

MONITORING PUBLIC HOUSING CONSTRUCTION

A HANDBOOK FOR EOHLC PROJECT REPRESENTATIVES



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Massachusetts Executive Office of Housing & Livable Communities

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1 DUTIES AND RESPONSIBILITIES

KNOW THE PROJECT

CONTRACT DOCUMENTS

A good Project Representative must have a thorough knowledge of what the Construction Contract Documents require. You cannot objectively evaluate progress if you don't know what is called for in the Contract Documents: This requires a review of the plans, specifications, and any reference standards that may be mentioned.

We suggest you set up a clean and orderly work space and set aside at least two sets of Contract Documents. Index and highlight the important sections of these two sets. Taping the edges of the plans will help to preserve them. Also, get an extra set of addenda and cut and paste all amended items into the specifications and onto the drawings so that you'll always be aware of them.

You must become intimately familiar with these documents as quickly as possible because you will soon be asked to render your opinion on work that must conform to their requirements.

**SUBMITTALS & SHOP
DRAWINGS**

Because the Project Representative represents the Design Consultant (Design Consultant), your office constitutes the Design Consultant's office at the project site. Therefore, maintaining a complete and orderly file of approved submittals and shop drawings cannot be overstressed.

Set up a file for each section of the specifications. This can be in a separate file cabinet, a three ring binder, etc. Put a copy of each specification section in a separate file folder or notebook section.

When the Design Consultant delivers approved shop drawings or submittals you can make a quick check to compare the approved item to the specified item and look for the manufacturer's installation recommendations. This will help keep you informed about what to look for and to plan future inspections.

Should your comparison show an item to be a substitution (or equal) without approval from the EOHLC Construction Management Unit Director, notify the EOHLC Construction Advisor and Design Consultant immediately. Also advise the Design Consultant of any possible conflicts that may become apparent when reviewing a shop drawing or submittal.

PRODUCT SAMPLES

Sometimes Contractors will deliver product samples, which require the Design Consultant's approval, to the project site (rather than the Design Consultant's office). When this happens, record the date of arrival as well as who delivered it, and notify the Design Consultant that the sample is ready for review.

You are not responsible for reviewing and approving shop drawing or submittals. This is the Design Consultant's responsibility, although we encourage the Design Consultant to ask for your preliminary review and comments.

REFERENCE STANDARDS

Many Contract Documents refer to federal specifications or ANSI standards. When Work must meet specified standards ask the Design Consultant to provide a copy of the standards for ready reference at the project site. You cannot ensure that work has been built to a standard if you don't know exactly what the standard is.

PROJECT DIRECTORY

Keeping a current record of the project team promotes good communication. Post an up to date project directory in the job site office so that it is always available for ready reference.

KNOW WHATS GOING ON

OVERSEEING WORK

To know what's going on you must have a thorough knowledge of what the Contract Documents require, and you must personally check the entire project. This means every corner not just representative areas. To do this you must get out onto the job site and be visible. Obviously nobody can be everywhere but very few items get completed and covered so quickly that some type of observation cannot be made.

If there is a problem, digital photos can effectively document minor situations. This becomes especially important with concealed work. Personally checking items that will later be concealed can eliminate embarrassment in the future.

DAILY REPORTS

You are required to complete a report of the daily happenings at the project site. Chapter 3, which can be found on page 12, is devoted to explaining the importance of documenting what's going on.

UNSATISFACTORY WORK

By keeping the Design Consultant, Contractor, and EOHLC Construction Advisor aware of unsatisfactory work, deficient items can be corrected quickly and overall project quality improved. In addition, prompt attention to these matters means recurrent problems will be less common and final punch lists will be small and easy to correct. Waiting to notify the Contractor about unsatisfactory work only increases the cost of repair, makes adequate repair difficult, causes breakdowns in confidence, and stifles good communication.

Discuss, with the Contractor's superintendent, the Design Consultant, and the EOHLC Construction Advisor any workmanship or materials appearing not to conform with the Contract requirements as soon as you know about them. Then note the item in your Daily Report and add it to the deficiency list posted in your office.

Any time the Contractor does not correct an item that you have advised them is not acceptable, you should complete a short written memo noting the issue and forward copies to the superintendent, the Design Consultant, and the EOHLC Construction Advisor. All unacceptable work should be reexamined during the requisition

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review meeting, and an appropriate amount should be withheld against payment line items until corrections are made.

Be aware of any deviations from the Contract Documents and bring these issues to the forefront of the discussion if anyone is unaware of them. It serves no useful purpose to allow issues to go on and then bring them up "AFTER THE FACT." and don't ever assume that because you know something is an unresolved issue that everyone else has the same understanding.

INTERPRETATIONS

Every set of Contract Documents requires a certain amount of interpretation and/or clarification. You should assist the superintendent in understanding what the plans require. This does not mean interpreting all details nor does it mean approving of or directing the Contractor's operations, employees, or subcontractors.

If an item needs clarification, you and the superintendent should call the Design Consultant - together. Discuss the issue with the Design Consultant and either resolve it over the phone, have the Design Consultant prepare a written clarification, or ask the Design Consultant to visit the job site and review the matter with both of you. When the issue is resolved all three of you should have the same understanding of the resolution.

We expect you to find the correct balance between being professional and working with the superintendent, and not becoming overly friendly and too close. Without telling a superintendent and the workmen how to do their jobs, you should work with them, professionally and as a team, to help them provide the best work product possible.

