



CONSTRUCTION HANDBOOK

A Guide for Modernization and Development of
State-Aided Public Housing

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PREFACE

The Executive Office of Housing and Livable Communities (EOHLC) Construction Management Unit is pleased to make this 2026 edition of the **CONSTRUCTION HANDBOOK** available to you. The 2026 edition represents the culmination of thousands of hours of work by many individuals going back to 1980 when EOHLC introduced the first edition of the **CONSTRUCTION HANDBOOK**.

Now, as then, the purpose of the **CONSTRUCTION HANDBOOK** is to make the construction phase of EOHLC-funded modernization and new construction projects as problem-free as possible. We have done this by clearly setting out the procedures to be followed in the Construction Management system, Cap Hub, the electronic forms to be used, and the responsibilities of the participants.

For those that have used a previous edition(s) of the **CONSTRUCTION HANDBOOK**, you will find that we have made several changes including the introduction of Cap Hub, a revised identity from DHCD to EOHLC, Construction Management oversight, and technical assistance on projects with estimated costs over \$100,000 and / or deemed complex for local housing authorities (LHAs), contractors, and design consultants (A/Es).

Cap Hub is part of a system designed to improve automation and implement workflow processes. This system will be mandatory for all jobs with a bid price of over \$50,000. The system facilitates work by providing document generation, approval, and document uploads. It automates the scheduling of pre-construction meetings, issuance of the notice to proceed, and provides the ability to enter and process the schedule of values, estimated payments, progress schedules, applications for payment, change proposals, change orders, and close-out documents as the work is performed.

ACKNOWLEDGMENTS

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INTRODUCTION

Once a contractor has been selected and all the necessary permits are in hand, it is time to begin building construction or modernization improvements. While the Contractor is responsible for carrying out the construction, all the participants previously involved in the process continue to play a role throughout the construction phase - monitoring progress, reviewing and approving materials and documents, and approving and processing payments to the Contractor.

The construction or modernization of state-funded housing involves:

- observance of state laws and regulations.
- compliance with EOHLC procedures and requirements.
- working with many people in public and private organizations; and
- continuous monitoring, coordination, attention to detail, and follow-up throughout the construction process.

This handbook will help **LHAs, Contractors, and Design Consultants** work effectively with each other, and with **EOHLC**, during the construction process by:

- defining the roles and responsibilities of all participants; and
- describing the required procedures to ensure that the project is completed on schedule, within budget, and in accordance with the contract documents.

This handbook refers to specific laws, regulations, and contracts which govern the construction process, but it is not meant to substitute for these laws, regulations, and contracts. In those instances where it is critically important that you read and understand these laws, the handbook refers you to the relevant materials. EOHLC recommends LHAs always consult with their attorneys regarding the applicable laws governing the LHA's construction process.

CONSTRUCTION ROLES AND RESPONSIBILITIES

A variety of people and agencies, each with specific responsibilities for the project, are involved in the construction process. To minimize conflicts, confusion, and misunderstandings, and to ensure that construction proceeds smoothly, it is important that the participants understand the roles and responsibilities of each party.

The LHA

The LHA

As the owner, developer, and manager of the state-aided public housing in each community, the **LHA** has the primary responsibility for the entire development or modernization process.

During construction, the LHA is bound by the terms of three contracts into which it enters during the course of funding and construction:

- Contract for Financial Assistance (CFA) sets forth the obligations and responsibilities between the LHA and the Commonwealth regarding the financing of the construction itself and the subsidizing of the operating costs once the development is occupied.
- Contract for Designer Services (CDS) is between the LHA and the **Design Consultant**. It describes the responsibilities of both parties with respect to designing the project, administering the construction contract, and overseeing actual construction.
- The Owner-Contractor Agreement (also called the Construction Contract) is between the LHA and the Contractor. It defines the rights and responsibilities of the parties during construction. The Owner-Contractor Agreement refers to the Contract Documents, which are composed of the Advertisement, Bidding Documents, Contract Forms, Conditions of the Contract, Specifications and Drawings, and any modifications issued after the execution of the Owner-Contractor Agreement.

During construction **LHA Board** approval is required only to execute change orders and close-out documents. Almost all of the day-to-day construction related duties are assigned to the LHA Contract Officer.

When the LHA votes to award the construction contract, it also designates an **LHA Contract Officer** and **alternate LHA Contract Officer**. This may be the Executive Director, a staff person, or a Board member. The responsibilities of the LHA Contract Officer during construction are to:

- sign all periodic payments to the Contractor on behalf of the LHA;
- sign all change orders and construction change directives after the LHA Board has voted to approve the change; and
- report on the construction status, change orders, payments, and problems at the regular LHA meetings.

If Board members and LHA staff, other than the LHA Contract Officer, wish to visit the site, the Design Consultant's Project Representative accompanies them throughout their visit. If they have questions that the LHA Contract Officer or Project Representative cannot answer, they should contact the Design Consultant for assistance.

The Board also designates an **Equal Employment Opportunity (EEO) officer** who is responsible for monitoring the Contractor's compliance with the affirmative action and equal opportunity requirements set forth in the construction contract. This entails reviewing the Contractor's weekly affirmative action workforce reports. The EEO officer may require that payments to the Contractor be reduced for noncompliance with the affirmative action requirements. Such reductions are set forth in the general conditions of the construction contract.

The Residents

See 760 CMR 6.00:
Occupancy Standards and
Tenant Participation for
State Aided Housing and
760 CMR 11.00:
Modernization and
Development of State-Aided
Public Housing

The Residents

A **LOCAL-TENANT ORGANIZATION (LTO)** must be involved in both the modernization and redevelopment process pursuant to EOHLA's regulations governing resident participation in LHA modernization projects, as set forth in 760 CMR 6.09(3)(i).

The LTO represents the residents' interests on many issues during construction, such as the concern about the timing of work and the relocation of residents. Sometimes this representation is through a **Tenant Coordinator**, while at other times the representation is accomplished in a less formal manner. Whoever represents the LTO may attend the pre-construction meeting and the weekly job meetings.

Certain modernization jobs require a Tenant Coordinator. This determination is made by EOHLC before the job begins. The Tenant Coordinator functions as a representative of the LTO only for the particular construction project for which he/she was hired. If a Tenant Coordinator is required, the LHA selects one with the assistance of the LTO.

The Tenant Coordinator facilitates the resident-related aspects of construction so that residents are informed about the construction work and lines of communication are established to head off potential problems.

The Design Consultant

The Design Consultant

THE DESIGN CONSULTANT is the agent for the LHA during the construction process. As such, the Design Consultant is responsible for administering the construction contract and for overseeing construction for the LHA. This means that all formal communication between the Contractor and the LHA must go through the Design Consultant. The Design Consultant may engage a Project Representative (also known as the clerk of the works) to observe construction on a daily basis.

THE PROJECT REPRESENTATIVE, also known as the clerk of the works, is an individual designated by the Design Consultant to serve as the primary on-site point of contact and liaison for the project. Their key role is to provide continuous observation and a daily presence on the job site to monitor construction progress, facilitate communication, and document the work on behalf of the LHA.

The relationship between the Design Consultant and the LHA is defined in the Contract for Designer Services. The relationship between the Design Consultant (as agent for the LHA) and the Contractor is governed by the general conditions of the construction contract.

The AIA Architect's Handbook of Professional Practice provides an overview of the Design Consultant's responsibilities. It reads, in part, as follows:

"...Because of the special knowledge of the work gained through preparation of the design and resulting construction documents, the [Design Consultant] has the primary responsibility to interpret their requirements and to judge the performance of the parties under the contract.

This responsibility to judge performance is not limited to the technical requirements of the drawings and specifications but also includes judging compliance with the terms of the contract.

Impartiality and consistency with the intent of the contract documents must be basic to all the [Design Consultant’s] decisions. All decisions and all interpretations must be documented, either in writing or by issuing drawings or other documents.”

The Contractor

The Contractor

The **CONTRACTOR** may have several staff who help manage and supervise the construction project.

The **PROJECT MANAGER** is the official spokesperson for the Contractor. All formal communication from the Design Consultant to the Contractor is directed to the Project Manager. The Project Manager attends the weekly job meetings to discuss pertinent matters with the Design Consultant and keep informed of the progress on the job.

The **PROJECT SUPERINTENDENT** supervises construction on a daily basis. If the Project Manager cannot be reached, the Contract Documents permit the Project Superintendent to receive communication for the Contractor. Since the Project Superintendent is on the site every day, he or she is often consulted by other parties such as the Design Consultant on an informal basis. A copy of a current Construction Supervisor's License must be provided to the Design Consultant and LHA for approval prior to any work beginning on site.

Filed Subcontractor

See M.G.L. Chapter 149
§44F

Filed Subcontractor

Under the provisions of M.G.L. Chapter 149 the Contractor may be responsible for the work of up to 18 **FILED SUBCONTRACTORS** who perform work in specialized trades such as plumbing or heating. Whether or not a subcontractor is filed makes no difference as to who is responsible for that subcontractor's work. It is the Contractor who contracts with all subcontractors, and so it is the Contractor who is ultimately responsible to the LHA for the quality of the work of the subcontractors.

Local Inspectors

Local Inspectors

During construction the building inspector and other **local and state inspectors** make periodic inspections to determine if the project is being built in accordance with the applicable codes. Local Inspectors can come out anytime they want, or upon request to inspect present components of construction progress.

EOHLC

EOHLC

The **EOHLC PROJECT MANAGER** has been actively working on the project long before it gets to the construction stage, giving assistance to the LHA and Design Consultant during the funding, design, and bidding processes. The Project Manager continues to monitor the progress of the project as it

proceeds through construction, including the administration of the Contract for Designer Services but is not actively involved in the construction process itself.

The **CONSTRUCTION MANAGEMENT UNIT** is EOHLC's liaison with LHAs during the entire construction process from contract award through final completion and construction close-out. While the CMU does not oversee all on-site activities directly, it is kept fully informed of construction progress and key developments during modernization, redevelopment, and development projects, and provides technical assistance as needed.

The **EOHLC CONSTRUCTION ADVISOR** is assigned to the job before construction begins. The Construction Advisor monitors construction and assists the LHA and Design Consultant in resolving any problems. As the construction representative for EOHLC, the Construction Advisor visits each project regularly and participates in weekly project meetings with the Design Consultant, the Project Representative, the LHA Contract Officer, and the Contractor. If the LHA or Design Consultant have questions about EOHLC's construction administration procedures or requirements they should be directed to the EOHLC Construction Advisor.

INTEGRATING CAP HUB INTO CONSTRUCTION MANAGEMENT

I. Introduction to Cap Hub

EOHLC is committed to streamlining and modernizing the management of state-aided public housing construction projects. In line with this commitment, the Cap Hub system has been created as a transformative tool specifically designed to enhance the construction phase of modernization and new construction projects.

A. Purpose of Cap Hub

Cap Hub is a project management software application developed to improve automation and implement efficient workflow processes across various stages of a construction project. Its primary purpose is to centralize and standardize the management of documentation, approvals, and

A. Purpose of Cap Hub

communication, ensuring a more cohesive and transparent project execution.

B. Mandatory Use

B. Mandatory Use

To ensure consistency and efficiency across all projects, Cap Hub is **mandatory for all construction projects with a bid price over \$50,000**. projects with a bid price between \$50,000 and \$150,000 are typically managed by Regional Capital Assistance Teams (RCATs); projects with a bid price over \$150,000 are of a size that would be managed EOHLC For any project with a bid price over \$50,000, all relevant construction transactions, documentation, and communications must be processed through the Cap Hub system.

C. Core Modules

C. Core Modules

Cap Hub is an integrated system that encompasses several core modules designed to cover the entire lifecycle of a project. While this handbook focuses on the **Construction Module**, it is part of a larger system that includes modules for:

- Planning
- Design
- Bidding
- Invoicing
- Schedule management
- Budget tracking

D. Key Benefits of Cap Hub

D. Key Benefits of Cap Hub

Cap Hub offers numerous advantages for all stakeholders:

- **Enhanced Collaboration:** Provides a unified platform where LHAs, EOHLC, Design Consultants, and Contractors can collaborate efficiently.
- **Automated Workflows:** Automates various steps in the construction management process, reducing manual effort and potential for error.
- **Streamlined Approvals:** Expedites document generation and approval processes through digital routing.

- **Timely Notifications:** Automated email and in-application notifications alert team members of their responsibilities and tasks, ensuring timely action.
- **Centralized Document Management:** All construction documents are stored and saved in a single, accessible system, promoting transparency and easy retrieval.
- **Real-time Tracking:** Allows for continuous tracking of transaction history, identification of pending actions, and monitoring of document review processes.
- **Automated Updates:** Facilitates automated updates to project schedules and budgets, providing an up-to-date financial and project progression overview.

II. Accessing and Navigating Cap Hub

Cap Hub serves as the central platform for managing all EOHLC-funded modernization and new construction projects. Understanding how to access and navigate the system is critical for all stakeholders involved in the construction process.

A. Logging In

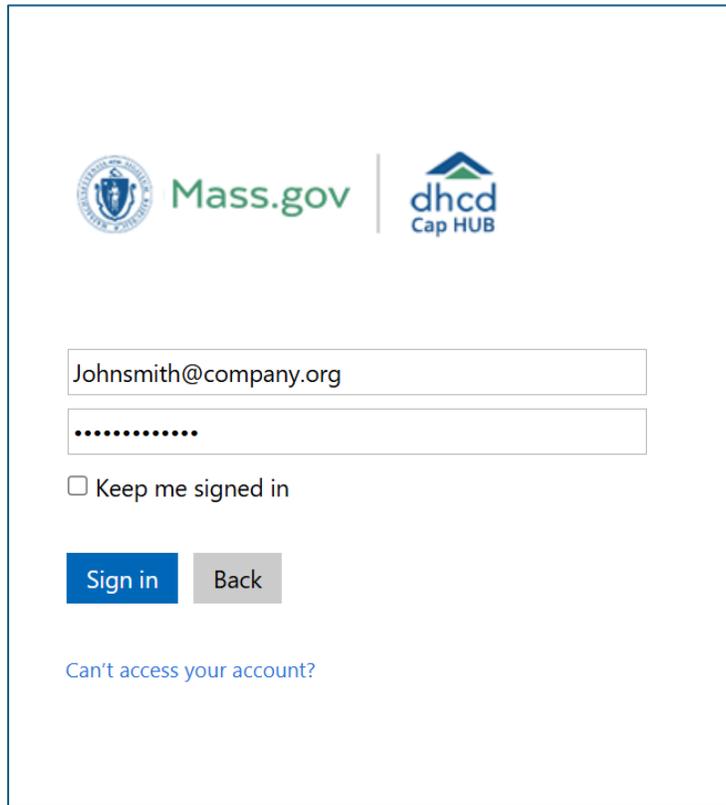
A. Logging In

To begin using Cap Hub, users must navigate to the designated web address. Upon arrival, you will be presented with a login screen where you will enter your credentials.

URL: <https://caphub.azurewebsites.net/>

- **Username:** Your email address, as administered by your organization's primary Cap Hub user.
- **Password:** Your assigned password. If this is your first time logging in, follow the instructions provided by EOHLC for initial password setup.
- **Recommendation:** It is highly recommended that you bookmark the Cap Hub login page for quick access.

Figure 1: Cap Hub Login Screen



Please reference the Logging In section of the HD Cap Hub 4 - Construction Functionality document for further details.

B. System Requirements

B. System Requirements

For optimal performance and user experience, Cap Hub is best accessed via a desktop or laptop computer using a supported internet browser. While the system can be accessed on tablets and mobile phones, the interface may not be as efficient for detailed work.

- Supported Browsers: Chrome, Internet Explorer (IE) 9 or higher, Firefox, and Edge.
- Optimal Performance: Google Chrome and Internet Explorer 11 are recommended for the best experience.

C. Dashboard Overview

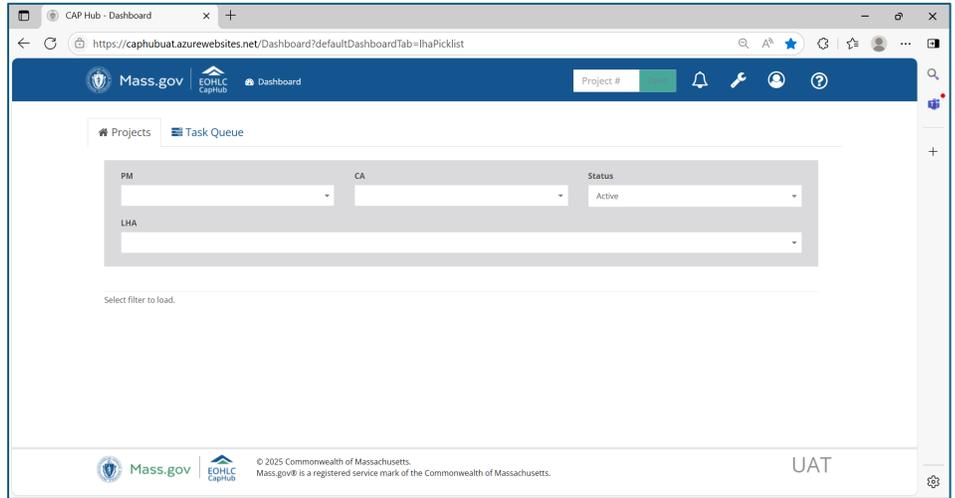
C. Dashboard Overview

Upon successful login, you will be directed to the Cap Hub Dashboard. This serves as your personalized homepage, providing a high-level overview of your assigned projects and pending tasks. The dashboard is designed to help you quickly identify actions requiring your attention.

