the PROJECT ENGINEER, the CONSTRUCTION MANAGER shall forward PROJECT ENGINEER's determination to CONTRACTORS and DISTRICT with due diligence. In either case, CONSTRUCTION MANAGER will respond to substitution in writing with due diligence.
- g. Progress Meetings – CONSTRUCTION MANAGER shall conduct weekly construction progress meetings with each general CONTRACTOR, key SUB-CONTRACTORS and PROJECT ENGINEER, when needed, to review the Construction CONTRACTORS' three week look ahead schedule, review submittal, RFI/C, and PCO status and address issues affecting performance of the Work; prepare and distribute meeting minutes.
- h. Progress Reporting - CONSTRUCTION MANAGER will prepare written Monthly Progress Reports to the DISTRICT that will include a report on progress, report on budget, representative construction photos, submittal status, RFC/RFI and change order status, problem areas and proposed resolutions, testing performed, approved progress payments, and other pertinent information as the DISTRICT may request. CONSTRUCTION MANAGER shall present Monthly Progress Report to DISTRICT BOARD at one of the two regularly scheduled DISTRICT BOARD meetings.
- i. Certified Payroll - CONSTRUCTION MANAGER will periodically review the CONTRACTORS' certified payroll reports in accordance with requirements of applicable law and shall notify the DISTRICT of any suspected noncompliance.

2. Progress Photos.

CONSTRUCTION MANAGER will on a daily work basis during construction take representative still photos and video to document the site conditions and status of the Work. The construction records will be organized and identified as to date, location, and subject. All construction photos will be digital images electronically marked with the date and time stamped on each such photo. The photos and video will be available for use by DISTRICT during construction, and delivered to the DISTRICT upon completion of the Project.

3. Inspection.

- a. Inspections – CONSTRUCTION MANAGER shall manage and perform inspection services for the Project. CONSTRUCTION MANAGER shall provide all appropriate construction inspection and maintain testing logs

and reports, maintain lists of non-conforming work and prepare punchlists, take videos and photographs, and coordinate with DISTRICT and PROJECT ENGINEER. All inspections shall be performed by appropriately qualified personnel. CONSTRUCTION MANAGER will deliver written test reports to the DISTRICT within two working days of receipt. CONSTRUCTION MANAGER will notify CONTRACTORS of unsatisfactory test results and follow up regarding corrective work and retesting.

- b. Special Inspections and Testing – CONSTRUCTION MANAGER shall recommend, arrange and contract for special inspection or testing of the Work in accordance with the provisions of the Contract Documents.
- c. Review inspection and testing reports – CONSTRUCTION MANAGER shall advise DISTRICT of results and make recommendations regarding further testing or inspection as appropriate.

4. Quality Review.

- a. Quality Review – CONSTRUCTION MANAGER shall establish and implement a program to monitor the quality of the construction for compliance with the Contract Documents. The purpose of the program shall be to guard the DISTRICT against defects and deficiency in the work of the CONTRACTOR(s).
- b. Evaluation of Work – CONSTRUCTION MANAGER shall recommend to DISTRICT, in writing, the rejection of Defective Work and Work that does not conform to the Contract Documents, code requirements, approved Shop Drawings, Product Data and Samples, or Clarification Drawings.
- c. Authority Limitations - CONSTRUCTION MANAGER is not authorized as a part of the Services to change, revoke, alter, enlarge, relax, or release any requirements of the Contract Documents or to approve or accept any portion of the Work not performed in accordance with the Contract Documents.

5. Site Visits & Meetings.

The CONSTRUCTION MANAGER shall visit the site on each work day to observe the progress of the Project and to become generally familiar with the progress and quality of the work performed. CONSTRUCTION MANAGER shall promptly notify DISTRICT of work that does not conform to the Contract Documents. CONSTRUCTION MANAGER shall provide written reports of work and conditions observed to DISTRICT promptly following each site visit. The priorities for site visits and meeting attendance will be included in the Construction Management Plan.