Many Project Representatives and superintendents think of each other as adversaries. This results in poor communication and ultimately has a negative impact on the finished product. Most times these adversarial relationships are unfairly exaggerated or imagined. If you and the superintendent work as a team, both of you can do your jobs effectively and at the same time help produce a high quality product.

VERIFY MATERIALS

To properly verify materials you must know what the specifications require. The Design Consultant is responsible for providing you (in a timely manner) with copies of approved submittals and shop drawings.

PROJECT REPRESENTATIVE'S HANDBOOK

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When you receive these submittals, compare them to the Contract Documents to be sure they coincide. Be sure you have the manufacturer's installation recommendations or whatever else is needed to properly review the installation. If they are not part of the submittal package, request the Design Consultant to get them for you. Then properly file them for ready reference.

Keep in mind all substitutions (or equals) need approval from the Director of the EOHLC Construction Management Unit before being incorporated into the work. When this approval appears to be lacking, notify the EOHLC Construction Advisor and the Design Consultant.

When materials or equipment are delivered for installation, refer to the submittal file to be sure the delivered items match the specifications and approvals. You should get whatever you need to verify that the materials are as specified and product submittals have been approved.

If the material does not match the submittal or if the Design Consultant has not approved it, take a representative label or small sample to complete your file, and notify the Design Consultant promptly. The Design Consultant may then verify the status of the submittal approval has been processed. If the material has been approved, a copy of the submittal can be promptly delivered or faxed to the job site. If it has not been approved, notify the superintendent and resolve the matter before any material is put into place.

OFF SITE STORED MATERIALS

In some cases, large deliveries of materials are made to locations away from the project site. When this occurs, you may be asked to check the material before the Contractor receives payment. It is the Contractor's responsibility to transport you to and from the storage location to verify such a delivery.

As with material delivered to the site, you should compare the stored items to the specifications and approved submittal. In addition, the Contractor must have the stored materials rider on the Contractor's Liability insurance. If you are checking materials off site ask the EOHLC Construction Advisor to verify that this rider was part of the Contractor's original insurance submittal.

TESTING

Testing has always been necessary on construction projects to certify that certain phases of work, e.g., concrete, soil compaction, and window air infiltration, have been completed in accordance with contract requirements. The superintendent should notify you when his crew is planning to perform Work that might require the services of the Design Consultant's testing agency. After consulting with the Design Consultant and EOHLC Construction Advisor, you notify the testing agency of the appropriate time and date that a field technician should report to the job site.

Once testing personnel arrive at the site they should report directly to your office. Note their arrival (and departure) and ask to see their testing license. Then direct the technician to the area to be tested.

It is the technician's responsibility to make objective evaluations and take samples or conduct tests that are representative of the work in place. You should not select the sample to be tested or actually conduct any tests that will require certification by the testing lab. The technician should advise you and the superintendent of any test failures. Advise the Design Consultant of any unresolved failures and note them in your Daily Report.

When the Design Consultant receives the testing reports, copies should be sent to you promptly. Review and file them appropriately so that they can be easily referred to later. If you haven't received copies ask for them.

When the testing agent invoices for services, the Design Consultant will cross-check each invoice with your records. Keeping a separate log for testing agent visits will make this task easier.

PHOTOS

Many contracts require progress photos by the Contractor or Design Consultant. The photographs you take should supplement this requirement.

You should photograph questionable items, document work progress (especially items that will eventually be concealed), etc. When in doubt, take a picture. Label these photos with the time, date, and location of the item in the photo and then file them for future reference. Remember, "A picture is worth a thousand words."

Often times Project Representatives feel self-conscious about taking photos. We often hear, "I take terrible pictures," "We're wasting money," "I feel uncomfortable", or "The workmen feel uncomfortable about taking too many photos." We have had documented instances of Project Representatives' photos recording actual T&M work completed and concealed; verifying latent conditions; and, in some cases, encouraging workmen into giving a little more attention to quality knowing their work will be photographed. We strongly encourage taking appropriate and sufficient photos.

PAYMENTS

At least once a month the Contractor will request payment for work completed. Because you play a major role in the payment review process the entire Chapter 4 has been devoted to the Project Representative's role during Contractor payment review. This can be found on page 20.

**PROGRESS
SCHEDULE**

The Contractor is responsible for coordinating and scheduling a construction project. The Contractor may even develop this schedule as part of bid preparation. To be effective you should always know what has been completed, what is now in progress, what should be going on next week, next month, and next year, etc. The exact sequence is the Contractor's responsibility, but you need to know what items must precede others.

Post a copy of the Contractor's schedule in your office and be sure the Contractor updates it monthly. These updates are most effective if done at the time of payment request review. Whenever it becomes evident that the Contractor may be falling behind schedule or coordination of the work could become a problem, notify the Design Consultant and EOHLC Construction Advisor, and note it in your Daily Report.

VISITORS

Note all visitors to the project, record their affiliation, what they were there to see, and when they were there. Proper protocol calls for visitors to report to the Project Representative immediately upon arrival at the project.

Some people are not aware of the proper protocol, so be alert for visitors and keep the superintendent advised of visitors. Posting a sign advising all visitors to report to the office will help minimize problems. Direct any visitors to their proper destination, or accompany them while they tour the site.

OTHER IMPORTANT FUNCTIONS

WEEKLY MEETINGS

Because the Project Representative is the one person who intimately knows the project, attendance at and active involvement in all project meetings is important. All unresolved issues should be openly discussed, and you should participate.