The dashboard typically displays:

- Dashboard Tasks: A summary of tasks assigned to you, categorized by status (e.g., Pending, Overdue, Complete, Rejected).
- Future Tasks: A view of upcoming responsibilities.

Figure 2: Cap Hub Dashboard View



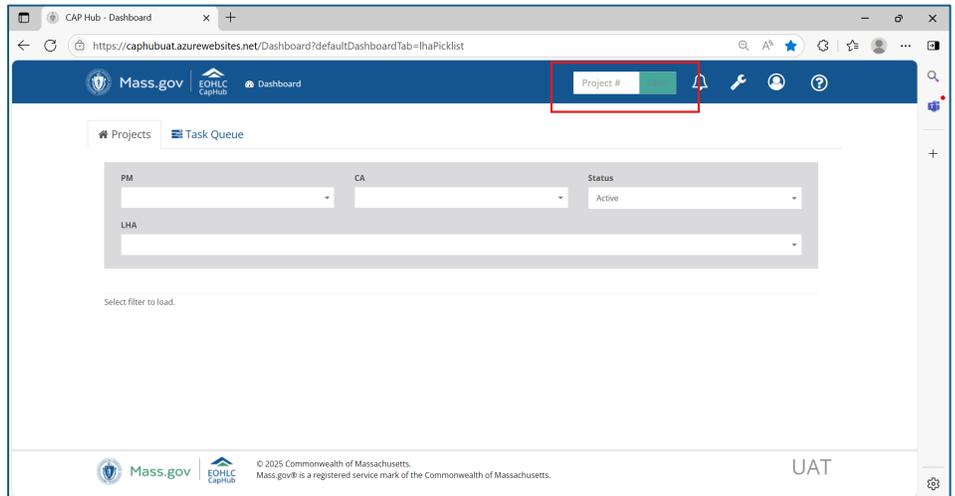
D. Project Selection and Navigation

D. Project Selection and Navigation

To access specific project details or initiate project-related actions, you must first select the relevant project.

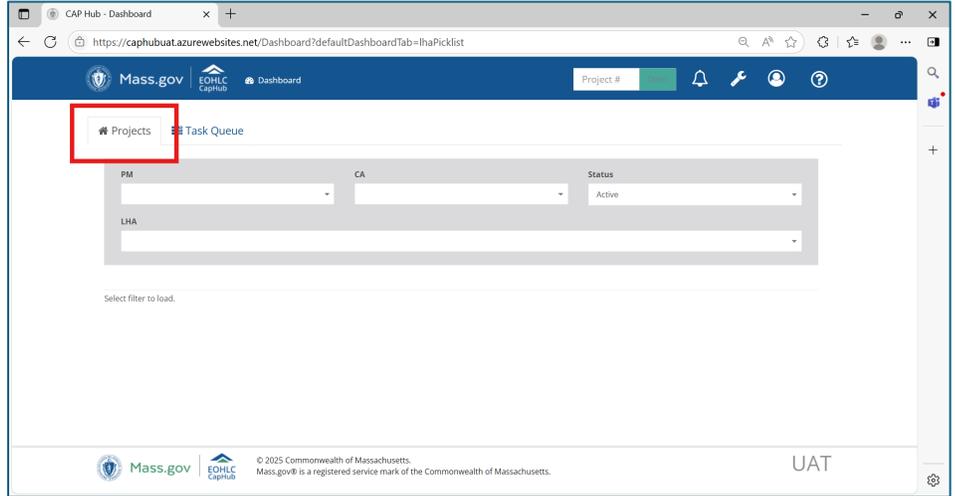
- Searching by Project Number: The most direct way to locate a project is by entering the unique Project Number into the designated search field.

Figure 3: Search by Known Project Number

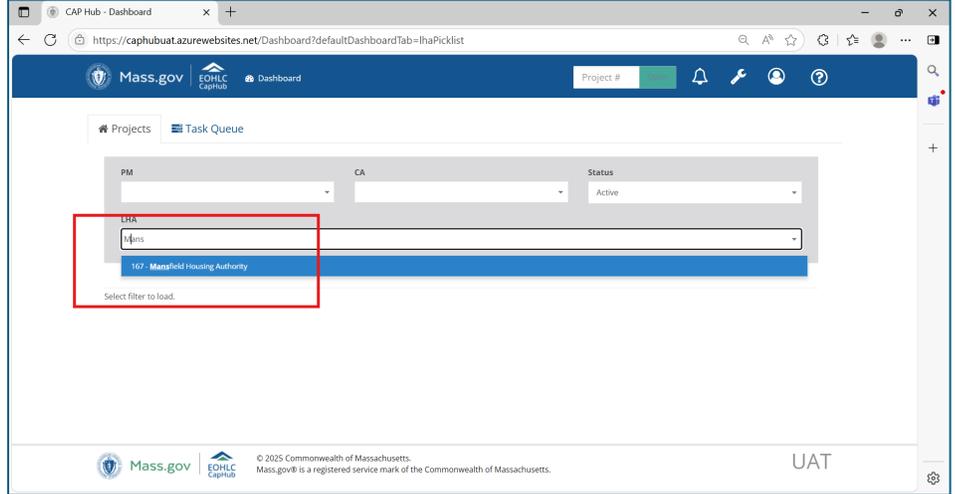


Browse Project Lists: Alternatively, you can browse a list of projects associated with your LHA through the "Projects" dropdowns typically found on the dashboard.

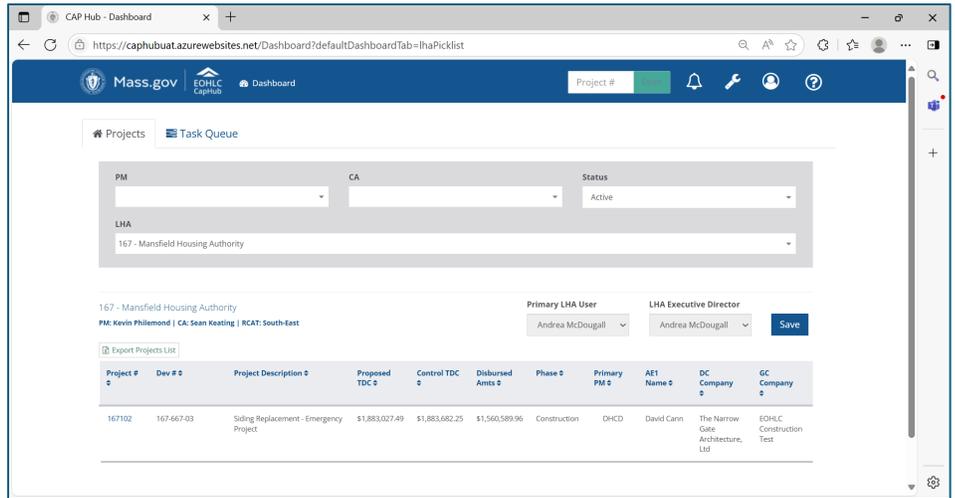
Figure 4: Project Search and Selection Interface



(Fig.4.1)



(Fig.4.2)



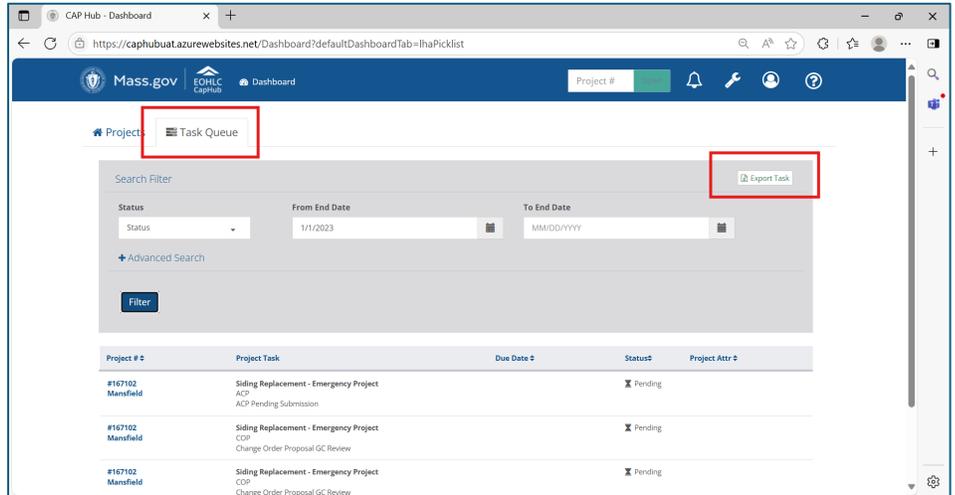
(Fig.4.3)

E. Exporting Data

E. Exporting Data

For reporting or offline analysis, Cap Hub allows you to export your dashboard task lists to Microsoft Excel. This feature enables you to filter and analyze your tasks outside of the Cap Hub environment.

Figure 5: Dashboard Export Functionality



III. Cap Hub Roles and Permissions in Construction

Cap Hub employs a robust permissions system to ensure that each stakeholder has access only to the information and functionalities necessary for their specific role within the construction management process. Permissions are typically determined by your organizational affiliation and your designated role on a project.

A. General Permissions Structure

A. General Permissions Structure

The system is designed with a cascading permission structure where supervising roles often inherit the permissions of those they oversee. This ensures proper oversight and workflow management. Each role has specific view, edit, and approval permissions.

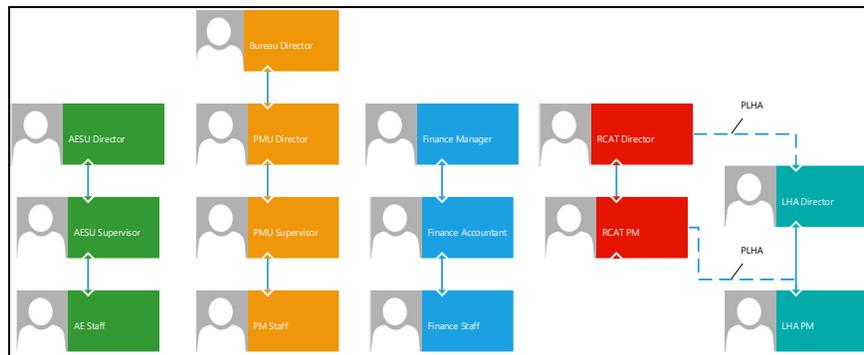
B. Specific Roles and Access Levels

B. Specific Roles and Access Levels

- EOHLC:
 - Role: Provides overall project management oversight, design review, technical assistance, and construction administration oversight.
 - Access: EOHLC members generally have access to view all projects and can modify aspects of a project based on their specific EOHLC role and if they are designated as the Primary Project Manager (PM) for that project.
- LHAs:
 - Role: Primary responsibility as the owner, developer, and manager of state-aided public housing.
 - Access: LHAs can view any project associated with their LHA and have modification rights for projects where the Primary PM is an LHA representative.
- Regional Capital Assistance Teams (RCATs):
 - Role: Manage projects for a group of LHAs and provide support.
 - Access: RCATs have access to view projects associated with LHAs they manage. They can modify projects where the Primary PM is an RCAT member or an LHA representative they oversee.
- Design Consultants (A/E - Architect/Engineer):

- Role: Responsible for the design phase of the project, including preparing construction documents.
- Access: Design Consultants have access to view active projects associated with their organization. They have modification rights when the project is in their workflow stage (e.g., during design submissions or reviews).
- General Contractors (GCs):
 - Role: Responsible for the physical construction of the project.
 - Access: GCs have access to view active projects associated with their organization. They typically have edit/view access to the Construction tab within a project and view-only access to the Schedule tab. This allows them to submit payment applications, change order proposals, and other construction-related documentation.

Figure 6: Cap Hub Roles and Permissions Matrix



IV. Cap Hub Construction Modules and Workflows

The Cap Hub Construction Module is designed to guide all participants through the entire construction lifecycle, from pre-construction to project close-out, by automating workflows and centralizing documentation. This section outlines how each key phase of construction is managed within Cap Hub.

V. Document Management in Cap Hub

Cap Hub centralizes all project documentation, creating a single, accessible source of information for every construction project. This eliminates the need for physical file management and ensures all stakeholders are working with the most current versions of documents.

- **Uploading Documents:** Users with appropriate permissions can upload various project documents directly into Cap Hub. This typically involves selecting a category from a dropdown menu, choosing a specific document type, and then uploading the file.
- **Organization and Access:** Once uploaded, documents are automatically organized into matching category sections within the project's file structure. All permissioned roles can view and download construction documents, ensuring transparency and ease of access.
- **Version Control:** Cap Hub maintains version history for documents, ensuring that previous revisions can be accessed if needed.

Within the construction module, all construction-related documents are in the **Construction Documents (Docs)** tab.

Figure 7: Document Upload Interface

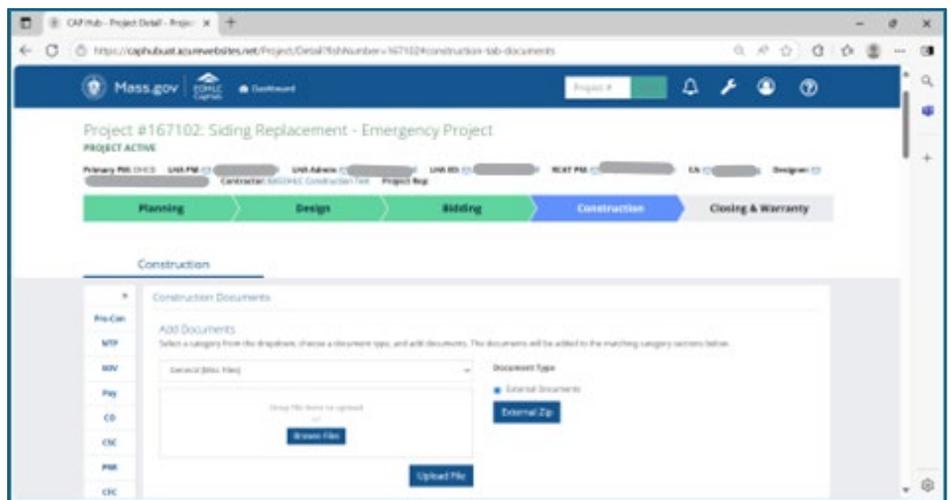
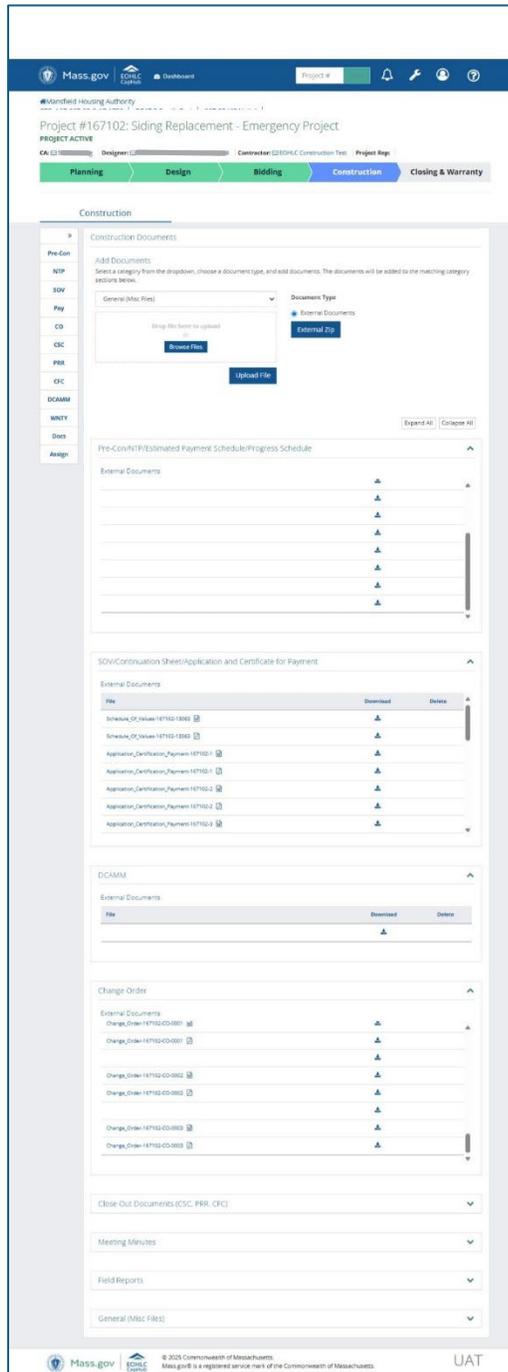


Figure 8: Project Document Library View



A. Mandatory Use
for Projects

A. Mandatory Use for Projects

Cap Hub will be mandatory for all projects with a contract value of over \$50,000. For such projects, all construction-related transactions and documentation must be processed through the Cap Hub system.