6. Daily Reports.

CONSTRUCTION MANAGER will prepare daily written reports that describe the work performed, staffing, construction equipment used, major equipment deliveries, weather, delays and other events. The reports will identify work performed on a time and materials basis and the resources employed on that work. CONSTRUCTION MANAGER will take date-stamped electronic photographs as appropriate to document conditions and events at the site. CONSTRUCTION MANAGER will deliver the daily reports to the DISTRICT no less than once each week.

7. Materials Testing.

CONSTRUCTION MANAGER will retain a materials testing firm to perform soil compaction and concrete strength testing to verify that the Work complies with the Contract Documents. Compaction testing reports will be filed and logs of compaction testing results will be maintained including confirming that failing tests are covered by a passing retest. (NCSD's preferred testing firm is Fugro West, however, other firms may be used).

8. Surveying.

CONSTRUCTION MANAGER will retain a California licensed surveyor to periodically verify grades during installation of pipelines and structures as often as CONSTRUCTION MANAGER considers necessary and appropriate to address conditions in the field to assure that the work complies with the Contract Documents.

9. Payment Applications.

- a. Application Evaluation - CONSTRUCTION MANAGER shall review the payment applications submitted by CONTRACTORS and determine whether the application is complete. If the application is complete, CONSTRUCTION MANAGER shall determine whether the amount requested reflects the actual status of the CONTRACTORS' work. If the application is not complete, CONSTRUCTION MANAGER shall return the payment application to CONTRACTORS with a written notice of non-compliance. CONSTRUCTION MANAGER shall make appropriate adjustments and administrative deductions to each payment application and shall prepare and forward a Progress (or Final) Payment report to the DISTRICT. CONSTRUCTION MANAGER shall take appropriate action on

each payment application so that NCSD can respond in accordance with the time periods set forth in Public Contract Code Section 20104.50.

- b. **Progress Payment Report** - The Progress Payment Report shall state the total contract price, including adjustments to the Contract Price (pending and approved), administrative deductions, payments to date, current payment requested, including any payment for stored materials, retainage earned, administrative deductions, status of the contingency, and a recommendation regarding amounts to be paid for the current period. In addition to these items, the Final Payment Report shall state whether the CONTRACTORS has complied with the project closeout requirements, including record documents, warranties, and operations and maintenance manuals.
- c. **Certification of Payment** - CONSTRUCTION MANAGER's certification for payment shall constitute a representation to the DISTRICT, based on CONSTRUCTION MANAGER's observations at the site and on the data comprising the CONTRACTORS' Application for Payment, that the Work has progressed to the point indicated, that the Work for which payment is certified is in accordance with the Contract Documents, and that CONTRACTORS have satisfied all of the contract requirements for payment. The foregoing representations are subject to an evaluation of the WORK for conformance with the Contract Documents upon Substantial Completion, to results of subsequent tests and inspections, and to minor deviations from the Contract Documents correctable prior to completion. The CONSTRUCTION MANAGER'S recommendation for payment will further constitute a representation that the CONTRACTORS are entitled to payment in the amount certified.

10. Schedules.

- a. **Schedule Tracking** - CONSTRUCTION MANAGER shall review each CONTRACTORS' baseline construction schedule and shall verify that the schedule is prepared in accordance with the requirements of the Contract Documents.
- b. **Schedule Evaluation** - CONSTRUCTION MANAGER will review each CONTRACTORS' baseline construction schedule and monthly schedule updates to evaluate logic between construction activities, key activity durations, and critical path activities. CONSTRUCTION MANAGER will confirm that all specified submittal reviews, construction sequencing requirements, milestones and project constraints, startup and testing activities, and punchlist and closeout activities are included.
- c. **Schedule Reporting** - CONSTRUCTION MANAGER shall, on a monthly basis, review the progress of construction of each CONTRACTOR,

evaluate the percentage complete of each construction activity as indicated in the CONTRACTORS' Construction Schedule, and review such percentages with each CONTRACTOR. Based upon this information, CONSTRUCTION MANAGER will prepare and distribute to the DISTRICT a Construction Schedule Report. The Report shall indicate the actual progress of each CONTRACTOR compared to scheduled progress and shall help to verify the amount of progress payments to CONTRACTOR(s). CONSTRUCTION MANAGER shall advise and make recommendations to the DISTRICT concerning the alternative courses of action that the DISTRICT may take in its efforts to achieve contract compliance by the CONTRACTOR(s).