Good communication dictates that the Design Consultant, EOHL Construction Advisor, and Contractor be made aware of any issues you feel are important prior to the meetings so they can review them and prepare information or materials that will help resolve the issues at the next job meeting. This could include a request to have the Design Consultant's engineers or other representatives review the project before the meeting.

The Project Representative is not expected to prepare minutes of the job meetings. This is the Design Consultant's responsibility.

SUGGESTIONS

Many times Project Representatives, contractors, and subcontractors have had extensive experience with certain components of a project. Sharing this knowledge with the Design Consultant can often times result in a better product. Design Consultants should give these suggestions fair consideration.

Part of this consideration includes reviewing these suggestions with the Project Representative. Your firsthand knowledge of the project can help the Design Consultant make an informed decision. Give these suggestions objective consideration and you should not be

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embarrassed to admit discreetly that you do not have as much experience with a certain item when that is the case.

Should you have any suggestions that could result in a valuable improvement, discuss them with the Design Consultant and EOHL Construction Advisor who will review them promptly.

**CHANGE
ESTIMATES**

Change orders constitute revisions to the Contract Documents. You must know what changes are being proposed, considered and/or approved.

Whenever a change is proposed, the Design Consultant should review it with you. When the Contractor prepares a change estimate, include it in this review. You may be able to share some experience or specific knowledge of the project that will help the Design Consultant evaluate the proposed change for credibility, fairness of cost, and necessity.

Change orders occur for numerous reasons. Whatever the reason, it is important that they be for necessary work, clearly explained, fairly priced, and processed quickly.

**TIME & MATERIALS
(T&M) MONITORING**

Sometimes the Contractor and Design Consultant cannot agree on the fair cost of work before it must start, either because the scope of the work is unknown or because the value of the work is in dispute. In either case, the Design Consultant may prepare a Construction Change Directive (CCD) to instruct the Contractor to perform the work. (CCDs also require the signature of the LHA and the EOHLIC Construction Management Unit Director to be effective.)

Your job is to monitor the work being performed pursuant to a CCD, keeping track of the manpower and materials used on a daily basis. At the end of each day, you should tally the monitored work, and you and the superintendent should sign the tally slip.

A similar process should be followed when monitoring unit price work or work that the Contractor performs under protest. In all cases, it is critical that you be notified by the Contractor that the work he is performing needs to be monitored by you. It is also critical that you keep on top of what's going on to avoid disagreements about what work was performed by whom and when.

(NOTE: Your job is to keep track of the manpower and materials being used. It is not your job to determine when work is an "extra" to the contract. That responsibility belongs to the Design Consultant, LHA and EOHLIC.)

**RESIDENT
COORDINATOR**

Modernization projects have conditions unique to their process. These problems occur over and above the usual problems found with every construction contract.

Many times LHAs will ask the Project Representative to serve as or assist the Resident Coordinator during Modernization Work.

Modernization usually occurs in occupied apartments. Precise coordination is necessary to ensure that the workmen can plan their work, enter the apartments, and complete the work quickly and without complications.

To accomplish this, we have some tips to follow:

- Remember you are going into people's homes. Respect the residents and their homes as you would respect your family and your own home. Remind the workmen of this.

PROJECT REPRESENTATIVE'S HANDBOOK

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- Work with the Contractor to understand the work schedule. Residents should be given 48 hours written notice of when the Contractor will work on their apartments. Coordinate the preparation of the written notice with the LHA. •
- Get to know the residents and their concerns and try to identify any special problems they may have. For example, some people work the night shift, others have special health needs, etc.
- Whenever possible, keep residents accurately informed, especially about the construction process, procedures, and schedule.
- Misinformation may lead to unnecessary anxiety.
- Don't gossip.
- **NEVER** fraternize with the residents.
- Always be professional in dealing with residents.

2 DON'TS

Just as we explained what we expect you to do, we will now explain some things we expect Project Representatives not to do.

NEVER ACT IN THE CAPACITY OF THE DESIGN CONSULTANT

Although you help the superintendent to understand the drawings, it is not your job to interpret them. Whenever a question about contract requirements arises, the Design Consultant must decide the intent of the Contract Documents.

PROJECT SAFETY

Never give direction on project safety. Doing so could bring possible personal liability upon yourself or the Design Consultant. When in doubt refer the matter to the Design Consultant and the superintendent.

NEVER AUTHORIZE DEVIATIONS FROM THE CONTRACT DOCUMENTS

Many hours of thought and reasoning go into preparing a set of Contract Documents. At times special concerns are factored in which may make a design seem unusual or inappropriate. If a question arises, promptly advise the Design Consultant and request clarification. Be advised that if the Contractor has to rework an item and can prove you authorized the deviation without approval, you could be responsible for the costs.

NEVER APPROVE SUBMITTALS OR SHOP DRAWINGS

The Design Consultant's contract with the LHA clearly requires the Design Consultant to perform this task. The Design Consultant may ask that you informally review shop drawings and submittals at some point in the process, but the formal review and approval must be done by the Design Consultant. This informal review should be done at the project site, not at the Design Consultant's office.

DO NOT CONDUCT TESTS

Tests are conducted by employees from the testing lab selected by the Design Consultant. In many cases a licensed technician must conduct the tests. Your experience may be helpful in suggesting where to take tests, but the testing agent or Design Consultant must select the precise location.

Tests required by local inspectors must be conducted by the Contractor and approved by the appropriate inspector.

2 DON'TS

Whenever any testing is done, however, note where the test was conducted and record the results.