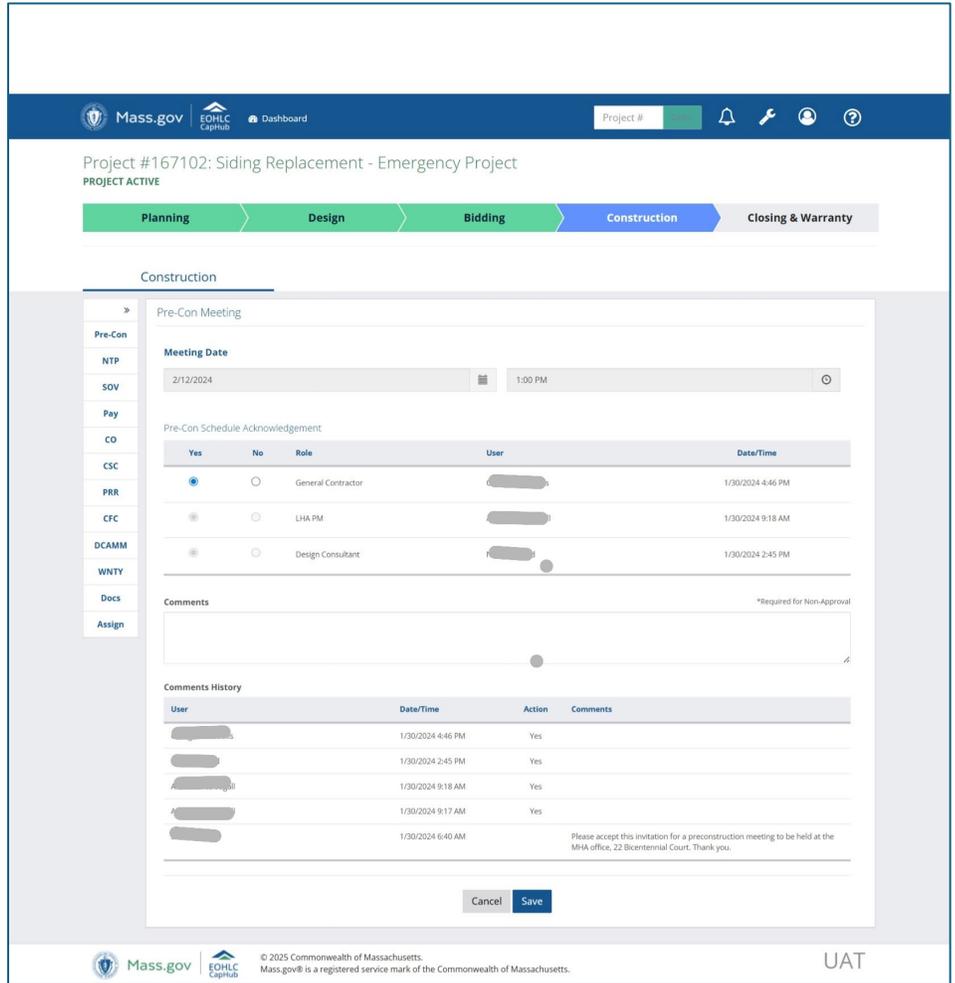
B. Workflow Stages Overview

B. Workflow Stages Overview

The Cap Hub construction workflow is structured into distinct stages, each with specific actions, notifications, and responsibilities.

- 1. Pre-Construction Meeting (Pre-Con)
 - Purpose: To formally kick off the construction phase and ensure all parties are aligned on project goals, procedures, and timelines.
 - Cap Hub Functionality:
 - Meeting Scheduling: The Construction Advisor (CA) or designated EOHLC/RCAT staff schedules the Pre-Construction meeting directly within Cap Hub. This action triggers notifications to all relevant attendees.
 - Meeting Acceptance: Attendees (LHA, Contractor, Design Consultant) accept the meeting invitation through Cap Hub.
 - Document Uploads: Key pre-construction documents, such as the initial project schedule, contact lists, and insurance certificates, can be uploaded to the dedicated section in Cap Hub.
 - Notifications: Automated notifications are sent to all required attendees once the meeting is scheduled and accepted.
 - Key Tasks: Admin staff, Project Specialist (PS), or Construction Management Unit Supervisor (CMU Sup) complete specific tasks in Cap Hub's schedule to trigger Pre-Con notifications.

Figure 9: Pre-Construction Meeting Scheduling Interface



- 2. Construction Startup Procedures
 - Purpose: To formally initiate construction activities on site and establish initial contractual frameworks within the system.
 - Cap Hub Functionality:
 - Notice to Proceed (NTP): The NTP is issued by the LHA and formally accepted by the Contractor through Cap Hub. This marks the official start of the construction contract period.
 - Schedule of Values (SOV): The Contractor prepares and submits the detailed Schedule of Values through Cap Hub. This document breaks down the

total contract sum into various work items and their values, forming the basis for payment applications. The LHA, Design Consultant and CA review and approve the SOV within the system.

- Document Uploads: Initial project schedules, permits, and other startup documentation are uploaded and tracked within Cap Hub.
- Notifications: System notifications alert relevant parties when the NTP is issued/accepted and when the SOV is submitted for review.

Figure 10: Notice to Proceed (NTP) Workflow in Cap Hub

Project #167102: Siding Replacement - Emergency Project
PROJECT ACTIVE
 Mansfield Housing Authority
 CPS: 167-667-03-0-17-1759 | RCAT 3 South-East | 667-03 (42 Units)

Key Team Members
 Primary PM: DHKD | LHA PM: [redacted] | LHA Admin: [redacted] | LHA ED: [redacted] | RCAT PM: [redacted] | CA: [redacted] | Designer: [redacted]
 Contractor: EOHLC Construction Test | Project Rep: [redacted]

Workflow Progress: Planning → Design → Bidding → **Construction** → Closing & Warranty

Construction - Notice to Proceed - Step: NTP Executed

Pre-Con
 NTP: 2/12/2024
 SOV: [redacted]
 Pay: [redacted]
 CO: [redacted]
 CSC: [redacted]
 PRR: [redacted]
 CFC: [redacted]
 DCAMM: [redacted]
 WNTY: [redacted]
 Docs: [redacted]
 Assign: [redacted]

Contract Details:
 Duration of Contract: 180
 Contract Completion Date: 8/9/2024
 Contract Officer*: [redacted]
 Alternative Contract Officer*: [redacted]
 Tax Exempt Number*: 0463 [redacted]

Will the General Contractor be using the software application?
 Yes

Acknowledgement
 LHA 2/12/2024
 General Contractor 2/12/2024

Status Log and Comments History

User	Date	Step	Action	Comments
[redacted]	2/12/2024	Contractor Accepts	Approve	
[redacted]	2/12/2024	LHA Executes	Approve	

NTP Notifications

Recipients	Name	Subject	Date
[redacted]	Create SOV	Mansfield project 167102, Siding Replacement - Emergency Project SOV creation required	2/12/2024 2:55 PM
[redacted]	PreCon Meeting Minutes (recurring)	PreCon Meeting Minutes Required for Mansfield project #167102	2/12/2024 1:42 PM
[redacted]	LHA issued NTP	NTP, Mansfield project 167102	2/12/2024 1:42 PM

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Figure 11: Schedule of Values (SOV) Entry and Review in Cap Hub

Project #167102: Siding Replacement - Emergency Project
PROJECT ACTIVE

Planning Design Bidding Construction Schedule Amendments Budget Documents Overview

Schedule of Values (SOV) - Step: Executed

A	B	C	D	E	F	G	H	I
Item Section	Description of Work	Scheduled Value	Previously Approved	Completed This Period	Materials Stored (Net in D or E)	Total Completed and Stored to Date (B+D+E)	%	Balance to Finish
1 00 00 00	Procurement and Contracting Requirements							
	Bonds and Insurance	\$20,200.00						
	General Conditions	\$50,000.00						
	Staging and UPS	\$14,000.00						
	Submittals + Shop Drawings	\$14,000.00						
	Mobilization	\$5,000.00						
	De-Mobilization	\$5,000.00						
	Cleanout	\$5,000.00						
	Unit Price 1 - Sheathing Replacement	\$19,200.00						
	Unit Price 2 - Insulation Replacement	\$9,000.00						
	Unit Price 3 - Framing Replacement	\$12,000.00						
	Unit Price 4 - EPS Repairs	\$5,000.00						
Control Budget 145000:		\$1,273,000.00						

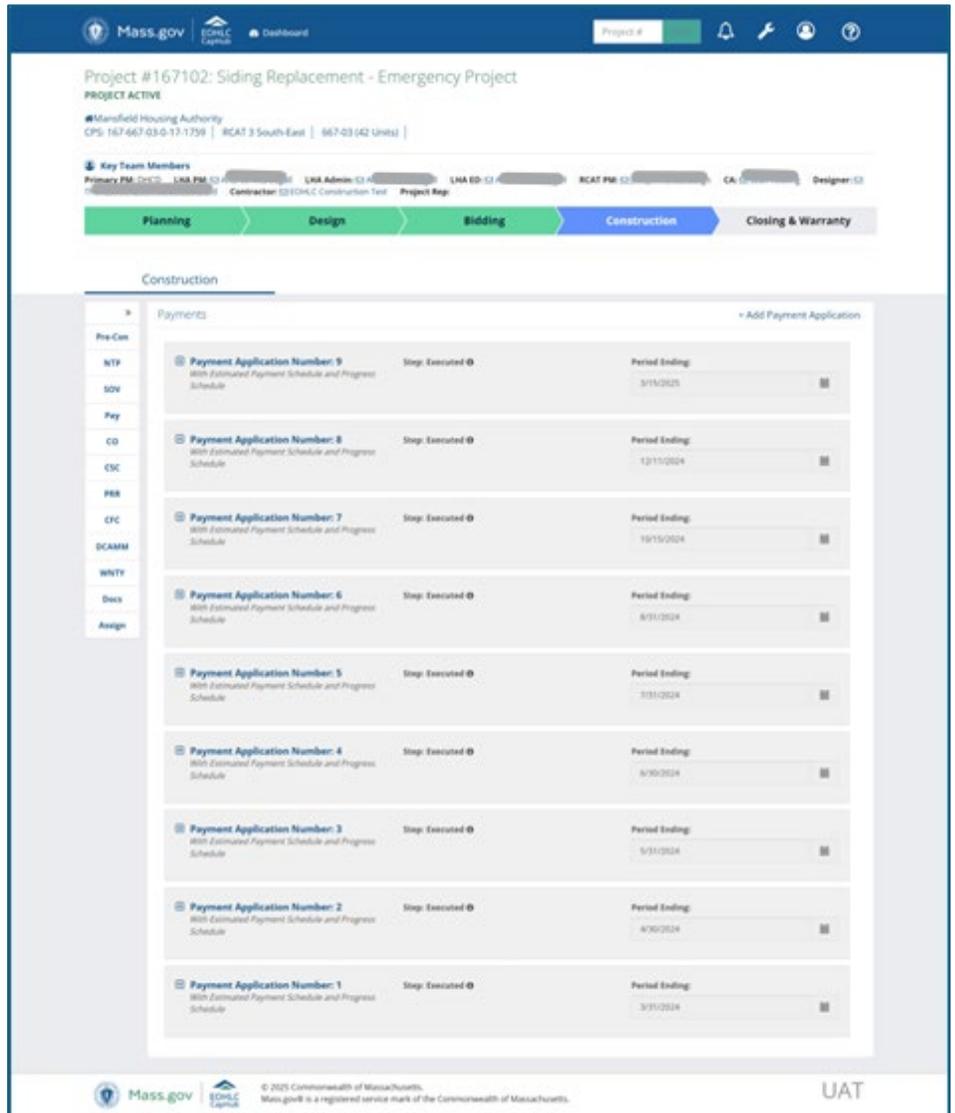
Status Log and Comments History

User	Date	Step	Action	Comments
[User]	3/29/2024	CA Review	Approve	
[User]	3/29/2024	LHA Review	Approve	
[User]	3/19/2024	QC Review	Approve	QC (TNG) requested line item break out for labor & materials. GC (PCS) responded that materials would not be requisitioned separately from installation.
[User]	2/12/2024	Pending Submission	Submit	

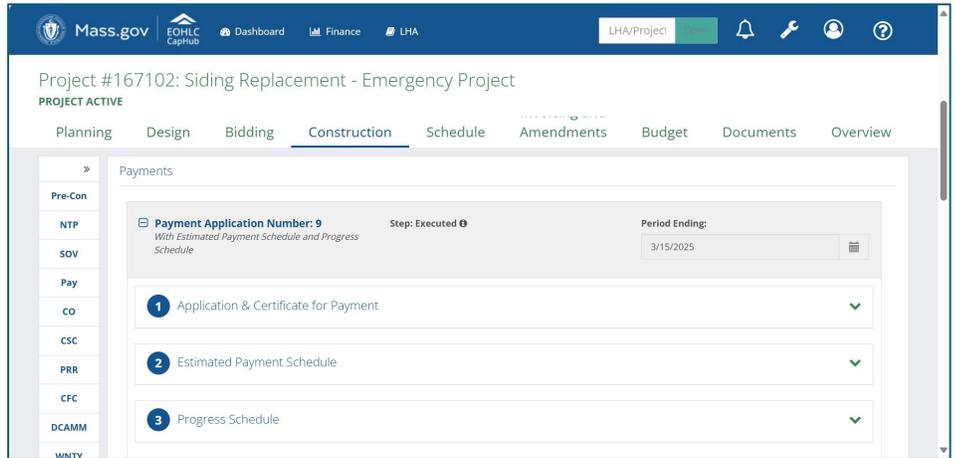
- 3. Procedures During Construction
 - Purpose: To manage ongoing construction activities, financial transactions, and any changes to the contract throughout the project lifecycle.
 - Cap Hub Functionality:
 - Application and Certificate for Payment (ACP): Contractors submit their ACPs directly through Cap Hub. This includes details of work completed to date, stored materials, and any necessary attachments (e.g., lien waivers, payroll reports).
 - Estimated Payment Schedule and Progress Schedule: These are submitted and tracked alongside the ACP within Cap Hub, allowing all parties to monitor financial progress against planned milestones.
 - Review and Approval: The Design Consultant, LHA, and EOHLC review and approve ACPs within the system. Cap Hub automates the routing and approval workflow, reducing processing time.
 - Change Requests (CR), Change Proposals (CP), and Change Orders (CO): All changes to the contract are managed systematically within Cap Hub.
 - Initiation: Change requests are initiated by the Contractor or Design Consultant through the system, detailing the scope, justification, and proposed cost/schedule impact.
 - Review and Approval: Cap Hub facilitates the review, negotiation, and formal approval of change proposals and change orders by the Design Consultant, LHA, and EOHLC. Automated workflows ensure all required approvals are obtained before a change order is finalized.

- Systematic Primary PM Changes: Budget change requests related to construction contract line items can trigger systematic changes to the Primary PM designation within Cap Hub, ensuring appropriate oversight.
- Document Uploads: All supporting documentation for payments, change orders, field directives, meeting minutes, and progress reports are uploaded and archived in relevant sections of Cap Hub.
- Notifications: Notifications are sent for ACP submissions, status changes, and all stages of the change order process.

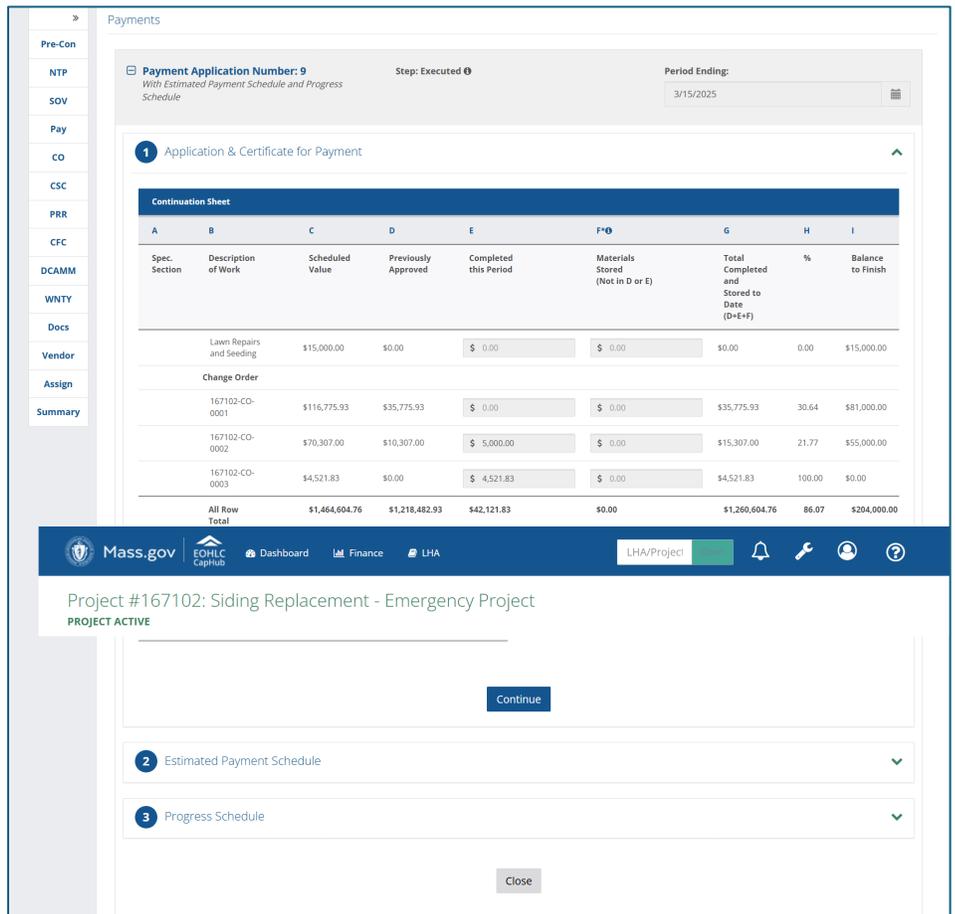
Figure 12: Application and Certificate for Payment (ACP) Submission



(Fig. 10.1)



(Fig. 10.2)



(Fig. 10.3)

- NTP
- SOV
- Pay
- CO
- CSC
- PRR
- CFC
- DCAMM
- WNTY
- Docs
- Vendor
- Assign
- Summary

Payment Application Number: 9 Step: Executed 0 Period Ending: 3/15/2025

With Estimated Payment Schedule and Progress Schedule

1 Application & Certificate for Payment

2 Estimated Payment Schedule

A	B	C	D	E	F	G	H	I	J
Spec. Section	Description of Work	Scheduled Value	Feb 2024	Mar 2024	Apr 2024	May 2024	Jun 2024	Jul 2024	Aug 20
00 00 00	Procurement and Contracting Requirements								
	Bonds and Insurance	\$20,200.00	\$0.00	\$20,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	General Conditions	\$50,000.00	\$0.00	\$1,800.00	\$2,200.00	\$0.00	\$10,000.00	\$6,000.00	\$4,000.00
	Staging and Lifts	\$14,000.00	\$0.00	\$5,000.00	\$4,800.00	\$0.00	\$0.00	\$0.00	\$0.00
	Submittals + Shop Drawings	\$14,000.00	\$0.00	\$10,000.00	\$2,000.00	\$0.00	\$0.00	\$1,000.00	\$0.00
	Mobilization	\$5,000.00	\$0.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	De-Mobilization	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Closeout	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Unit Price 1 - Sheathing Replacement	\$19,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	\$9,200.00	\$0.00
	Unit Price 2 - Insulation Replacement	\$9,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Unit Price 3 - Framing Replacement	\$12,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Unit Price 4 - EIFS Repairs	\$3,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
02 00 00	Existing Conditions								

Mass.gov EOHLC CapHub Dashboard Finance LHA LHA/Project

Project #167102: Siding Replacement - Emergency Project

PROJECT ACTIVE

3 Progress Schedule

[Close](#)

(Fig. 10.4)

Figure 13: Change Order (CO) Workflow Tracking

Project #167102: Siding Replacement - Emergency Project
PROJECT ACTIVE

Planning Design Bidding Construction Schedule Invoicing and Amendments Budget Documents Overview

Change Order

Change Order Proposal Request

Select	Description	Change Request #	Change Proposal #	Change Order #	Status	Date
+	Rear Driveway	167102-CR-0012			Pending Proposal Submission	6/19/2025 4:31 PM

Change Order Proposal Request Form

Change Request Name*: Rear Driveway

Description of Scope*: Gravel path in rear yard for maintenance vehicles.