- d. Evaluation of Change Requests - CONSTRUCTION MANAGER shall advise the DISTRICT as to the merits and effect of time extensions requested by the CONTRACTOR(s).
- e. Authority to Secure Information - CONSTRUCTION MANAGER may require the CONTRACTORS to prepare and submit a Recovery Schedule, as specified in the Contract Documents. CONSTRUCTION MANAGER shall evaluate any recovery schedule submitted by a CONTRACTOR for compliance with the Contract Documents and effectiveness.

11. Change Orders

- a. PCO Process - CONSTRUCTION MANAGER shall establish and implement a Potential Change Order (PCO) tracking system in which each DISTRICT initiated change order and each CONTRACTOR initiated claimed extra work item and/or time order change request is assigned a discrete number for tracking, filing, and processing purposes. All proposed change orders shall first be described in detail by CONSTRUCTION MANAGER in a change proposal request to the CONTRACTORS and DISTRICT and shall be accompanied by technical drawings and specifications, if necessary.
- b. Change Proposal Requests - In response to the change proposal request, the CONTRACTORS shall submit to CONSTRUCTION MANAGER for evaluation detailed information as specified in the Contract Documents concerning the cost and time adjustments, if any, as may be necessary to perform the proposed change order work. CONSTRUCTION MANAGER shall review the CONTRACTORS' information and request for changes to the Contract Time and/or Contract Price submitted by a CONTRACTOR, assemble information concerning the request, endeavor to determine the cause of the requests, and forward said information to PROJECT ENGINEER and DISTRICT. If requested by the DISTRICT,

CONSTRUCTION MANAGER will provide a written recommendation regarding approval or denial of the change order request.

- c. Change Proposal Evaluation - CONSTRUCTION MANAGER shall receive PROJECT ENGINEER's written recommendations to the DISTRICT concerning the proposed change order prior to the DISTRICT's execution of change orders. CONSTRUCTION MANAGER shall verify that change order work and adjustments of Contract Time, if any, required by approved change orders are incorporated into the CONTRACTORS' Construction Schedule. CONSTRUCTION MANAGER will prepare a written response to the relevant CONTRACTOR stating rationale for decision if requested by the DISTRICT.
- d. Change Order Preparation - CONSTRUCTION MANAGER will prepare Change Orders and related documents once the DISTRICT has approved the change, secure signatures, and forward the executed Change Order to the relevant CONTRACTOR, the DISTRICT and the PROJECT ENGINEER.
- e. Authority to Secure Cost Information - In instances when a lump sum or unit price is not determined prior to performing work described in a change proposal request, CONSTRUCTION MANAGER shall request from the CONTRACTORS records of the cost of labor, materials, and equipment, and the amount of payments to SUB-CONTRACTORS incurred by the CONTRACTORS in performing the work as specified in the Contract Documents. CONSTRUCTION MANAGER shall review the cost information and make a written recommendation to the DISTRICT regarding the amount of the change order to be issued.
- f. Authority to Secure Time Information - In instances when a change to the Contract Time is not determined prior to performing work described in a change proposal request, CONSTRUCTION MANAGER shall request from the CONTRACTORS information regarding the schedule impact of the change as specified in the Contract Documents, review the time request, and make a written recommendation to the DISTRICT regarding any adjustment to the contract time.