NEVER ACT IN THE CAPACITY OF THE CONTRACTOR'S SUPERINTENDENT

As we note several times, the Contractor's superintendent is responsible for directing the work on the project. Only the superintendent should instruct workmen and subcontractors on how, when, and where to do their work.

NEVER ASSIST THE CONTRACTOR WITH ACTUAL WORK

If you can find time to do actual work for the Contractor, then you must not be doing your own job thoroughly. There are several reasons for not doing actual work: If you get hurt who pays for the injury? Who pays to correct work done incorrectly? And finally, if you are doing the Contractor's work, who's doing yours?

NEVER UNILATERALLY ACCEPT OR REJECT MATERIALS OR WORKMANSHIP

As an employee of the Design Consultant you should advise the entire project team when work appears to be improper. You may also do research regarding materials and workmanship.

Promptly advise the superintendent when work or materials appear to be unacceptable and that payment may be withheld. Then record the areas in question in your Daily Report and notify the Design Consultant. Do not hold back information on matters that you believe need correction.

NEVER ISSUE STOP WORK ORDERS

Inappropriately stopping progress can result in the Contractor being paid delay damages. If something appears to be a problem, notify the Design Consultant and superintendent and note the matter in your Daily Report. Only the Local Housing Authority (LHA) – with EOHLIC approval – can issue a STOP WORK order to the Contractor.

NEVER AUTHORIZE EXTRAS TO THE CONTRACT

If the Contractor indicates that certain work may not be required by the Contract, notify the Design Consultant promptly. You cannot unilaterally authorize payment for extra or disputed work. These matters must be discussed with the Design Consultant and EOHLIC Construction Advisor.

Signing Time & Materials slips can only be used to verify how long it actually took to complete an item and will not constitute approval of any contractor claims.

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2 DON'TS

NEVER ACT IN THE CAPACITY OF THE CONTRACT OFFICER OR ANY LHA MEMBER

Local Housing Authority (LHA) members are elected and/or appointed officials. You have no authority to act for them.

DO NOT TRANSMIT COMMUNICATIONS BETWEEN THE LHA AND CONTRACTOR

Also, you are not expected to attend regular LHA meetings. The Design Consultant is responsible for keeping the LHA informed and should attend all meetings while the project is in progress.

3 DAILY REPORTS

One of your major responsibilities is to prepare Daily Reports. These reports become a written record of how and when a project gets built. They have been admitted as evidence in civil and criminal court cases, so it is imperative that they be clear and thorough.

Those who are persistently delinquent or relaxed in the preparation of their Daily Reports or are less than thorough will soon realize they will not be recommended for future work.

What should be put into a Daily Report? We have included sample daily report forms. We leave the exact format up to the individual Project Representative, but the sample shown provides for all of the Design Consultant information we believe should be recorded.

Try to comment on all sections, which include:

THE DAY'S STATISTICS

- Date, consecutive lead number, and record the day of the week on each report.
- List the name of the design consultant, contractor, and the superintendent. This is especially helpful if you refer to the report later in the Superintendent needs to corroborate any information.
- Record the weather and temperature at 8:00 AM, noon, and 4:00 PM.
- Record the number of personnel working on the project that day including the name of each firm, the specification section, where they work and the trade they work on. The number of four men karma journeymen farmer helpers, and laborers is also beneficial to accurately define typical crew sizes.
- Note personnel, including supervisors, who show up for work and when read because of weather or for other reasons, E. G. Out of materials.
- Keep a record of all visitors and the reasons for their visit. These includes the design consultant, people from the contractors or subcontractors office, CEO LC staff, LHA or other local officials, testing lab, building inspectors, Fire Chief, etcetera. Accompany visitors from EOHLC&LHA, and others who do not customarily there's a construction projects,

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around the site, and accurately answer any questions that they may have.

WORK COMPLETED THAT DAY

- Record work completed each day by trade or subcontractor. This may be necessary to confirm how long a certain phase of the project took to complete. Also record where the work takes place.
- Keep track of change order work started, worked on, or completed. These items will eventually come up for review when payments are requested. Therefore, it is important to know how much work, if any, has been completed. This is especially true if the item is being monitored on a time and materials basis or if it is a potentially disputed item.
- Keep a record of major equipment on site, e.g., compressors, lulls, dozers, etc. This information may be useful later for accurately determining when certain phases of work were completed or equitably evaluating a claim.
- Record all variations from or work not in compliance with the plans and specifications, and promptly notify the Design Consultant (by phone) of the non-compliance. Do not wait until the next site visit and don't expect the Design Consultant to pick the item out of your notes or read your mind. Discuss the matter with the superintendent and record any resolution in this or subsequent Daily Reports as appropriate. Attach photos as may be appropriate.
- Make a note of any material delivered to the project, and of course, obtain what is necessary to complete the submittal file. If you have no record of an approval, note it in the report and promptly inform the Design Consultant and the superintendent.

RECORD THE DAY'S EVENTS

- Record testing and other inspections so that everyone will know what has been tested and when. Also note tests that fail and/or retests of previous failures.
- Record any impromptu meetings that might occur at the job site and summarize the discussion. The Design Consultant will provide you with copies of the written weekly field meeting minutes. You should keep these in your files for ready reference.

OTHER ITEMS

- Make note of any potential delays encountered. Many times the Project Representative's reports are referenced to accurately document a delay. This may also be a good time to attach a photo if it will help document the facts about a delay.
- Record serious accidents. Often insurance adjusters investigate incidents weeks after they occur. If you have clear, concise, and accurate records they may help reach an equitable resolution to an insurance claim.