Attachments: 20250619 COR No 12 FINAL.pdf

Change Order Proposal Form

Status Log and Comments History

User	Date	Step	Action	Comments
Wendy Richter	6/19/2025	Pending Proposal Request	Submit	Submission

Select	Description	Change Request #	Change Proposal #	Change Order #	Status	Date
+	COR No. 11 Lobby Structure (Old COR 5)	167102-CR-0011	167102-CP-0011	167102-CO-0004	Executed	5/22/2025 4:56 PM
+	COR No. 10 - Unit Pricing (old COR 4)	167102-CR-0010	167102-CP-0010	167102-CO-0004	Executed	5/22/2025 4:47 PM
+	No. 9 - Lobby & Signage	167102-CR-0009	167102-CP-0009	167102-CO-0004	Executed	5/19/2025 5:34 PM
+	No. 8	167102-CR-0008	167102-CP-0008	167102-CO-0004	Executed	5/22/2025 6:56 PM
+	COR No.4 Unit Pricing - REV w/ Correction	167102-CR-0007	167102-CP-0007		Pending Proposal Submission	12/13/2024 9:16 AM
+	COR No.4 Unit Pricing REVISED	167102-CR-0006			Pending Proposal Submission	12/13/2024 8:58 AM
+	COR No. 5 - Entry Lobby Structure	167102-CR-0005	167102-CP-0005		CA Review	11/19/2024 1:35 PM
+	COR No. 4 - Unit Pricing	167102-CR-0004	167102-CP-0004		CA Review	11/19/2024 1:32 PM
+	COR No. 3 - Entry Hardware	167102-CR-0003	167102-CP-0003	167102-CO-0003	Executed	8/29/2024 12:00 PM
+	COR No. 2 - Front Canopy	167102-CR-0002	167102-CP-0002	167102-CO-0002	Executed	8/6/2024 11:39 AM
+	Change Order Request No. 1 -	167102-CR-0001	167102-CP-0001	167102-CO-0001	Executed	3/19/2024 11:23 AM

Change Orders

Select	Change Order #	Total	Status
+	167102-CO-0004	\$66,221.67	UMA Review Change Order
+	167102-CO-0003	\$4,521.83	Executed Change Order
+	167102-CO-0002	\$76,307.90	Executed Change Order
+	167102-CO-0001	\$116,775.93	Executed Change Order

- 4. Accepting the Project
 - Purpose: To formally acknowledge the substantial completion of the construction work.
 - Cap Hub Functionality:

- **Certificate of Substantial Completion (CSC):** The Contractor or Design Consultant submits the request for a CSC through Cap Hub. This often follows a substantial completion inspection.
- **Review and Approval:** The CSC is reviewed and formally accepted/approved by the GC, LHA and EOHLC within Cap Hub. This marks the start of warranty periods and indicates the project is ready for occupancy.
- **Notifications:** Automated alerts are sent upon submission and approval of the CSC.

Figure 14: Certificate of Substantial Completion (CSC) Process

Project #167095: Window Replacement
PROJECT CLOSED

Planning Design Bidding **Construction** Schedule Amendments Budget Documents Overview

Certificate of Substantial Completion - CSC - Step: Executed

Pursuant to the General, Supplementary, and Special Conditions of the Contract Documents relative to Partial or Total Occupancy, you are hereby notified that the Housing Authority has satisfied itself that the portion(s) of the above mentioned project, as hereinafter enumerated, is (are) ready for use and/or occupancy.

Identify the Buildings and/or areas to be occupied and or used: Hawthorne Court

The Housing Authority, through its undersigned representative hereby accepts from the Contractor, subject to contract stipulations, said portion(s) of the Project, effective 12:00 Noon on:

7/14/2022

The Contractor will be relieved of responsibility for performing further Work or supplying further materials, equipment, or other items, in accordance with the General, Supplementary, and Special Conditions of the Contract Documents (relative to partial or total occupancy), except for the following work:

Append a complete list of all incomplete and/or unsatisfactory items of the Work, which in the opinion of this Housing Authority, are attributable to the fault, negligence, or oversight of the Contractor, any subcontractors, material suppliers, agents, servants, or employees.

The Use or Occupancy of the building(s) or portion(s) of this project by the Housing Authority shall not:

- Constitute acceptance of any Work not performed in accordance with the Contract Documents;
- Relieve the Contractor of the liability to perform any Work required by the Contract but not completed at the time of Use and or Occupancy, nor
- Relieve the Contractor of liabilities with respect to any express warranties or guarantees required by the Contract.

File	Created
Mansfield Hawthorne - Punch List.pdf	7/14/2022

The above named Housing Authority met on 9/7/2022 and voted to approve this Certificate of Substantial Completion:

LHA Board Vote and Contract Officer Certification

Comments * * Required comments if rejected.

Close

Status Log and Comments History

User	Date	Step	Action	Comments
[Redacted]	9/12/2022	CMU Review	Approve	
[Redacted]	9/8/2022	CA Review	Approve	
[Redacted]	9/8/2022	LHA Review	Approve	
[Redacted]	7/18/2022	GC Review	Approve	
[Redacted]	7/14/2022	Pending CSC Submission	Submit	

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- 5. Construction Close-out Procedures
 - Purpose: To finalize all contractual obligations, release retainage, ensure final completion, and archive all project records.
 - Cap Hub Functionality:
 - Partial Release of Retainage (PRR): If applicable, requests for PRR are submitted and processed through Cap Hub, following the terms of the contract.
 - Certificate of Final Completion (CFC): The Contractor submits the final request for a CFC through Cap Hub. This signifies that all work, including punch list items, has been fully completed.
 - Monetized Punch list: Cap Hub may include functionality to track and close out any remaining punch list items associated with the CFC.
 - Closing Warranty: Cap Hub serves as a repository for all project warranties and guarantees, allowing for easy access and tracking during the warranty period.
 - DCAMM Contractor Evaluation: Information required for the 50% completion and Final Completion DCAMM Contractor Evaluations may be linked or entered into Cap Hub to facilitate overall contractor performance tracking.
 - Notifications: Notifications for PRR, CFC, and other close-out actions are sent through the system.

Figure 15: Final Completion (CFC) Workflow and Documentation

Project #167095: Window Replacement

PROJECT CLOSED

Planning Design Bidding Construction Schedule Amendments Budget Documents Overview

Certificate of Final Completion - CFC - Step: Executed

Export Word Export PDF Export PAF Word

The parties agree that the status of the contract is as follows: * Required fields.

I. Contract Time

1. The Date of Original Substantial Completion is:	3/1/2022
2. The Date of Substantial Completion as Amended by Change Order is:	7/14/2022
3. The Actual Date of Substantial Completion is:	7/14/2022
4. Overrun in Contract Time:	0 day

II. Contract Sum

1. The Original Contract Sum is:	\$110,000.00
2. Sum of Approved Change Order:	\$0.00
3. The Adjusted Contract Sum is:	\$110,000.00

Less

4. Sum of authorized payments to date	\$104,500.00
5. Sum of other claims by Owner *	\$ 0.00

* If this sum is filed out, supporting documentation will be required below.

III. That Application for Payment NO. 3 is due & payable in the amount of: \$5,500.00

The Undersigned Contractor hereby certifies that: The Contractor should complete items 1-5 and certify below.

- All Work, including work required under change order(s) CO-0001 has been performed in accordance with the terms of the contract.
- All changes to the Work (except minor modifications and field adjustments) have been authorized in writing by the Owner.
- All laborers and mechanics have been paid at least the minimum wage rates as set forth in the Contract, and
- There have been no claims made for infringement of any patent.
- By Accepting the payment shown in line III the Contractor releases the Owner from any and all claims arising under the Contract.

Certified: Contractor

Firm *	By *	Title *	Date *
Alpha Contracting Associates Inc	Robert Cahoon	GM	9/8/2022

The above named Housing Authority met on 10/5/2022 and voted to approve this Certificate & Payment.

LHA Board Vote and Contract Officer Certification

Claims By Owner Attachments

File

No Claims By Owner documents uploaded.

Comments * * Required comments if rejected.

Close

Status Log and Comments History

User	Date	Step	Action	Comments
[User]	10/12/2022	CMU Review	Approve	
[User]	10/12/2022	CA Review	Approve	
[User]	10/12/2022	LHA Review	Approve	
[User]	10/11/2022	GC Review	Approve	
[User]	10/7/2022	Pending CFC Submission	Submit	
[User]	10/7/2022	CA Review	Reject	Shelba, please resubmit the CFC so it will pick up the 135 days. Thanks.
[User]	10/7/2022	LHA Review	Approve	
[User]	9/9/2022	GC Review	Approve	
[User]	9/8/2022	Pending CFC Submission	Submit	

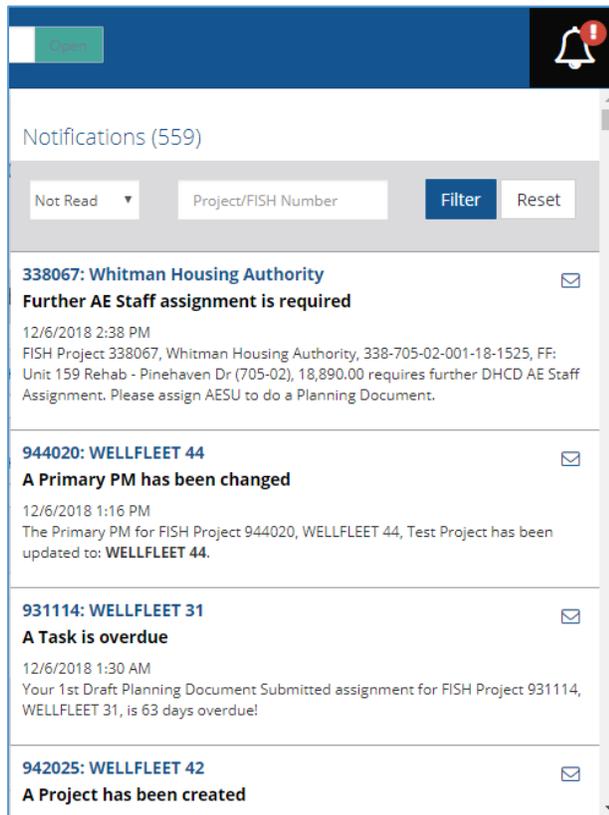
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VI. Notifications and Communication in Cap Hub

Cap Hub significantly enhances communication and ensures timely action through its integrated notification system.

- **Automated Workflow Notifications:** The system provides both in-application notifications and email alerts to inform team members of their responsibilities and tasks at appropriate times within the workflow. For example, an email notification might be sent when an ACP is submitted for review, or a change order requires approval.
- **In-Application Notification Panel:** Users can access a dedicated notification panel within Cap Hub to view all pending alerts and updates. This allows for quick prioritization of tasks.
- **Project Messaging and Communication Tab:** Cap Hub includes features for project-specific communication, such as a messaging panel or a communication tab. This facilitates direct communication between project stakeholders within the context of the project.

Figure 16: In-Application Notification Bell/Panel

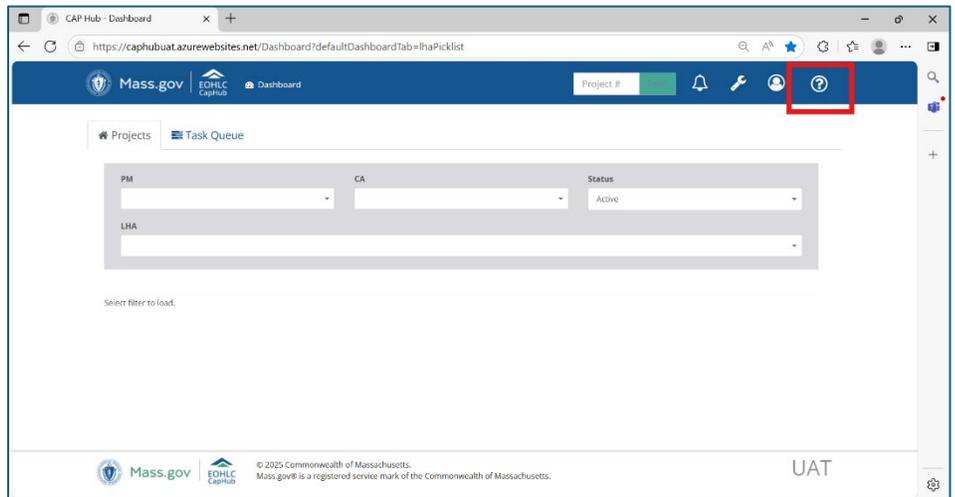


VII. Troubleshooting and Support

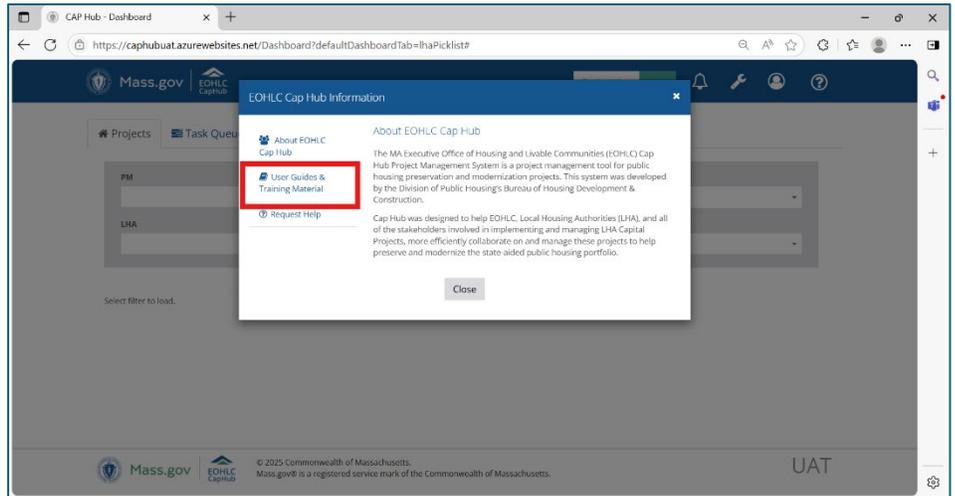
For any issues encountered while using Cap Hub, or for questions regarding its functionalities, various support resources are available.

- **Account Creation:** Your organization's CapHub administrator manages all user accounts, including setting up new users and deactivating existing ones. If you require a new account or are unable to log in, please contact your organization's CapHub administrator for assistance.
- **In-System User Guide & Help:** Cap Hub includes a built-in "User Guide & Help" section accessible directly within the application. This resource provides detailed instructions and answers to frequently asked questions.
- **User Management (for Primary GC Users):** Primary General Contractor users have the ability to add or disable their own organization's users within their Cap Hub account, streamlining team access management.