12. CONTRACTOR Claims and Disputes.

- a. Claims Review - CONSTRUCTION MANAGER shall review all claims and supporting documents filed by a CONTRACTOR in connection with the Project. CONSTRUCTION MANAGER shall promptly notify the DISTRICT in writing of any claim. CONSTRUCTION MANAGER shall request and review supporting documents from the CONTRACTORS that filed the claim, consult with PROJECT ENGINEER, and prepare and deliver to DISTRICT a written analysis of each claim. The analysis will

include documents, photographs, and other materials appropriate for the DISTRICT's use in understanding and evaluating the CONTRACTORS' claim, address the CONTRACTORS' entitlement for the claim and include a recommended response to the claim.

- b. Claims Processing - CONSTRUCTION MANAGER will implement the DISTRICT's decision on each claim by preparing and delivering all appropriate written response to the CONTRACTORS and any other necessary documents, such as Change Orders, necessary or appropriate to resolve the claim.
- c. Claims Discussion - CONSTRUCTION MANAGER will participate in meetings and claims resolution proceedings.

13. Third Party Claims and Disputes.

- a. Third Party Claims - CONSTRUCTION MANAGER shall review all claims and supporting documents filed by third parties in connection with the Project. CONSTRUCTION MANAGER shall promptly notify the DISTRICT and CONTRACTORS in writing of any claim. CONSTRUCTION MANAGER shall request and review supporting documents from the claimant, and prepare and deliver to DISTRICT and CONTRACTORS a written analysis of each claim. The analysis will include documents, photographs, and other materials appropriate for the DISTRICT's use in understanding and evaluating the third party's claim and include a recommended response to the claim.
- b. Third Party Claims Discussion - CONSTRUCTION MANAGER will participate in meetings and claims resolution proceedings.

14. Project Closeout.

- a. Submittal Review - CONSTRUCTION MANAGER shall receive CONTRACTORS submittals and marked up-drawings and forward all such submittals to PROJECT ENGINEER for preparation of Record Drawings.
- b. Manual, Warranty and Guarantee Evaluation - CONSTRUCTION MANAGER shall evaluate CONTRACTOR(s) submitted operation and maintenance manuals, warranties and guarantees for materials and equipment installed on the Project as required by the Contract Documents in consultation with PROJECT ENGINEER.
- c. Substantial Completion - In consultation with the DISTRICT and PROJECT ENGINEER, CONSTRUCTION MANAGER shall review each CONTRACTOR'S request for substantial completion and final completion and recommend to the DISTRICT when each CONTRACTOR'S work is

substantially and finally complete. CONSTRUCTION MANAGER shall, prior to issuing a Certificate of Substantial Completion on any contract or phase of the work, compile a list of incomplete work and work that does not conform to the Contract Documents. This list shall be attached to the Certificate of Substantial Completion. CONSTRUCTION MANAGER shall, upon DISTRICT's approval, issue the Certificate of Substantial Completion and Certification of Final Completion to the relevant CONTRACTOR.

- d. Final Inspection of Works – CONSTRUCTION MANAGER with consultation with PROJECT ENGINEER shall confirm the satisfactory completion of contract and change order work and to perform a final inspection of project WORKS. Prepare the final punchlist and verify completion of punch-list items.
- e. Final Project Report – CONSTRUCTION MANAGER shall prepare Final Project Report that states the adjusted contract price, including all approved adjustments to the contract price, payments made, administrative deductions for stop notices, liquidated damages, etc., final accounting of the contingency, schedule summary and pending claims or disputes. Turn over all project records including field office video and still photo files to the DISTRICT upon project completion.
- f. Notice of Completion – CONSTRUCTION MANAGER shall prepare recommendation for filing of the Notice of Completion and initiating the stop notice-filing period and prepare the final payment.
- g. Warranty Closeout – CONSTRUCTION MANAGER shall establish a “Need for Warranty Work Notification” system to be used by the DISTRICT during the applicable warranty period. Prior to end of warranty period schedule and participate in a walk through of all warranty systems and submit written recommendations to DISTRICT regarding acceptance or rejection of all such systems.

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