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- Keep a record of any indication by a contractor or subcontractor that they are seeking extra compensation for completing an item. There are numerous instances where it is later agreed that the Contractor is entitled to some extra compensation and your records are the likely place to find the information needed to fairly evaluate the Contractor's claim. As we've said - do not rely on your memory - write it down in your Daily Report.
- Note the correction of any other items that may have been recorded in earlier reports as being in non-compliance with the Contract Documents.
- Note any other items that you feel are important enough to document, e.g., if the superintendent consistently leaves the project for extended periods.
- Sign and date the report. The signature and date are very important.
- Make copies of each report for the Design Consultant, EOHL Construction Advisor, and LHA, and hand out these copies at the weekly job meetings.
- Sample Daily Reports can be found on pages 18 + 19 for you to use as a guide.

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PROJECT REPRESENTATIVE'S DAILY REPORT

Pg. _____ of _____

Report No. _____

Design Consultant: _____

Date: _____

Project: _____

Day M T W Th F

Superintendent: _____

Contractor: _____

Weather: 8:00 am _____ Noon: _____ 4:00pm _____

Temperature: 8:00 am _____ Noon: _____ 4:00pm _____

PERSONNEL COUNT	Spec Sect	Contractor	Trade	Foreman	Journeyman	Helpers	Total
--------------------	--------------	------------	-------	---------	------------	---------	-------

General

Contractor:

Subcontractors

Total:

NOTES:

Number Key to inspection notes:

- 1. Work performed by General Contractor
- 2. Work performed by Subcontractors
- 3. Work items or extra started
- 4. Work item or extra completed
- 5. Potential or encountered delays
- 6. Serious accidents
- 7. Visitors and reasons
- 8. Testing or inspection
- 9. Equipment on site
- 10. Site meeting participants and discussion
- 11. Variations from plans and specs. instigator, action taken, contractors seeking compensation, item labor and materials
- 12. Description of job incidents and remarks
- 13. Materials and equipment for installation received, compliance to specs.
- 14. Work not meeting specifications
- 15. Item in 14 corrected

Copies to: _____

Signature: _____

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PROJECT REPRESENTATIVE'S DAILY REPORT

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Report No. 82

Design Consultant: ABC Design Consultants

Date: 8/19/2025

Day M T W Th F

Project: ENFIELD 705-2

Contractor: RST CONSTRUCTION

Superintendent: PETER PERCH

Weather: 8:00 am Rain Noon: Rain 4:00pm Rain

Temperature: 8:00 am 45° Noon: 58° 4:00pm 55°

PERSONNEL COUNT	Spec Sect	Contractor	Trade	Foreman	Journeyman	Helpers	Total
General Contractor:							
	02204	Utilities Inc.	Laborers	1	2	1	4
	04200	Brickit, Inc	Masons	1	6	1	8
	06100	RST Construction	Carpenters	1	4	2	7
	09250	Gypit Company	Carpenters	1	4	3	8
Subcontractors							
	07510	Coverall Roofing	Roofer	1	6	1	8
	14210	Highlife Inc	Elevator	1	1	0	2
	15400	FullFlo Plumbing	Plumbers	1	2	0	3
	15500	Northwind Co	Pipefitters	1	1	0	2
	15300	Wetmatch Inc	Pipefitters	1	1	0	2.
	16000	Live Wire Elect.	Electricians	1	3	2	6
Total:				10	30	10	50

NOTES:

- Utilities Inc. w/ backhoe installing Sanitary lines and manholes 5 and 6
Masons showed up @ 7:30 left at 10:00 due to rain
Carpenters installing blocking in apts. 205-210
Drywall carpenters installing metal studs on 4th floor
- Roofers unloaded five rolls of membrane roof and ten pails of adhesive, left site @ 11:00 due to rain.
Elevator mechanics setting rails in shaft
Plumbers installing sanitary risers #2 and #5
HVAC pipefitters setting pipe hangers at 2nd floor
Fire Protection pipefitters setting standpipe@ stair #2
Electricians pulling feeders to 2nd floor
- Mr. Rogers, RST Construction Co Inspecting Project
Mr. Harmone, Enfield Building Inspector (PM)

Number Key to inspection notes:

- | | |
|---|---|
| 1. Work performed by General Contractor | 10. Site meeting participants and discussion |
| 2. Work performed by Subcontractors | 11. Variations from plans and specs. instigator, action taken, contractors seeking compensation, item labor and materials |
| 3. Work items or extra started | 12. Description of job incidents and remarks |
| 4. Work item or extra completed | 13. Materials and equipment for installation received, compliance to specs. |
| 5. Potential or encountered delays | 14. Work not meeting specifications |
| 6. Serious accidents | 15. Item in 14 corrected |
| 7. Visitors and reasons | |
| 8. Testing or inspection | |
| 9. Equipment on site | |

Copies to: _____

Signature: _____

4 REVIEWING CONTRACTOR'S PAYMENTS

Being paid fairly and promptly for completed work represents one of the most important ingredients for a harmonious construction project. For that reason, this chapter describes your responsibilities for assisting the Design Consultant to fairly and thoroughly evaluate the Contractor's payment requests.

SCHEDULE OF VALUES

At the beginning of every construction project the Contractor will submit a breakdown of the Contract Sum to the Design Consultant. This breakdown, called the Schedule of Values, usually consists of a summary schedule listing one line item for each specification section. This summary schedule is supported by a Detailed Schedule breaking down the value of each of the summary line items. These schedules are used as the basis for payments for the entire contract.