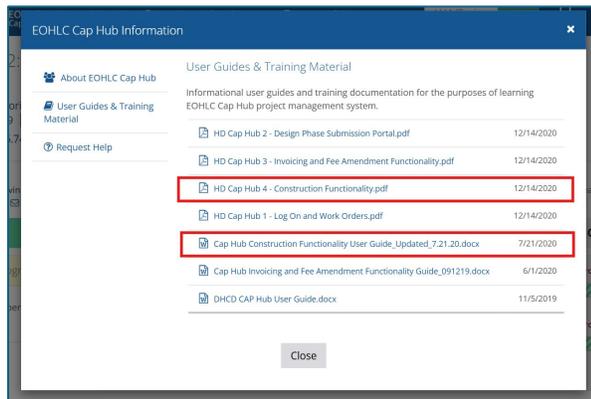
Figure 17: Cap Hub Help/Support Section Access



(Fig. 17.1)



(Fig. 17.2)



(Fig. 17.3)

STEPS IN CONSTRUCTION

1. Pre-Construction Procedures

Pre-Construction is the period of time between the award of the construction contract and the start of actual construction. Many activities take place during this period which help construction proceed in a smooth and orderly manner.

LHA Creates Project File

LHA Creates Project File

The LHA is required, by statute M.G.L. c. 30, § 39R to keep most of the records associated with the construction project for six (6) years after the date of final payment to the Contractor. To facilitate the filing and storage of

these records, start a project file before construction begins. Create sections for all the records listed later in this handbook under the step “Final Completion Documents.” As these records may be voluminous, allocate plenty of space for the project file.

LHA Selects the Tenant Coordinator

(Modernization Jobs Only)

LHA Selects the Tenant Coordinator

For projects requiring a Tenant Coordinator, the LHA selects the Tenant Coordinator from applications solicited, reviewed, approved, and ranked in priority order by the LTO.

The Tenant Coordinator’s job is to:

- work with the LHA Contract Officer to help the Contractor gain access to occupied apartments;
- notify residents as to when work will be performed in their apartments;
- advise residents of what the Contractor needs from the residents before work can begin, such as moving furniture, securing personal belongings, etc.; and
- represent the interests of the LTO during construction work by bringing concerns to the LHA’s attention, such as the starting time for construction work, the work schedule during holidays, and resident safety.

It is **not** the Tenant Coordinator’s job to:

- perform the functions of the Design Consultant, LHA, or the Project Representative, such as construction inspection; or
- instruct the Contractor or any subcontractor. The Tenant Coordinator communicates with the Contractor through the Design Consultant via the LHA Contract Officer.

In addition, the Tenant Coordinator is not responsible for residents’ personal belongings while the Contractor works in an occupied apartment, nor is he or she responsible for the security of the Contractor’s equipment or materials.

The Tenant Coordinator works at least 20 but not more than 40 hours per week and is paid by the LHA at a rate of one- and one-half times the minimum wage as set forth in 760 CMR 11.09.

Design Consultant Hires Project Representative

Design Consultant Hires Project Representative

If a **PROJECT REPRESENTATIVE** (also called the clerk of the works) is required, the Design Consultant and the EOHLC Construction Advisor may be able to identify an appropriate candidate. If not, the Design Consultant advertises the position. Because of the critical nature of the Project Representative's responsibilities, it is essential that the Design Consultant fill the position before construction starts.

EOHLC strongly recommends that the Design Consultant hire a single Project Representative for the duration of construction. The establishment of working relationships, knowledge of problems and solutions encountered on the job, and general familiarity with the project are why continuity in the Project Representative position is important.

JOB DESCRIPTION. Since the construction activities are broad in scope and complex in nature, the Project Representative must have a comprehensive knowledge of construction methods, practices, and techniques. The job description should state that the Project Representative have field experience in all phases of construction or in the particular type of construction planned for the project.

Specifically, the Project Representative is hired to:

- assist the Contractor's superintendent in understanding the intent of the Contract Documents;
- check that the work in progress conforms with the construction contract. Any deviation from the Contract Documents or approved shop drawings must be reported immediately to the Contractor's superintendent and the Design Consultant;
- verify that all materials conform to the specifications and approvals;
- know the reference standards mentioned in the Contract Documents;
- evaluate recommendations made by the Contractor to the Design Consultant;
- review the Progress Schedule for conditions likely to cause delays and immediately report such conditions to the Design Consultant;

- keep an up-to-date Project Directory on the office wall;
- attend weekly field meetings and all special meetings;
- make note of all visitors, their affiliation, and reason for visiting the job site;
- accompany all visitors, including representatives from local, state, and federal agencies on tours of the work;
- be present at all testing procedures;
- maintain an orderly file of approved shop drawings and samples;
- write a detailed daily report;
- notify the Design Consultant of materials delivered without shop drawing approval;
- notify the Design Consultant when the Contractor's samples are ready for inspection;
- notify the Contractor's superintendent and the Design Consultant of unacceptable work;
- review the Contractor's Detailed Schedule of Values with the Design Consultant and the EOHLC Construction Advisor;
- review the Detailed Application for Payment and make recommendations to the Design Consultant and the EOHLC Construction Advisor prior to the monthly requisition review meeting;
- review all stored materials for conformity with approved shop drawings;
- review all change order proposals with the Design Consultant and EOHLC's Construction Advisor;
- document with photographs any unanticipated problems during construction; and
- at times, perform the function of Tenant Coordinator, for example, by coordinating access to occupied apartments.

Limits of Responsibility. The Project Representative has no authority to:

- transmit either oral or written communications between the Contractor and the LHA;
- act in the capacity of the Design Consultant;
- act in the capacity of the Contractor’s superintendent;
- act in the capacity of the LHA Contract Officer or otherwise represent the LHA;
- give directions related to job safety. If the Project Representative believes that the public safety is in jeopardy, he or she must notify the Design Consultant immediately;
- issue directives on construction techniques, procedures, or scheduling;
- authorize deviations from the Contract Documents;
- approve submittals or shop drawings;
- conduct tests;
- assist the Contractor with actual work;
- accept or reject materials or workmanship;
- issue stop orders; or
- authorize payments.

Records. It is important that the Project Representative’s records be complete, orderly, and clearly written. These records become part of the permanent file of the LHA. The Project Representative’s records should include all correspondence, daily reports, weekly meeting minutes, approved shop drawings and samples, the Contract Documents, construction change directives, time and materials slips, clarification sketches, verifying data for stored materials, and photographs.

The Daily Report. One of the Project Representative’s major responsibilities is the preparation of the Daily Report. The report format is supplied by the Design Consultant. At a minimum, the Daily Report should include the information shown in the sample in the Appendix. Every week, the Project Representative uploads to Cap Hub copies of the preceding week’s daily reports and any relevant photographs.

See Appendix C-1 for the Project Representative's Daily Report and Appendix C-2 for a Sample Project Representative's Daily Report

See Appendix C-31 for
*Monitoring Public
Housing Construction: A
Handbook for EOHLC
Project Representatives*
document.

Photographs. The Project Representative photographs all deviations from the Contract Documents such as the use of improper materials, improper installation or workmanship, vandalism, and concealed or unforeseen conditions. All photographs should be clearly identified and digitally recorded.

The duties and limits of authority of the Project Representative are more fully described in ***MONITORING PUBLIC HOUSING CONSTRUCTION: A HANDBOOK FOR EOHLC PROJECT REPRESENTATIVES.***

Review and Approval of Project Representative. The Design Consultant reviews the salary requirements, references, experience, and availability of candidates with the EOHLC Construction Advisor. EOHLC's Construction Management Supervisor approves the architect's recommendation in writing before the Project Representative is hired.

Salary. The Design Consultant is reimbursed by the LHA for the Project Representative's salary. Once EOHLC has approved the salary, the LHA pays the Design Consultant's invoices for salary reimbursement without further EOHLC authorization. Any salary increases or reimbursement that exceeds the EOHLC original approval must be approved in writing by EOHLC. In special cases, the Design Consultant may choose to pay the Project Representative more than the EOHLC limits because of the expertise and experience of the particular individual. Payments in excess of EOHLC- approved salary must be paid for by the Design Consultant.

Reimbursement for Salary and Expenses. The Contract for Architectural and Engineering Services states that the LHA reimburse the Design Consultant for the Project Representative's salary, The Project Representative is considered a consultant of the Design Consultant.

Work Schedule. The Project Representative is expected to be at the job site whenever the Contractor has work in progress. The Project Representative, therefore, may be required to work beyond the normal workday hours, on weekends, and on holidays. The Project Representative may be entitled to compensation for any work beyond that called for in the Project Representative's contract with the Design Consultant.

Expenses Paid by the Contractor. The Contractor must pay for travel expenses incurred when inspecting materials stored off-site and for additional time incurred by the Project Representative.

Every month the Design Consultant pays the Project Representative for extra time and travel expenses and submits an invoice to the LHA. The LHA then sends an invoice to the Contractor for any such extra time and travel expenses. The Contractor reimburses the Authority promptly, so that the LHA can pay the Design Consultant. If the need for the Project Representative to work extra time is unclear, the Design Consultant should consult with the EOHLC Construction Advisor before arriving at a final determination.

EOHLC Construction Advisor Schedules Pre-Construction Meeting

EOHLC Construction Advisor Schedules Pre-Construction Meeting

The EOHLC Construction Advisor schedules the Pre-Construction Meeting in Cap Hub to introduce the participants in the construction process to one another and review construction procedures. The Pre-Construction Meeting is the time to discuss any unusual conditions that might affect the progress of construction and make all participants aware of any potential problems. The Design Consultant should send a meeting agenda to all attendees at least three days prior to the meeting.

Attendance. The Pre-Construction Meeting is usually held at the LHA offices and is attended by the Design Consultant, the LHA Contract Officer, the Executive Director, the LHA Affirmative Action Officer, the Tenant Coordinator (Modernization projects only), the EOHLC Construction Advisor, the Project Representative, and the Contractor's Project Manager and Project Superintendent. The Design Consultant should encourage technical consultants and engineers to attend the meeting also. Likewise, the Contractor should encourage subcontractors to attend.

Recordkeeping. The Design Consultant records minutes of the meeting and distributes them (via Cap Hub) to everyone in attendance.

Agenda. The Design Consultant conducts the meeting using an agenda for the Pre-Construction Meetings as shown on the following page.

Issue the Notice to Proceed

Issue the Notice to Proceed

Once EOHLC has validated the Owner-Contractor Agreement, the LHA submits the Notice to Proceed within Cap Hub, which authorizes the

Contractor to commence work. The Notice to Proceed is saved and submitted via Cap Hub at the Pre-Construction Meeting and acknowledged by the GC in Cap Hub unless other arrangements have been approved by

the Design Consultant and EOHLC. The GC needs to acknowledge the Notice to Proceed first before any subsequent construction steps can occur.

Agenda for Pre-Construction Meeting

1. Introductions
2. Review the duties and responsibilities of:
 - Design Consultant
 - Project Representative
 - Engineers
 - LHA Contract Officer and EEO Officer
 - EOHLC Construction Management Unit
 - General Contractor
(Project Manager, Superintendent, and EEO Officer)
 - Subcontractors
 - Others as applicable
3. Review the following:
 - Notice to Proceed
 - Communications and CAP HUB
 - Tenant coordination (Modernization jobs)
 - Weekly field meetings
 - Project directory
 - Safety, clean-up, security
 - Wage rates
 - Affirmative action, MBE/WBE monitoring
 - Project sign
 - Testing
 - Posting permits
 - Schedule of values and estimated payment schedule
 - Applications for Payment
 - Construction schedule and monthly updates
 - Shop drawings, submittals, and distribution of approvals
 - Substitutions
 - As Built drawings
 - Change orders and field orders
 - Disputes
 - Substantial Completion
 - Final Completion

Organize Groundbreaking Ceremony

Organize Groundbreaking Ceremony

The LHA organizes the groundbreaking ceremony to formally mark the start of a new construction project. The ceremony will increase public awareness of the project and provides an opportunity for the LHA to acknowledge the efforts and contributions of its Board, staff members, and the local and state officials who have been part of the process.

Notification. To maximize attendance, the LHA should send out invitations at least one month in advance. It is important to invite the state senator and representative from the LHA’s district, the chief elected officials from the community, the Sponsor Agency, if applicable, and all others who have played a role in the project.

Publicity. Notify the local media well in advance. Ask the Contractor to put up the project sign before the ceremony.

Suggested Groundbreaking Program

- Invocation
- Introductory remarks by the Master of Ceremonies (usually the Chairperson or Executive Director of the LHA)
- Remarks by the Secretary of EOHLC or designee
- Remarks by the State Senator and Representative
- Remarks by a local municipal official
- Acknowledgment by the Master of Ceremonies of other persons who assisted in developing the project
- Groundbreaking

The Enfield Housing Authority
and
The Secretary of the Executive
Office of Housing and Livable Communities
cordially invite you to attend
groundbreaking ceremony for Duffy Place,
a new elderly and family housing development
funded by a grant from
The Commonwealth of Massachusetts
Executive Office of Housing and Livable Communities
The ceremony will take place at 116 Kat Hillway
on Wednesday, February 15, 20XX at three o'clock

2. Construction Startup Procedures

Once the Contractor has received and acknowledged the Notice to Proceed, he or she surveys the site to verify the existing conditions shown in the plans and described in the specifications. **The Contractor must notify the Design Consultant immediately of any deviations from the Contract Documents.**

Set Up Office

Set Up Office

Setting up a physical office is optional and should be determined based on the specific needs of the project.

Set Up Project Directory

Set Up Project Directory

Within 14 days after receiving the Notice to Proceed, the Contractor must furnish a Project Directory to the Design Consultant, the LHA Contract Officer, and the EOHLC Construction Advisor. This directory should include the names of all participants in the construction, their affiliation, address, and telephone number. The following participants should be listed: the LHA Contract Officer, Tenant Coordinator (Modernization and Redevelopment), EOHLC's Construction Advisor, the Design Consultant and engineers, the Project Representative, the Contractor, the subcontractors and material suppliers, and the building inspector. Once completed, the Contractor forwards the Project Directory to the Design Consultant, who uploads this document into Cap Hub.

See Appendix C-4 for a Sample Project Directory.

Changes in the Project Directory. If the Contractor changes subcontractors and/or materials suppliers, he or she must amend the Project Directory and distribute updated copies to everyone on the original distribution list.

Copies of the Project Directory. The Project Superintendent and the Project Representative each always keep a copy of the Project Directory in their respective offices. These copies include the telephone numbers of local emergency services, such as the police and fire departments, a local ambulance service, and a local hospital.

Emergency Procedures. The LHA must provide the local police department with the telephone numbers at which the Contractor can be reached in the event of an emergency.

Contractor Prepares Construction Progress Schedule

See Appendix C-5 for a sample of a Progress Schedule

Contractor Prepares Construction Progress Schedule

Purpose of the Progress Schedule. At the start of construction, the Contractor must prepare a Progress Schedule. This schedule tracks the allocation of personnel and materials and is an important management tool. It allows the Contractor, the Design Consultant, the LHA, and the EOHLC Construction Advisor to monitor the progress of construction and establish progress payment schedules. It also provides a timetable for submittals, approvals, delivery of materials, and gives the anticipated completion date. The information on the schedule helps the LHA, the EOHLC Construction Advisor, and the Design Consultant evaluate time extensions if requested by the Contractor.

Form of the Progress Schedule. The Contractor can present the progress schedule in the form of a Gantt (bar) chart or flow chart. The schedule shows on a timeline the activities of the various subcontractors in accordance with each section of the specifications in such a way that the LHA Contract Officer and Design Consultant know when and for how long each subcontractor will be on the job and how related work fits into the overall construction work schedule.

Scheduling Subcontractors. The larger subcontractors, such as plumbing, heating, and electrical, should be allotted more than one line, so that their various activities can be coordinated. This breakdown of work activities enables the Design Consultant to identify certain critical points or milestones for each trade and anticipate when another major job section will begin.

Review by the Subcontractors. To ensure the accuracy of the schedule, the Contractor should review the proposed schedule with each of the subcontractors before putting it into final form. The Contractor should analyze each subcontractor's comments or concerns and take into consideration how they relate to the coordination of the entire project. The Contractor can incorporate these concerns into the schedule.

Distribution of the Progress Schedule. The Progress schedule will be uploaded to Cap Hub as part of the application for payment process

Updates of the Progress Schedule. After the initial progress schedule is completed, the Contractor must update it periodically to reflect changes in the actual progress of construction. The schedule be updated monthly when the Contractor submits the Application for Payment. The updated

schedule allows all the participants to monitor the progress of the work and schedule their own activities accordingly.

Schedule of Values

See Appendix C-6 for a sample Detailed Schedule of Values

Schedule of Values

The Contractor must submit the Schedule of Values (SOV) through Cap Hub to the Design Consultant with a detailed breakdown of the contract values. This breakdown is the basis for evaluating the Contractor's requests for periodic payments, and must be approved by the Design Consultant, LHA and EOHLC CA before the first payment request is submitted.

Detailed Schedule of Values. On the Detailed Schedule the Contractor enters the monetary value of each subcontractor's work. The Detailed Schedule includes a breakdown of specific activities within a definable area (e.g. wing, floor, building). Every line or work item should include its proportional share of the Contractor's overhead and profit. This schedule becomes the basis of the Contractor's Application for Payment (discussed later in this section).

VERIFICATION AND APPROVAL. Once the Design Consultant, LHA and the EOHLC Construction Advisor have approved the Schedule of Values, it cannot be revised. If the Design Consultant asks the Contractor to substantiate the values written on the Schedule of Values, the Contractor must do so. Since no request for payment can be approved until the Schedule of Values has been approved, it is to the Contractor's benefit to submit the Schedule of Values as soon as possible.

Record Drawings

Record Drawings

During the course of construction, the Design Consultant may agree to deviations from the contract drawings for any number of reasons. To properly record these changes, the Design Consultant gives the Contractor and subcontractors clear, unmarked drawings at the start of construction. They must record on these drawings the work as it is built, including any deviations and new work. Each change should be dated and initialed by the Contractor or subcontractor. The Design Consultant or Project Representative periodically inspects these drawings and notes any discrepancies. At the end of construction these become the basis for the Record or As-built Drawings.

3. Procedures During Construction

Inspections by Local Agencies and Inspectors

Inspections by Local Agencies and Inspectors

Inspections to verify that a project is being built in accordance with all applicable codes may occur both before and after construction begins. The local building inspector and other inspectors with jurisdiction may conduct these inspections at their discretion or when summoned upon request to approve a specific component of the construction progress. For this purpose, the subcontractors of the major trades are responsible for calling the relevant inspectors to get phases of their work approved.

RECORD KEEPING. After each phase of the work has been inspected, the appropriate inspector signs the building permit. The Contractor should tell the Project Representative when an inspection is scheduled so that he or she can be present during the inspection. When the inspector visits the site, the Project Representative notes the visit and records the inspector's comments in the Daily Report. In addition, the Project Representative should make a notation on the drawings indicating what areas are approved, by whom, and the date.

CHANGE REQUESTS FROM LOCAL INSPECTORS OR AGENCIES. If an inspector or local agency asks for a change, the request must be made in writing to the Contractor and should include a detailed explanation of the reason for the request, citing the specific code violation. If the request entails a change in the Contract Documents, the Contractor forwards the request to the Design Consultant. The Design Consultant should immediately review the request with the EOHLC Construction Advisor and the LHA Contract Officer to determine what action, if any, is appropriate. After consulting with the EOHLC Construction Advisor, the Design Consultant may decide to prepare a Proposal Request or Supplemental Instructions.

Contractor's Administration Responsibilities

Contractor's Administration Responsibilities

Throughout construction the Contractor must maintain at the site a copy of each of the following: the Contract Documents (which include clarification sketches, approved shop drawings, and supplemental instructions), correspondence, product data and samples, the progress schedule, the project directory, and the wage rate tables.

Wage Rates. The Massachusetts Department of Labor Standards sets the minimum hourly rates of compensation for all workers and apprentices on state-funded construction projects. These rates are included in the

See M.G.L. Chapter 149 §§ 26 + 27 and Chapter 121B §12.

Contract Documents for each project and must be posted by the Contractor at the project site at all times. The Contractor is required to submit weekly certified payroll reports to the LHA. The LHA contract administrator should maintain a file of these reports. On occasion, representatives of the Attorney General's Fair Labor Division may visit the project to verify that the Contractor and subcontractors are paying the required wage rates. This file will help answer any issues that the Attorney General's inspectors may have. Any questions regarding wage rates should be directed to the Attorney General's Office at (617) 727-3465.

Affirmative Action and Equal Opportunity Requirements. According to the Contract Documents, the Contractor must not discriminate in the selection or retention of subcontractors or in the procurement of materials or rental of equipment on the basis of race, color, disability, age, religious creed, sex, pregnancy, sexual orientation, gender identity/expression, marital status, national origin, ancestry, active military status, veteran status, or genetic information. In addition, the Contractor must take affirmative action to identify and negotiate with qualified minority and female subcontractors and suppliers to achieve the participation goals set forth in Section 00.73.36 of the specifications. If the Contractor uses referrals in trying to meet the participation goals noted above, the Contractor should keep records of the agencies and organizations contacted. The LHA Equal Employment Opportunity officer may ask to see these records.

See Appendix C-8 for the Contractor's Weekly Personnel Report Form

See Appendix C-9 for the Quarterly Projected Work Force Table

Weekly Personnel Report. To comply with affirmative action requirements the Contractor must file a Contractor's Weekly Personnel Report with the LHA Affirmative Action Officer every week. This report lists the total number of employees on the job the previous week and gives a trade-by-trade breakdown of minority and female personnel. The Contractor is responsible for insuring that the filed and non-filed subcontractors comply with the Affirmative Action requirements and that they submit all forms promptly to the Contractor.

EEO Review and Approval. To ensure the Contractor complies with affirmative action and equal opportunity requirements, the LHA's EEO officer reviews the Contractor's Application for Payment for affirmative action compliance before approval. The LHA EEO officer determines whether or not the Contractor and subcontractors have submitted all required reports and information and whether they are in compliance with the affirmative action requirements in the contract. If the Contractor is

delinquent, the LHA EEO officer may require that the payments be reduced until the Contractor complies with all affirmative action requirements.

See Appendix C-10 for the Contractor's Affidavit of Payments to Minority Business Enterprises

MBE/WBE Requirements. For contracts that have Minority-owned Business Enterprise (MBE) and/or Women-owned Business Enterprise (WBE) requirements, the Contractor submits documentation during the contract approval phase that demonstrates his or her intent to subcontract for the specified dollar amount with an MBE or WBE company certified by the Supplier Diversity Office (SDO) If, at any time during construction, the Contractor wishes to change MBE or WBE subcontractors, he or she must first obtain approval through a written agreement or email exchange with the Design Consultant. This change must also be formally documented in the project's Meeting Minutes.

Weekly Field Meetings

Weekly Field Meetings

The purpose of these meetings is to monitor the progress of construction, to coordinate upcoming work, and to resolve any problems, questions, or specific conditions related to the project or the contract documents. Field meetings are *usually* held every week during construction. Typically, these meetings take place on the construction site in the Project Representative's office.

See Appendix C-11 for a sample format for the Design Consultant's Minutes of the Meeting

Participants. The LHA Contract Officer, Tenant Coordinator (if one is required), Design Consultant, Project Representative, EOHLC Construction Advisor, Contractor, and any subcontractors or engineers whose work is in progress should attend these meetings. Occasionally, employees of the Sponsor Agency or its vendor may wish to visit the site or attend a weekly meeting. The LHA Contract Officer coordinates with the Sponsor Agency or vendor to arrange these visits.

Meeting Schedule. A specific time and day for the meetings was established at the Pre-Construction Meeting to ensure that all parties can attend each meeting. On small modernization jobs or those that are completed in a short period of time, field meetings should be held when deemed appropriate by the Design Consultant.

Meeting Minutes. The Design Consultant is responsible for preparing the agenda, conducting the meeting, and preparing the minutes. The agenda includes old business, new business, and field observations. The Design Consultant signs and promptly distributes copies of the meeting minutes. The Design Consultant should also bring extra copies of the previous meeting's minutes to use as part of the agenda. Additionally, the Design

See Appendix C-12 for the Detailed Application for Payment

See Appendix C-13 for the Change Request Log.

Communications and Supervision

Consultant should upload a copy of the Previous meetings minutes to Cap Hub.

Each month one meeting is designated to review the pencil draft of the Contractor’s Detailed Application for Payment and the Design Consultant’s Change Request Log which lists the outstanding Change Requests, Change Estimates, Change Orders, and their respective status. The participants also review the Submittal Log to ensure that all outstanding items receive formal approval. (The submittal log is described later under “Submittals”.)

Communications and Supervision

It is important to maintain clear and orderly lines of communication throughout construction. Clear lines of communication help prevent misunderstandings, confusion, delays, and disputes.

All the Contractor’s correspondence or questions must be directed to the Design Consultant. The Contractor should not deal directly with the LHA or EOHLC except for requests for administrative conferences. (See “Work in Dispute” for more on administrative conferences.)

All LHA and EOHLC construction questions or observations must be directed to the Design Consultant who communicates them to the Contractor. Because the Contractor is responsible for the work of all subcontractors, questions and observations concerning the work of any subcontractors should be passed through the Design Consultant to the Contractor. The Contractor is solely responsible for any directions or communications to the subcontractors. The subcontractors must communicate only with the Contractor and not directly with the LHA or EOHLC staff.

Courtesy copies of all correspondence between the Design Consultant and Contractor should be sent by the writer to the LHA Contract Officer, the EOHLC Construction Advisor, and the Project Representative.

To summarize the general rules for orderly communications:

- only the Design Consultant directs or instructs the Contractor;
- only the Contractor directs the subcontractors;
- subcontractors direct all correspondence to the Contractor; and
- courtesy copies of all correspondence between the Contractor and the Design Consultant should be sent to the LHA Contract Officer, the EOHLC Construction Advisor, and the Project Representative.

Security. The Contractor is responsible for the security of the construction site including all materials and property on the site. Each subcontractor is responsible for securing all her tools and equipment. Common sense dictates that the Contractor take additional security precautions in high-risk areas or on days like Halloween or New Year’s Eve.

Safety. Similarly, the Contractor is responsible for initiating, maintaining, and supervising all safety on the construction site. The Contractor is also responsible for taking all reasonable precautions to protect people, materials, equipment, and property on and near the job site. To maintain project safety, the Contractor should keep the premises clean of debris, materials, or rubbish.

Testing Procedures

Testing Procedures

During construction, the Design Consultant may hire an independent testing laboratory to determine whether various materials to be used in the project, such as fill, concrete, masonry, steel, roofing, carpet, and windows, meet the performance requirements called for in the Contract Documents. The Design Consultant and the EOHLC Construction Advisor determine the extent of testing necessary. The Design Consultant coordinates the tests. In addition, the Design Consultant arranges and coordinates any special testing requested by EOHLC, such as air and water infiltration, infrared scan, etc.

To select a testing laboratory the Design Consultant solicits proposals from at least three independent laboratories and sends her recommendation to the EOHLC Construction Advisor. The EOHLC Construction Advisor will solicit approval from the appropriate person at EOHLC and notify the Design Consultant of the decision. The cost of testing is a reimbursable expense to the Design Consultant.

On-Site Testing. The Design Consultant or the Project Representative oversees all on-site testing. When testing is to be done on-site, the Contractor gives the Project Representative 24 hours’ notice before he or she installs or covers any work that may have to be tested as specified in the Contract Documents. While the Design Consultant or Project Representative determines the area for testing, the exact location and number of tests is generally determined by the testing laboratory. All samples should be representative of the work in progress.

Off-Site Testing. When materials located off-site must be tested and approved prior to shipment, the Contractor should give the Design

Consultant ample notice. For example, when gravel samples must be approved by the Design Consultant before delivery to the site, the Contractor tells the Design Consultant the location of the gravel pit. The Project Representative keeps the delivery slips of all approved tested materials, as a record of the place of origin and site destination. The testing laboratory should send its reports directly to the Design Consultant, the engineers, the Project Representative, the Contractor, and the EOHLC Construction Advisor. When the project is complete the Project Representative turns over copies of test reports to the LHA as part of its permanent project file.

Additional Testing. The Design Consultant may require additional testing on work already in place. The EOHLC Construction Advisor is notified by the Design Consultant of any adverse test findings. The Contractor must pay for any tests on materials which fail to meet the performance standards established in the Contract Documents. If the materials meet the performance standards, the cost of testing is a reimbursable expense to the Design Consultant. Similarly, if testing is undertaken for the Contractor's own interest, the Contractor is responsible for coordinating with the Design Consultant and for paying all test costs.

Submittals

Submittals

Before the Contractor and subcontractors can purchase and/or install certain items, they must submit shop drawings, product data, or samples of the items to the Design Consultant for approval. Those items for which Design Consultant approval is required are identified in the Contract Documents. If acquiring these items requires a long lead time, the Contractor should plan to make these submittals to the Design Consultant promptly so that approvals do not delay delivery.

The Contractor must review and sign all subcontractors' submittals indicating their conformance with the Contract Documents before forwarding them to the Design Consultant for review.

Design Consultant Review and Approval. The Design Consultant is solely responsible for the review and approval of submittals. Although it may be beneficial to have submittals reviewed by the Project Representative before approval by the Design Consultant, the final review and approval must be done by the Design Consultant.

Submittal Log. The Design Consultant maintains a current record of when submittals and resubmittals are received, returned, and approved. This log

See Appendix C-14 for
the Submittal Log

is reviewed periodically at job meetings to encourage timely submissions and approvals.

Design Consultant's Action on Submittals. When the Design Consultant receives the Contractor's submittal, the Design Consultant should review the submittal right away or send it to the appropriate engineer for prompt review. When a submittal contains only a few items, the Design Consultant or engineer can usually check the items within a week. If the submittal contains more than a few items, the Contractor sends a written transmittal indicating the order in which the items are to be reviewed. The Design Consultant is required by law to render a decision on the submittal within thirty (30) days after receiving a written submission.

Shop Drawings Submission. The Contractor submits to the Design Consultant one legible, reproducible transparency and at least two blackline prints of each shop drawing. If the shop drawing requires the approval of an engineer, the Contractor should submit three prints. The Design Consultant notes receipt of the drawing in the Submittal Log. The Design Consultant marks the prints and the original, indicating any action.

Shop Drawing Approval. If a shop drawing is approved, the Design Consultant returns one print and the transparency to the Contractor. The Contractor then provides prints to appropriate members of staff and to those subcontractors affected by the drawing. Within ten (10) days after receiving an approved drawing, the Contractor submits to the Design Consultant four (4) prints made from the transparency, showing the "Approved" stamp. The Design Consultant keeps two prints and distributes one each to the Project Representative and the LHA Contract Officer.

Shop Drawing Disapproval. If a shop drawing is disapproved, the Design Consultant promptly returns all prints and the transparency to the Contractor with a full explanation of the reasons for disapproval. The Contractor then obtains the necessary material or does the work needed to make the shop drawing approvable. If there is a difference of opinion between the Design Consultant and the Contractor about what is acceptable, they should attempt to resolve the difference(s). If they are not successful, the Contractor has the option to appeal to EOHLC. This procedure is covered later under "Work in Dispute."

Shop Drawing Revision. If the shop drawing is marked "Revise and Resubmit," the Design Consultant returns all prints and the transparency to

See M.G.L. Chapter 30
§39P.

the Contractor. The Contractor should immediately make the appropriate changes and resubmit it using the process described above.

Product Data. Product data is processed in the same manner as shop drawings, but the Contractor submits seven copies of the data to the Design Consultant. Once the data has been approved by the Design Consultant and/or the engineers, the Design Consultant sends three copies back to the Contractor, keeps two copies, and distributes the other two to the Project Representative and the LHA Contract Officer.

Product Samples. The Contractor must provide two identical examples of all product samples. The Contractor should coordinate the review of samples with other submittals. For example, carpet samples should be submitted along with base molding samples. When color samples are to be reviewed, the Design Consultant may require that all color samples be submitted at the same time so that the complete color schedule can be coordinated and reviewed with the LHA and/or the Sponsor Agency. The Design Consultant has the right to request samples from the Contractor even if they are not specifically called for in the Contract Documents.

Substitutions. In preparing the construction specifications, the Design Consultant may have specified materials either by requiring the use of specific proprietary items, by stating performance criteria, or by listing name brands. *Only when name brand products have been specified are substitutions permitted.*

Proprietary Specifications. By specifying a proprietary item, the Design Consultant has concluded and the LHA Board has agreed that only one manufacturer produces a product that meets the specific requirements of the LHA. The Contractor must use that product.

Performance Specifications. By stating performance criteria, the Design Consultant has left it up to the Contractor to choose a product(s) that meets the criteria. The Design Consultant must approve of the Contractor's selection. The Design Consultant must be able to supply the Contractor with the names of at least three (3) products which meet the criteria, should the Contractor request the Design Consultant's input.

Name Brand Specifications. The Design Consultant specifies name brands to indicate a preference, based on the Design Consultant's knowledge and experience. The Design Consultant lists at least three name brands and the product or model numbers for the required items.

Specification by name brand suggests that the Contractor use one of the named products because the Design Consultant has already approved of its use. However, substitutions are permitted when name brands are specified and **only** when name brands are specified. Such substitutions are called “equals” and may only be used after approval by the Design Consultant and EOHLC.

Equals Approvals

Equals Approvals

Equals Approvals. When requesting approval of an equal, the Contractor must write a transmittal that clearly indicates that the product is submitted as an equal. It is the Contractor’s or subcontractor’s responsibility to prove that the substitution is equal to what has been specified by the Design Consultant. In order to prove that the item is an equal, the Contractor is required by law to demonstrate that the item is equal in quality, durability, appearance, strength, design, and performance to the originally specified item. To do this, the Contractor must provide the Design Consultant with a complete written analysis including all technical characteristics and pertinent information about the originally specified item as well as about the substitute.

If the substitution is acceptable to the Design Consultant, the Design Consultant sends a written recommendation to the EOHLC Construction Advisor. The EOHLC Construction Advisor then solicits written approval from his or her supervisor. The Design Consultant must have written authorization from EOHLC, obtained through the EOHLC Construction Advisor, before authorizing any substitutions. The Design Consultant authorizes the substitution by executing an Architect’s Supplemental Instructions form.

Equals Disapproval. If the Design Consultant determines that the product is not equal, it is returned to the Contractor with a letter that describes the reasons for disapproval. If the Contractor disputes the Design Consultant’s decision, the Contractor may appeal to EOHLC in accordance with the procedure described later under “Work in Dispute.”