When the Design Consultant receives the Schedule of Values you should receive a copy for review. As part of the process of setting up your files and becoming familiar with the Contract Documents, cross reference the detailed Schedule of Values to the Contract Documents.

Check to see if any specification sections have been left out, if any sections need to be broken down in more detail for easier evaluation, or if any items that will be completed early in the project have unacceptably high dollar values assigned to them. Advise the Design Consultant of your concerns before the schedule receives approval.

Once the detailed schedule is approved, the Contractor uses it as a basis for requesting payments. If an item is omitted, not adequately broken down, or front end loaded, confrontations may occur later because everyone will have a different understanding of what certain line items represent. Therefore, it is important that your review be thorough.

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4 REVIEWING CONTRACTOR'S PAYMENTS

**PENCIL DRAFT
REQUISITION**

When the Contractor begins work and starts requesting periodic payments, the role of the Project Representative becomes vital. Once a month at a regularly scheduled weekly meeting time is set aside for the project team to review the Contractor's requisition. You should expect a pencil draft of the detailed payment request a day or two before this meeting. When you receive this pencil draft a number of things must be done so that the Design Consultant will be well advised during the review meeting.

Review the line items for which the Contractor requests payments. Then review how much work has been done and determine if the requested amounts represent fair compensation for what has been completed and advise the Design Consultant of your opinion and recommendations.

In addition, be sure that you are aware of the status of the Contractor's record drawings. It may be necessary to hold funds if they are not current or accurate.

If you feel the dollar requests are excessive, or if there is not enough money to cover any incomplete or unsatisfactory work, discuss with the superintendent how the Contractor computed the requests. If this does not lead to a resolution, calculate a fair value for the questionable line items and list the reasons for your recalculation. Remember that retainage is money held after work has been successfully completed. NEVER accept the theory that retainage is held just to correct problems.

Unsubstantiated requests for payment line item reductions will only result in unnecessary arguments. With accurate information the Design Consultant can determine what fair compensation should be.

STORED MATERIALS

You should also review the requests for payment for stored materials. This means checking stored materials, on and off site, to be sure it complies with the specifications and the approved submittals. Inventory the material to be sure it corresponds to amounts listed on the payment request and, as much as possible, to be sure the prices are fair.

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4 REVIEWING CONTRACTOR'S PAYMENTS

If you have to check materials stored off site, the Contractor is expected to transport you to and from the storage site, before payment is approved.

**REQUISITION REVIEW
MEETING**

By the day of the requisition review meeting you should have thoroughly reviewed the detailed requisition and have recommendations on all line items. With this information in hand you can assist the Design Consultant to objectively evaluate each payment line item. Your input at this point is extremely important so putting off your analysis or being unfairly and overly disparaging does not help the project.

As for paying for work which may be completed between the time of the review and the actual payment of the requisition.[EOHLC does not permit projections. Whatever work is completed after a requisition is reviewed simply goes on the next requisition.

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4 REVIEWING CONTRACTOR'S PAYMENTS

**CHANGE ORDER
PAYMENTS**

In addition to regular line items you must review work completed on **APPROVED** change orders. As with the other work items, review and be prepared to advise the Design Consultant on what constitutes fair compensation for work completed on **APPROVED** change orders. Keep in mind payments cannot be made for work on change orders that have not been approved by EOHLC.

SIGN OFF

Once the requisition review is complete the contractor will prepare the summary application for payment and submit it in Cap Hub. By thoroughly reviewing the detailed request as we have described there should be no reason for anyone to renege on previously approved amounts. Your pre-review and input is essential to making things happen on time. **NEVER** delay the review process thinking you can somehow influence the Contractor's performance.

5 PUNCH LIST

As a project approaches Substantial Completion it will become necessary to prepare a list of incomplete or unsatisfactory items. Your intimate knowledge of the project makes it appropriate for you to be involved in this process.

QUALITY CONTROL

All during construction the Contractor should have been made aware of unsatisfactory items. In addition, adequate funds should have been held against line items with deficient work. If you have diligently done this throughout the life of the project, the punch list should be minimal and you will be able to get these items corrected easily and quickly.

Designating a model apartment, before the work starts, will help establish acceptable levels of quality and make the entire process easier.

PUNCH LIST PREPARATION

The final responsibility for preparing the punch list belongs to the Design Consultant, but you may be asked to assist.

After the Contractor and subcontractors prepare and correct their own punch list, the Contractor will request the Architect to do an inspection for Substantial Completion. During this inspection you and the Architect, as well as representatives of the LHA (including the maintenance staff), should thoroughly inspect every apartment and all public spaces. All parties should be present for the scheduled inspection, so that the Architect prepares the one agreed-upon list.

The Design Consultant should also prepare a list of work items covered by their disciplines.

Upon completion of this thorough inspection, the Design Consultant will give the Contractor a copy of the list of incomplete or unsatisfactory items. The Contractor will then give the list to the appropriate subcontractors who should promptly correct the items noted.

**SUBSTANTIAL
COMPLETION**

Occasionally the Contractor will ask you to check corrected items. You should make note of these and advise the Design Consultant. At Substantial Completion any items not corrected will be listed with the Certificate of Substantial Completion. This is when the Contractor turns over the responsibility for the project to the LHA, so it is important that the punch list be complete.

It may also be helpful if you note the readings on the water, electric, and gas meters with the superintendent at noon of the day of Substantial Completion. For new construction, this helps the LHA establish where responsibility for the utility bills stops and starts.

After Substantial Completion, new residents will be moving into the development and the Project Representative's services will no longer be needed. Therefore, it is important to identify and correctly describe the location of all deficient items. Also, advise the LHA maintenance staff of any items that may require special attention.

**MODERNIZATION
PUNCH LISTS**

As we noted in the Duties & Responsibilities section, Modernization projects typically occur in occupied apartments. This presents specific challenges for preparing a punch list.

The Project Representative may be asked to do a punch list inspection of each apartment as it is completed. This becomes necessary because the residents typically use the new items immediately after installation. Therefore, it is important to coordinate with the residents and the Contractor to be sure to fairly evaluate the work. This means meeting the Contract quality requirements while at the same time protecting the Contractor against responsibility for damage caused by routine use.

Following a procedure similar to this will help to develop a realistic punch list on Modernization projects, and will result in a quality project with satisfied residents, LHA, and Contractor.

Paying close attention to detail during any project will help keep the punch list small and manageable.

6 TIPS

Over the years we have seen Project Representatives that have been very effective. To be more effective many have developed personal techniques or styles that make their job easier. Without insisting that everyone adopt the same style, we would like to share some tips that have proven successful in the past.

ASK QUESTIONS

There is no one person who knows everything about construction. Don't be afraid to admit what you don't know. This will help you gain a better understanding of the parts of the contract with which you are unfamiliar.

We do not believe Project Representatives or Design Consultants need to be capable of reading a contractor's mind. Anxiety and apprehensions can be lowered by asking questions about how someone plans to approach a particular detail or item.

COMMUNICATE

Always keep the lines of communication open. Project Representatives and superintendents sometimes get involved in professional differences of opinion. Try not to let these carry over to personal aspects of the relationship. You can always agree to disagree, but you must communicate to be effective.

RESPECT OTHERS

Respect other people's knowledge of the construction industry. People quickly become bored when they realize they are dealing with an expert on everything. We respect a Project Representative's experience and that figures into their getting the position, but allow others to share their knowledge and experience with you.

KNOW YOUR PROJECT

To be effective a Project Representative must be respected. Whenever questions are constantly answered with an "I don't know," the Project Representative loses credibility. Know what the plans and specs call for, and know what has been installed and how. This means checking every item installed e.g., Are all the windows operating smoothly? Are all the stud cavities filled with insulation top to bottom?

6 TIPS

In addition, be sure you know if the Contractor's record drawings are accurate and up to date. This will be important at requisition review time.

WRITE IT DOWN

Write questions and other pertinent matters down. Don't rely on memory. Have you ever forgotten something?

**KEEP DAILY REPORTS
CURRENT**

You will record items more accurately when they are fresh in your mind. Once you get behind on this or any task the quality and thoroughness will suffer. The Design Consultant and the EOHL Construction Advisor should receive copies of the preceding 5 days' reports at each job meeting.

**KEEP FILES COMPLETE
AND ORDERLY**

At the end of the project your files will be turned over to the LHA as part of the permanent project record. Make sure the files are complete and easily understood because they will be frequently referred to in the future for a number of reasons.

These files should include:

- All correspondence;
- Daily reports;
- Weekly meeting minutes;
- Approved shop drawings, submittals, and samples;
- Contract Documents including all addenda; and
- Certificates of Payment, including stored materials verification;
- Change orders; including
 - Change order logs;
 - Construction Change Directives;
 - Daily time and material slips;
- Clarification sketches; and
- Photos.

BE CONSTRUCTIVE

Any criticism that you may have should be offered constructively. To continuously point out only the negative aspects of a contractor's performance will quickly lead to a breakdown in respect and project harmony.

PROJECT REPRESENTATIVE'S HANDBOOK

6 TIPS

DEFICIENCY LIST

Maintain a current list of items that require correction. If appropriate, this list can be posted or reviewed at the weekly meetings. As things get corrected they can be taken off the list. Accentuating positive actions by the Contractor will help encourage prompt attention to future deficiency items.

BE VISIBLE

Continually monitor the project site, making sure you personally check every area where work is in progress. When people know their work will be reviewed on a regular basis, they will display more pride and make an extra effort to be sure the work is done well.

6 TIPS

STARTING NEW WORK

Paying close attention to work by trades that are just beginning can help avoid problems. By quickly reviewing new work soon after it starts you can address any quality issues early. If attention needs to be paid to certain areas, things can be corrected before they get too far along. Criticism after the fact will only make problems worse.

INCLEMENT WEATHER CHART

Post a conspicuous, color coded, chart that shows the weather for each day of the project. This should be in addition to, and correspond with, the data listed on your Daily Reports. This will help give prompt evaluation of any claims for delays due to weather.

LOG TESTING LAB VISITS

The Design Consultant will have to review and pay for all testing done at the project. Keeping a log of when the testing lab sends people to the project will make the review much easier. It will also help the Design Consultant determine the costs for any failed tests.

SIGNATURES

Be informed about what documents you will be expected to sign.

Typically you will be expected to sign the following documents:

- Time & Material Slips, for extra or disputed work, and
- Daily Reports.

GLOSSARY

APPLICATION FOR PAYMENT. A monthly requisition prepared by the Contractor for payment for stored materials and work satisfactorily completed during the previous month.

CHANGE ORDER. A written order to the Contractor authorizing a change in the work or an adjustment in the Contract Documents.

CONTRACT DOCUMENTS. The various legal documents which comprise the construction contract including the Owner-Contractor Agreement, the plans, specifications, general and special conditions, and any addenda issued during the bidding period.