Equals Coordination. Whenever a change is caused by the use of an equal, the Contractor must bear full responsibility for all costs relating to the change and for the performance of the substitution. This means that the Contractor pays for **any** modifications required because of the substitution of the equal. For this reason, the Contractor should carefully consider how the equal will impact other elements of the project. The Contractor must

secure the original guarantees required by the Contract Documents and any additional warranties needed to ensure adequate performance.

The Contractor must make the request for an equal at least 120 calendar days prior to incorporating the product into the project. If the Contractor wishes to use an equal without giving 120 days' notice to the Design Consultant, or if one of the name brand items listed in the specifications is not readily available, the Design Consultant and EOHLC may be able to accommodate the Contractor. Under no circumstances will an equal be considered if the Contractor has been negligent in obtaining the specified item. The Contractor must bear all costs for delays caused by tardy submissions.

Interpretation of the Documents

Interpretation of the Documents

The Design Consultant is charged with interpreting the Contract Documents. Whenever the Contractor has a question about the meaning or intent of the Contract Documents, the Design Consultant must give the Contractor a timely response. Most of the time these questions can be answered at the weekly job meetings. If a question requires further study by the Design Consultant or engineers, the Design Consultant should make every effort to provide an interpretation at the next weekly job meeting. The Design Consultant notifies the Contractor, Project Superintendent, Project Representative, and EOHLC Construction Advisor of any such interpretations and includes them in the minutes of the meeting.

If the Contractor wants a written clarification, he or she must put the question in writing. This is often called a **Request for Information (RFI)**. When the Design Consultant gets a RFI, he or she should respond as quickly as possible, but not later than 30 days after receiving the inquiry. If necessary, the Design Consultant advises the Contractor in writing if he or she needs more than 30 days is needed to respond. If the Design Consultant does not respond within 30 days, or the Contractor does not agree with the interpretation, the Contractor may ask EOHLC to resolve the problem, as discussed later in this chapter under "Work in Dispute". It should be noted that the Design Consultant's decision with regard to aesthetic issues is final.

If the Contractor disagrees with the Design Consultant's response, or does not ask for an interpretation, but proceeds with the work anyway, the Contractor is not entitled to any additional compensation for the work performed and will be responsible for any corrective work, if required. In

other words, the Contractor proceeds at the Contractor's own risk if he or she chooses to ignore the Design Consultant.

Changes to the Contract Documents

Changes to the Contract Documents

In almost every construction project, circumstances arise that require changes to the Contract Documents. These changes may be due to unforeseen conditions, design modifications, or changes in details or materials. These changes may be suggested by the Design Consultant, the Contractor, EOHLC Construction Advisor, or the LHA Contract Officer. Changes in the Contract Documents are made by executing Change Orders or by having the Design Consultant issue a letter authorizing minor changes in the work.

Change Orders are required when there is to be a change in the contract sum, a change in the completion date, or a change in the design intent (*i.e.*, scope of work and/or materials).

An **Authorization for Field Change in the Work** is used when the change is minor (such as shifting the location of a door a few inches before the wall is framed), when the change is a substitution, or when the change does not require a Change Order.

Once executed, both Change Orders and Authorized Minor Changes become legally binding parts of the Contract Documents. Note that Field Orders are no longer used, only Change Orders or Authorized Minor Change letters.

Timely decisions and the prompt preparation, processing, and approval of Field Changes serve to keep disruption of the job and cost increases to a minimum. This generally requires that the activities necessary to process a Change Order, including LHA Board approval, all occur promptly.

Authorized Minor Changes in the Work. If the Contractor, after discussing the proposed change with the Design Consultant, verbally agrees with the Design Consultant that the change does not require a change in the contract sum, the completion date, or the design intent, the Design Consultant prepares a letter Authorizing a Minor Change in the Work.

The Design Consultant should confer with the LHA Contract Officer, and the EOHLC Construction Advisor before sending this letter. Since Authorized Minor Changes are used only for minor changes that do not affect the contract sum or completion date, a vote of the LHA Board is not required.

See Appendix C-15 for sample Architect's Authorization of Minor Changes in the Work letter

See Appendix C-16 for a
Sample Change Request.

Change Requests. If a Change Order is required, the Design Consultant prepares a Change Request in Cap Hub. The Change Request includes a complete description of the proposed change, and may accompany a dated clarification sketch (with the Design Consultant's stamp) showing the materials to be used or revised construction details. Change Requests and clarification sketches are numbered sequentially by Cap Hub and recorded.

Contractor Prepares Change Proposal. The Contractor prepares a Change Proposal in Cap Hub in response to the Design Consultant's Change Request.

See Appendix C-17 for a
Sample Change Estimate.

The Change Proposal provides detailed information about the proposed cost and time extension, if any. The cost of the proposed work may be determined by unit price, lump sum, or, as a last resort, on a time and materials basis. Copies of the Change Proposal are sent in Cap Hub to the Design Consultant, the LHA Contract Officer, the EOHLC Construction Advisor, and the Project Representative. As soon as the LHA Contract Officer receives the Change Proposal, he or she should identify the availability and source of funds and seek approval from the EOHLC Project Manager.

Unit Price Change Estimate. The Contractor prepares a Change Estimate based on unit prices when the proposed work involves any item listed in the Unit Price section of the specifications. All Change Estimates involving unit prices must be calculated using the specified values which already include overhead, profit, bonds, and insurance.

Unit prices are sometimes used to deal with changed conditions involving issues such as unanticipated soil conditions when the full extent of the extra work cannot be readily determined before the work begins.

See Appendix C-13 for the
Change Request Log.

Lump Sum Change Estimate. In preparing a Change Estimate based on a lump sum, the Contractor estimates the materials, labor, and equipment rental required by the Change Request. If any of the work is unit price work as described above, it must be shown separately from the other estimated cost components within the same Change Request. The added percentage is automatically calculated in Cap Hub.

Time and Materials Change Estimate. In rare instances, Change Estimates may be calculated on a time and materials basis. Typically, this is done when the extent of the work cannot be readily determined, unit prices are not provided, the Design Consultant and the Contractor cannot agree on a lump sum amount, or in cases of extreme urgency. In such cases, the

Contractor will be compensated for the actual cost of materials, labor, and rental equipment, plus the percentage for overhead and profit established in the Contract Documents. The Project Representative monitors this work as described later under "Notification of the Project Representative " and "Documentation."

Time Extensions and Change Orders. As part of the review of each proposed Change Order, the Design Consultant must determine how the proposed change will affect the completion date established by the Contract Documents. If the Contractor requests a time extension, he or she must explain how the change will affect the date of substantial completion. This explanation should refer to the Progress Schedule which was submitted at the start of the job.

Sometimes construction may be delayed because of circumstances beyond the control of the Contractor - such as strikes, or unusually severe weather. If an uncontrollable event occurs, the Contractor must notify the Design Consultant of the delay within twenty days after its occurrence. As with any request for a time extension, the Contractor must thoroughly document how the uncontrollable event affected the completion date. Requests for time extensions should be reviewed and addressed in a timely manner and should not be held until the end of the job.

EOHLC Change Order Requirements

See Appendix C-18 for a copy of the Change Order Form.

EOHLC Change Order Requirements

Notification of Sponsor Agency. For the construction of Chapter 689 projects, Chapter 167 projects, and Chapter 667 Congregate projects, if the proposed Change Order involves a change in the functional aspects of the building, the LHA Contract Officer should notify the Sponsor Agency of the proposed Change Order and solicit the sponsor's input. If the proposed Change Order involves a change in the completion date, the Contract Officer should bring this fact to the attention of the Sponsor Agency. The Contract Officer should alert the Sponsor Agency to possible delays even if no Change Order has been proposed.

Design Consultant Decides to Issue Change Order. If the Design Consultant, LHA and EOHLC approve the Contractor's Change Proposal Request, and if the submitted documents are acceptable or require only minor modifications, the Design Consultant should submit a Change Order form in Cap Hub promptly. If no agreement can be reached, the Design Consultant prepares a Construction Change Directive as described later.

Processing Change Orders.

The Design Consultant submits the Change Order in Cap Hub, and the Contractor must then approve it. After the LHA Board has voted to approve the Change Order the LHA can approve the Change Order in Cap Hub. The Change Order must then be approved by the EOHLC Construction Advisor and CMU Supervisor.

Cover Letter. As part of the Change Order Process, the Design Consultant prepares a cover letter to the LHA Board explaining:

- who requested the change;
- why the change was necessary;
- what method was used to establish the cost of the Change Order (lump sum, unit prices, or time and materials);
- how the time extension, if any, was determined; and
- a statement that the Change Estimates have been reviewed and that the costs and any time extension are fair and equitable.

See Appendix C-19 for the Construction Change Directive form.

The Design Consultant uploads the cover letter into Cap Hub and assures the following supporting materials are in Cap Hub as well:

- the Change Request, including all drawings or sketches, instructions, and product data;
- digital photographs that illustrate the Change Order work;
- all Change Proposals from the Contractor and any subcontractors, which document how the amount of the change or time extension was determined;
- any time and material slips; and
- all other correspondence pertinent to the proposed Change Order.

Vote by the LHA Board. Because the LHA must vote to approve each Change Order, the Design Consultant should submit any proposed Change Orders in time to be included on the agenda of the next scheduled LHA Board meeting. As discussed earlier, prompt processing of Change Orders is critically important. This means the LHA may need to schedule a special meeting to approve proposed Change Orders.

EOHLC Approval. All Change Orders require an LHA Board vote. If the Change Order is less than or equal to 5% of the original construction

contract or is less than \$5,000, whichever is less, and the cumulative total of change orders is less than 10% of the original construction contract, then the EOHLC Construction advisor's signature is the only EOHLC approval required. Change Orders that do meet these criteria require the approval of the EOHLC Construction Management Supervisor.

Distribution of Change Orders. After EOHLC (either the Construction Advisor or the Construction Management Supervisor, depending on the size of the Change Order) has approved the Change Order, the Contractor can include the Change Order in a request for payment with the monthly Application for Payment. Change Orders that have not been approved by all parties, *including EOHLC*, cannot be submitted for payment.

Construction Change Directive. If work needs to be done but the Contractor and Design Consultant cannot agree on whether the work is beyond the scope of the contract or cannot agree on the dollar value of additional work or on the amount of time required to perform the work, the Design Consultant should prepare and sign a Construction Change Directive (CCD). A CCD should also be used when the full scope of the work cannot be ascertained and the extra work must proceed. The CCD outlines the scope of work, the dollar upset limit, procedures that may be necessary to differentiate contract work from CCD work, and instructions regarding any inspections by the Project Representative. CCDs are normally prepared on a unit price basis or on a time and materials basis. The CCD also requires the signatures of the LHA Contract Officer and the EOHLC Construction Advisor, as well as approval by EOHLC Construction Management Supervisor. The signature of the Contractor is not required. The executed CCD should be uploaded in Cap Hub to Construction Documents: Change Orders.

The Contract Documents require the Contractor to perform the work as directed by the Design Consultant via a fully executed CCD. However, if the Contractor still disagrees with the Design Consultant about the scope of the work, the dollar value of the work, or the time needed to complete the work, he or she may perform the work under protest. This process is described in detail later under "Work in Dispute."

Notification of the Project Representative. Before the Contractor goes ahead with any CCD work, he or she must notify the Project Representative every day of his or her intent to do such work to permit proper monitoring. If the Contractor does not notify the Project Representative, the Design

Consultant may refuse to approve payment for work not monitored by the Project Representative.

Documentation. As the CCD work proceeds, the Project Representative keeps a daily record of the actual labor and materials used or removed. In addition, the Contractor prepares daily slips documenting the work done, which slips the Project Representative signs, acknowledging that the work was done. These slips, as well as invoices for material and equipment and the CCD itself, will become part of a Change Order.

Payment. No payment can be made from a CCD. The Contractor can only make an Application for Payment for work that is listed on an approved Change Order. Therefore, it is essential that all CCD work be processed into a Change Order as soon as possible.

Converting a Construction Change Directive to a Change Order. After the Contractor completes the extra work approved by a CCD, the Change Estimate and copies of time and material slips signed by the Project Representative are sent by the Contractor to the Design Consultant. The Design Consultant reviews these with the LHA Contract Officer, the EOHLC Construction Advisor, and the Project Representative to verify that the labor and material costs accurately reflect the work described in the CCD. As part of this evaluation, the Design Consultant consults with the appropriate engineer(s). If everything is in order, the Design Consultant prepares a Change Order as described earlier. The Change Estimates and time and material slips are attached as backup.

Work in Dispute

Work in Dispute

During construction the Design Consultant and Contractor may disagree as to the scope or the acceptable quality of the work required by the Contract Documents. Alternatively, they may agree that the work being requested is extra work (i.e., work that is beyond the scope of the Contract Documents) but be unable to agree on the dollar value of that work. Another point of contention is when they agree on the dollar value of the extra work but not on the time required to complete it.

Request for Change Order. In any of these instances the Contractor shall submit such claim or dispute to the Design Consultant in the form of a Change Order request, for her initial review and consideration, subject to further appeal to EOHLC as noted below.

Contractor Appeal. According to the Contract Documents, the Contractor has 21 calendar days from the date he or she receives the Design Consultant's response to the Change Order request to appeal this response to EOHLC. (If no response is forthcoming from the Design Consultant within 30 days after receipt of the Contractor's Change Order request, the 21-day time period begins to run at the end of 30 days from the day the Design Consultant receives the Contractor's request.) The appeal to EOHLC must be made via email to the Construction Management Supervisor, currently Tom Mulvey, thomas.mulvey@mass.gov copy to the Design Consultant, EOHLC Construction Advisor, and LHA. Failure to appeal within the 21 days will result in the Design Consultant's decision becoming final and binding on the Contractor and LHA. Likewise, the Design Consultant's decision is final if the matter in dispute relates to aesthetic issues, and thus no appeal can be made.

NOTE: The Contractor is the only entity that may submit a Change Order request to the Design Consultant. Subcontractors must act through the Contractor. Subcontractors cannot request a Change Order directly from the Design Consultant. In a like manner, the Contractor, not the Subcontractor, is the proper party to appeal the Design Consultant's decision.

Informal Review. Upon receipt of the Contractor's appeal email noted above, the Construction Management Supervisor shall review the matter. The Supervisor may conduct his or her review based on the documents submitted by the Contractor or the Supervisor may ask for more documentation from either the Contractor or the Design Consultant or the Supervisor may convene a meeting (in-person or virtual) to discuss the

matter with all parties. At the end of his or her review, the Supervisor will state his or her opinion in writing (email) as to how to resolve the dispute. NOTE: If a Construction Change Directive has been issued relating to the work in dispute, the Contractor must continue to proceed with the work as directed. A request for an informal review does not relieve the Contractor of his or her obligation to perform the work as directed by the Design Consultant.

Because of the nature of the informal review process, if a meeting is convened, no minutes are taken, and legal counsel need not be present, though each party has a right to be represented by counsel. The Contractor does not waive their right to an appeal to the EOHLC Administrator, as further explained below, because of this meeting. At the end of his or her review, the Construction Management Supervisor will send an email to all parties summarizing the results of the informal review. If an agreement is reached and a Change Order is warranted, the Design Consultant prepares a Change Order, which reflects the change in the contract sum and/or the completion date. If the Change Order covers work which is also covered by a Construction Change Directive, refer to the Directive specifically in the Change Order.

Appeal to Administrator. If the informal review process does not resolve the dispute, the Contractor has fourteen (14) days from the date of the Construction Management Supervisor's summarizing email noted above to appeal to the EOHLC Administrator, who is the Director of the Bureau of Housing Development and Construction. The appeal starts with an email from the Contractor to the Construction Management Supervisor requesting a formal dispute conference. The Construction Management Supervisor will confer with the EOHLC Administrator as to whether the EOHLC Administrator or her designee will be conducting the formal dispute conference. NOTE: A request for a formal dispute conference does not relieve the Contractor of his or her obligation to perform the work as directed by the Design Consultant.

At a formal administrative conference all parties may be represented by legal counsel and minutes are taken. During the conference all parties will be given an opportunity to present their views. The EOHLC Administrator, or designee, will issue a written decision within thirty (30) working days after the end of the conference. This decision is considered final under the provisions of the Contract Documents, but the matter may be appealed to a

court of competent jurisdiction if one of the parties believes the decision is not consistent with applicable law.

Canceling the Contract

See Appendix C-32 for a sample Notice to Terminate Construction Contract for Cause letter.

Payments to the Contractor

See Appendix C-12 sample - Detailed Applications for Payment

See Appendix C-20 sample - Detailed Application for Payment for Change Orders

Canceling the Contract

The Local Housing Authority (LHA) has the right to terminate the contract in the event of a significant breach by the Contractor, such as abandonment of work, repeated failure to follow the Contract Documents, or a determination that the rate of progress is not being met. Terminating a contract is a very serious step that should only be undertaken after all other options have been exhausted and with careful legal consultation.

If the LHA determines that termination is necessary, it must provide formal notice to the Contractor, following the specific requirements outlined in the contract. The LHA may then complete the work itself or hire another contractor to finish the project, charging all expenses for completing the work back to the original Contractor. The LHA and Design Consultant must carefully document the state of the project at the time of termination to establish a baseline for all subsequent costs.

Payments to the Contractor

State law allows contractors to be paid for work completed in the previous month and for certain materials stored on or off site. (Stored materials are discussed later.)

Pencil Draft. Every month, at the field meeting the week before the monthly requisition meeting, the Contractor submits to the Project Representative a “pencil draft” of the Detailed Application for Payment. The Detailed Application includes payment requests from all the subcontractors and a listing of all approved Change Orders. Copies are distributed to the Design Consultant, the EOHLIC Construction Advisor, and the LHA Contract Officer, all of whom should be present at the meeting.