CONTRACT OFFICER. The person designated by the local housing authority (LHA) as the official representative of the LHA with the authority to sign certain documents.

CONSTRUCTION CHANGE DIRECTIVE. A written order issued to the Contractor directing work proceed either on a Time and Materials or Unit Price basis. This directive can also be used to order disputed work to proceed.

DATE OF SUBSTANTIAL COMPLETION. The date that the project is accepted as sufficiently complete to permit use and occupancy by the LHA.

NOTICE TO PROCEED. A written communication issued by the LHA to the Contractor authorizing him to proceed with the work.

PROGRESS SCHEDULE. A diagram, graph, or written schedule showing anticipated starting and completion dates of various phases of the work.

PUNCH LIST. A list of deficiencies to be corrected or completed prior to final completion of the project.

RECORD DRAWINGS (As-Built Drawings). Construction drawings produced to show the work as installed by the Contractor and subcontractors.

SCHEDULE OF VALUES. A detailed breakdown of the contract price prepared by the Contractor indicating the values of the various parts of the work.

SHOP DRAWINGS. Drawings and other data prepared by the Contractor or subcontractors indicating how various materials or components are to be fabricated or installed.

SUBSTITUTION (OR-EQUAL). A material or process equivalent to the specific item(s) called for in the specifications.

NOTE: LHAs may use this template Notice as a guide, but exact adherence to the template is not required. LHAs are strongly encouraged to consult with their attorneys prior to using the template or issuing the Notice.

NOTICE TO TERMINATE CONSTRUCTION CONTRACT FOR CAUSE

Contractor Name: RST Construction
Contractor Address: Box 100
Enfield, Massachusetts 01234
Local Housing Authority: Enfield Housing Authority (“LHA”)
Project ID: 667-3
Date of Notice: 09/15/2025

Dear Roy:

On or about June 15th, 2024 RST Construction entered into an agreement with the Enfield Housing Authority to replace roofing, gutters and downspouts at the Enfield Housing Authority property located at 200 Swift Stream Drive, Enfield, MA 01234. A copy of the Contract is attached.

In accordance with Section 19.1.1 of the Contract, this Notice serves as notice that the Enfield Housing Authority is terminating the Contract for cause. The Contract is being terminated for cause for the following reason(s) [*Check all that apply*]:

- Contractor is adjudged bankrupt or has made a general assignment for the benefit of its creditors.
- A receiver has been appointed to Contractor’s property.
- All or a part of the Work, as defined in the Contract, has been abandoned.
- Contractor has sublet or assigned all or any portion of the Contract, the Work, as defined in the Contract, or claims thereunder, without the prior written consent of LHA.
- The Architect, as defined in the Contract, has determined that the rate of progress on the project is not being met.
- Contractor has substantially violated the following section(s) of the Contract [*List sections of the Contract that Contractor has violated*]:

Pursuant to Section 2.4.1 of the Contract, Contractor has seven (7) days from the Date of Notice to correct the aforementioned default(s).

If Contractor fails to correct the default(s) by _____ [Seven days following Date of Notice] LHA shall exercise the following Remedies [Check chosen Remedies]:

- In accordance with Section 2.4.1 of the Contract, LHA shall hire one or more contractors to correct the default(s).
- In accordance with Section 19.1.2 of the Contract, LHA shall notify Contractor to discontinue all work.
- In accordance with Section 19.1.2 of the Contract, LHA shall hold Contractor and its sureties liable in damages as for a breach of contract.
- In accordance with Section 19.1.3 of the Contract, LHA shall charge the expenses of completing the Work, as defined in the Contract, or part thereof, to the Contractor.
- In accordance with Section 19.1.4 of the Contract, LHA shall take possession of and use any materials, machinery, implements and tools found upon the site of the Work, as defined in the Contract. LHA shall not be liable for any depreciation, loss or damage to said materials, machinery, implements or tools during said use and Contractor shall be solely responsible for their removal from the site after LHA has no further use for them.
- In accordance with Section 19.1.5 of the Contract, LHA shall require the surety or sureties to complete the Contract.¹

Please be advised of the following:

1. Should Contractor fail to correct the identified default(s) by the date specified above and LHA exercises one or more of the above-listed Remedies, in accordance with Section 19.2.1 of the Contract, all expenses charged to LHA shall be deducted and paid by LHA out of any moneys then due or to become due to Contractor under the Contract and LHA shall not be required to obtain the lowest figures, by competitive bid or otherwise, for the completion of the Work, as defined in the Contract.

¹ LHA's selection or omission of one or more of the Remedies shall not prohibit LHA from exercising other or additional Remedies permitted under the Contract. LHA retains all rights under the Contract to seek any Remedies permitted by the Contract if Contractor fails to correct the identified default(s) by the date specified in the Notice.

2. In accordance with Section 19.2.2 of the Contract, all sums actually paid by LHA to complete the Work, as defined in the Contract, shall be charged to Contractor. If expenses exceed the sum which would have been payable under the Contract, Contractor shall pay the amount of the excess to LHA. Such expenses may include, but not be limited to, costs for architectural extra services or project representative services as required in the opinion of LHA to successfully inspect and administer the Contract through Final Completion, as defined in the Contract.

Furthermore, failure of Contractor to correct the default(s) by _____ [*Seven days following Date of Notice*] will result in LHA reflecting its dissatisfaction on the Contractor Evaluation Form sent to the Executive Office of Housing and Livable Communities and to the Department of Capital Asset Management and Maintenance. LHA shall also inform the bonding company of the poor performance by Contractor.

Sincerely,

LHA Representative