Review Process. The Project Representative and the Project Superintendent review the work completed in the last month and verify the dollar value. In addition, they verify the quantity of materials stored on-site and off-site, if this has not already been done. The Design Consultant checks to see that the total requested fairly represents the percentage of work completed and that a sufficient amount of money will remain in the contract to finish the work after this payment is made. The Design Consultant, the Contractor, the Project Representative, the LHA Contract Officer, and the EOHLIC Construction Advisor tour the project and look at the work completed in the last month. During this tour the Project

Representative and Contractor discuss any reservations they have about any line items in the pencil draft. The Design Consultant reviews these concerns at the meeting and makes appropriate adjustments.

The monthly requisition meeting is also the time when the Contractor advises the Design Consultant and the EOHLC Construction Advisor that he or she believes a subcontractor has requested an inappropriate amount of payment. It is important for the Contractor to point this out since the Contractor is required to include all payment requests from his or her subcontractors on the Application for Payment.

Design Consultant Reviews the Pencil Draft. Since it is the Design Consultant's responsibility to verify and approve the Application for Payment, he or she should be sure the Contractor has made the following deductions:

- An amount sufficient to cover the fair value of the LHA's existing claims against the Contractor for defective or nonconforming work;
- An amount sufficient to cover any properly filed demands for direct payment from the filed subcontractors; and
- A five percent (5%) retention of the total amount of work completed and stored. This retention is in addition to the money already being withheld for defective or nonconforming work.

Contractor Fills Out the Summary Application for Payment. After the Design Consultant has approved the pencil draft, the Contractor adds up the detailed values approved by the Design Consultant, transfers them by category to the Summary Application for Payment, prepares and submits the Application and Certificate for Payment via Cap Hub to the Design Consultant, together with invoices and title certificates for stored materials. **The total amount of the Application for Payment should be rounded to the nearest whole dollar.**

Many Contractors include a line item on the Summary Application for Payment covering their General Conditions. In these cases, the percentage applied to this line item should correspond with the total percentage of work completed on the project, but please note that **General Conditions should not exceed 10% of the total contract amount.** Using a standard monthly amount for General Conditions is not acceptable.

See Appendix C-22 for a sample Summary Application for Payment and Appendix C-21 Sample Summary Application for Payment for Change Orders, and Appendix C-23 for Application & Certificate of Payment.

Design Consultant Reviews the Summary Application. The Design Consultant checks that the Contractor has properly transcribed all information from the pencil draft and added the numbers correctly. If the Design Consultant finds any mistakes in the Summary Application, he or she must return the entire Application to the Contractor within seven days for corrections. If he or she has had the Application for more than seven days, he or she must make the corrections personally.

EOHLC Review and Approval

After the Design Consultant and the LHA Contract Officer have approved the Summary Application for Payment in Cap Hub, the application is automatically routed for EOHLC approval. All approvals are completed electronically within the system. For applications up to the 95% threshold of the amended contract amount, the EOHLC Construction Advisor's electronic signature is the only EOHLC approval required. Cap Hub automatically retains the final 5% of the contract value. The EOHLC Construction Management Supervisor is no longer required to approve applications exceeding the 95% threshold, as their approval is now reserved specifically for the release of the final 5% retainage, which is triggered by the Certificate of Final Completion (CFC). The application must still be processed by EOHLC in order for the funds to be released.

Distribution of Applications for Payment. After the Design Consultant and the LHA Contract Officer have approved the Summary Application for Payment in Cap Hub, the application is automatically routed for approval. All approvals are completed electronically within the system. For applications up to the 95% threshold of the amended contract amount, the EOHLC Construction Advisor's electronic signature is the only EOHLC approval required. Cap Hub automatically retains the final 5% of the contract value. The EOHLC Construction Management Supervisor is no longer required to approve applications exceeding the 95% threshold, as their approval is now reserved specifically for the release of the final 5% retainage, which is triggered by the Certificate of Final Completion (CFC). The application must still be processed by EOHLC in order for the funds to be released.

LHA Pays the Contractor. Once the LHA receives the approved Application from EOHLC Construction Management and has received funds from the state treasurer, the LHA issues a check. After the Contractor receives each periodic payment, he or she makes timely payments to the subcontractors

according to the approved amount in the Contractor's Application for Payment.

See M.G.L. Chapter 30
§39K.

Penalty for Late Payment. The LHA must pay the contractor within 45 days after the Design Consultant receives the Contractor's Application for Payment unless the Design Consultant returns the entire Application to the Contractor because of mistakes made in filling out the Application. If the LHA does not make payments on time the Contractor is entitled to daily interest computed at three percentage points higher than the discount rate of the Federal Reserve Bank of Boston starting on the 46th day after the Design Consultant receives the Application for Payment.

Stored Materials. To avoid price increases contractors and subcontractors often order and store materials before they are needed on the job. State law allows the LHA to pay for any properly stored materials as long as the Contractor meets the following three conditions:

- Approval by the Design Consultant of shop drawings or products;
- Inspection by the Project Representative or the Design Consultant to verify the quantities and types of material and that the materials have been properly stored. Proper storage means that the materials are stored in Massachusetts within a one-hour drive from the site and are secured from the elements and intruders. When materials are stored off-site the Contractor should allow enough time for this inspection before he or she includes stored materials in the Application for Payment.
- When using Cap Hub, the process for certifying title and insurance for stored materials is simplified and handled electronically. The Contractor now uploads the **transfer of title, paid invoices for materials**, and, if applicable, the **certificate of insurance** for off-site storage directly into the system. This digital submission replaces the need to physically present documents.

See Appendix C-25 for a
sample Transfer of Title
for Stored Materials.

Once the Contractor meets the conditions listed above, he or she can request reimbursement excluding retainage, transportation, insurance, and handling in the next Application for Payment. All charges for storage, transportation, handling, and insurance are included in the contract price and are not reimbursable to the Contractor. In addition, the Contractor must replace any stolen or damaged materials even after title has been

transferred to the LHA. Both the LHA Contract Officer and the Project Representative should keep copies of all title certificates, insurance certificates, and invoices for stored materials.

When the Contractor or subcontractors store materials in the same location, they should each mark their materials with the name and location of the project and note the type and quantity of the materials. The materials for each trade should be separated from one another and easily accessible to each subcontractor.

4. Accepting the Project

According to the Contract Documents, the project is considered “substantially complete” when “the Owner can occupy or utilize the work for the use for which it is intended.” Typically, a project is not considered substantially complete if there are any outstanding deficiencies which could create a significant nuisance or could be a threat to the safety of the residents.

Preparing for Occupancy

Preparing for Occupancy

Contractor’s Punch List. As the project nears completion the Contractor makes sure that all unfinished or defective items are promptly completed. As part of this effort, the Contractor prepares a punch list which is a detailed list of deficiencies that require correction or completion before the project can be considered complete. The Contractor distributes this punch list to the sub-contractors and directs them to immediately correct all deficiencies on the list.

See Appendix C-26 for Construction Close-out Checklist.

Design Consultant’s Sample Unit Punch List. The Design Consultant may prepare a preliminary punch list for a sample apartment, to establish the standard of acceptability for the remainder of the project.

Management and Maintenance Implications. As the project nears completion, the LHA maintenance staff should become familiar with the completed work. The staff should schedule visits with the Project Representative and the Contractor at times that will not hinder the progress of the work. For new construction projects, the LHA should contact the EOHLC asset manager to discuss the operating budget and to coordinate furnishings.

Design Consultant’s Inspection and Punch list

Design Consultant’s Inspection and Punch List

Notification of Inspection. When the Contractor considers the project substantially complete, he or she requests Substantial Completion in Cap

Hub. . The Design Consultant checks with the engineers, the Project Representative, and the EOHLC Construction Advisor, to determine if they think the project is ready for inspection.

If the Design Consultant agrees with the Contractor that the project is ready for inspection, the Design Consultant and the Contractor schedule the inspection within five days. The Design Consultant notifies the engineers and the LHA Contract Officer to confirm their attendance at the inspection.

If the Design Consultant thinks the project is not ready for inspection, he or she writes to the Contractor advising him or her of the deficiencies that must be corrected before an inspection can take place.

The Substantial Completion Inspection. During this inspection, the Design Consultant, engineers, Project Representative, and LHA Contract Officer must check every aspect of the project thoroughly. The Design Consultant and engineers prepare their punch lists, which are typed by the Design Consultant and distributed to the Contractor, the Project Representative, the EOHLC Construction Advisor, and the LHA Contract Officer.

Corrective Work. The Contractor begins his or her corrective work and distributes the punch list to the affected subcontractors and directs them to begin their corrective work. **Although the Design Consultant should make every effort to include all deficiencies in the punch list, the Contractor is still ultimately responsible for correcting any deficient items, even if they are not included in this list.**

Certificate of Substantial Completion

See Appendix C-27 for the Certificate of Substantial Completion.

Certificate of Substantial Completion

Once the Design Consultant has determined that there are no deficiencies that would prevent use or occupancy of the project, he or she submits the Substantial Completion (CSC) in Cap Hub. The CSC must then be approved by the contractor, after which it is then approved at the next LHA Board meeting. After board approval, the CSC must be approved by the LHA, the EOHLC Construction Advisor and the EOHLC CMU Director. This is the legal document stating the date that the LHA accepts the project and that the work, with the exception of the punch list items, is substantially complete.

Utilities and Keys. For new construction projects, the Contractor, with concurrence of the Design Consultant and the LHA, contacts the utility companies to have the utility meters read. The Design Consultant should be

sure that all the keys for the project have been properly tagged and turned over to the LHA Contract Officer.

LHA Assumes Responsibility for the Project. At exactly twelve noon on the date established by the Certificate of Substantial Completion, the LHA assumes responsibility for the project including normal maintenance and insurance. All guarantees and warranties take effect at this time and, usually, the Design Consultant terminates the services of the Project Representative.

Scheduling Unfinished Items. Some projects reach substantial completion in the winter and so the Contractor cannot complete outdoor items like landscaping. In such circumstances, the Contractor should prepare a schedule for finishing major incomplete items. Often projects can be used or occupied in spite of some incomplete items, but this situation should be temporary. The Design Consultant and the EOHLC Construction Advisor can advise the LHA about what level of incompleteness is acceptable and unavoidable.

Property and Comprehensive Insurance

Property and Comprehensive Insurance

EOHLC insures all state-aided housing developments under a blanket property insurance policy and a blanket comprehensive liability insurance policy. When a new construction project approaches substantial completion, the LHA should contact the EOHLC Office of Housing Finance to arrange for insurance coverage on the project.

See Appendix C-26 for
Construction Close-out
Checklist.

5. Construction Close-out Procedures

After substantial completion, work still remains to be done by the Contractor, the Design Consultant, and the LHA.

- The Contractor completes the punch list items.
- The Design Consultant inspects and approves the punch list items when they have been completed.
- The LHA continues to process payment requests in a timely fashion and, at the appropriate time, releases the five percent retainage to the Contractor.

This process is often referred to as construction project close-out.

Completion Timetable

Completion Timetable

The close-out process which is described in detail in this step is also set forth in the following timetable. This timetable is not meant as a replacement for the text, but should be **used as a guide**. If you have questions about a particular procedure, consult the text which deals with that procedure. The dates will vary somewhat from project to project, except when the time frame is governed by statute or by contract.

COMPLETION TIMETABLE	
Day 0	Date established by Certificate of Substantial Completion.
Day 30	Rating Forms. The LHA and the A/E complete the Contractor Rating Form and send it to Division of Capital Asset Management and Maintenance and a copy to EOHLC. The LHA completes the A/E Evaluation Form and sends it to EOHLC.
Day 45	Inspection. The LHA, the A/E, the EOHLC construction advisor, and the Contractor inspect all work. The A/E recommends and begins processing either a Partial Release of Retainage or a Certificate of Final Completion.
Day 50	Application for Payment. The Contractor submits an Application for Payment to release some or all of the retainage.
Day 65	Payment of Retainage. The LHA releases either partial retainage or full retainage, depending on the form submitted NOTE: This date is established by statute (M.G.L. Chapter 30 §39K).
Day 90	Outstanding Items. For jobs with a Partial Release of Retainage, the LHA informs the Contractor by certified letter of all outstanding items needing resolution.
Day 120	Notification. For jobs with a Partial Release of Retainage the LHA notifies the Contractor by certified mail that he has 7 days to correct any remaining outstanding items.
Day 127	Deadline and Final Payment. Deadline for Contractor to correct outstanding items. (Seven days after certified notice.) LHA processes the Certificate of Final Completion and final payment.
Day 270	Warranty Inspection. The A/E, the LHA, and the EOHLC construction advisor conduct the nine month warranty inspection. The A/E sends a report of this inspection to the Contractor, who corrects any defective items.
Day 365	Warranty Expiration. One-year warranty period expires. The LHA notifies EOHLC and the bonding company if the Contractor has not agreed to correct or has not corrected warranty items. NOTE: This date is established by the Contract Documents.
Years 1-10	Report Failures. The LHA identifies guarantee and other problems and notifies the Contractor and Guarantor and reports any failures to correct problems to the EOHLC construction advisor.

Preparation for Maintenance

Preparation for Maintenance

Operating Manuals. As the project nears completion, the Contractor obtains two sets of all operating and maintenance instructions or manuals that are required in the specifications. The Contractor collates these into two volumes and submits them to the Design Consultant for approval. Once the Design Consultant determines that the documentation is complete, the contractor sends both volumes to the LHA for use by the maintenance staff. The Design Consultant notes any manuals outstanding as of the date of substantial completion on the punch list.

Maintenance Instruction. The Contract Documents may require that the Contractor and subcontractors instruct the LHA's maintenance personnel and the service vendor, if applicable, in the proper use and maintenance of the mechanical systems and other equipment. If such instruction is required, the Contractor should schedule training so that the service vendor, if applicable, and the maximum number of maintenance personnel can attend. The person giving the instruction should be qualified to do so.

When the training has taken place, the Contractor should prepare a Certificate of Compliance stating that the LHA's staff and service vendors have been properly instructed in the use of the equipment. The LHA Contract Officer should sign this Certificate indicating that training has been adequate.

Replacement Parts or Materials. The Contract Documents may also require the Contractor to provide certain spare parts or replacement materials to the LHA. Each time the Contractor delivers a part, he or she should get a receipt, and the LHA should send a copy of the receipt to the Project Representative for the permanent file. These parts are not to be used to replace or repair items on the punch list.

Final Completion Documents

Final Completion Documents

Record Drawings. As the project nears completion, the Contractor must submit all the as-built drawings, including those of the subcontractors, to the Design Consultant. These as-built drawings become the basis of the record drawings. The Design Consultant transfers this information plus information gained from the Project Representative's records to a set of mylar transparencies. Each sheet must be labeled "Record Drawing" and dated. Upon completion, the Design Consultant makes one set (two sets, if requested by the LHA) of blueline prints and one microfilm copy of the

drawings. As-built drawings outstanding at the time of substantial completion will be included on the punch list.

The Design Consultant sends one microfilm copy of the record drawings, the blueline prints, and mylar transparencies to the LHA. It is very important that the LHA keeps the microfilm, the transparencies, and the blueline prints where staff or consultants have access to the information on the drawings.

Permanent Project File. In addition to the record drawings, the LHA should maintain a permanent file of the following:

- the Project Representative’s files, including shop drawings, submittals, daily reports, Design Consultant’s reports, correspondence, progress photographs, change orders, supplemental instructions, test reports, and applications for payment, including documentation for payments for stored materials;
- written guarantees for materials or equipment, operating manuals, and maintenance instructions; and
- the LHA’s own files, including change orders, applications for payment, correspondence, completion papers, occupancy permit, Design Consultant’s invoices, and all other receipts and records of payments made in connection with the project.

Recordkeeping. M.G.L. Chapter 30, Section 39R, which governs recordkeeping for all public construction work, requires that the Contractor maintain all books, records, and accounts for the project for at least six years after final payment. These records must be kept in “reasonable detail” and must accurately and fairly reflect the transactions of the Contractor relating to the project.

See M.G.L. Chapter 30
§39R.

Final Completion Procedures

Final Completion Procedures

The following material describes the several steps required to close out a project. Some of these steps are quite simple; others are more complex. Some have statutory deadlines that determine when they must be completed; others have deadlines derived from EOHLIC's cumulative experience. Taken altogether, they can be daunting to the uninitiated. Therefore, in addition to describing the steps in the text below, there is a timetable at the beginning of this section that sets forth the steps in chronological order. The reader is **strongly urged** to read both the text and the timetable to gain a full appreciation of how the various steps relate to one another.

See Appendix C-28 for the Contractor Evaluation Form

Completion of Evaluation Forms. As part of the Commonwealth's on-going effort to produce and maintain the highest quality state-aided housing, evaluations are made of the Design Consultant's and Contractor's performances. **These evaluations are used to determine the suitability of these parties to perform EOHLIC-funded work in the future.**

Soon after substantial completion the LHA will receive from EOHLIC forms and instructions to evaluate the Contractor's performance, and one to get feedback about the construction process. The LHA should complete these evaluations within 30 days and return them to EOHLIC, and/or the Division of Capital Asset Management and Maintenance as noted in the instructions. Timely completion of these evaluations is critical in making sure that only qualified persons are awarded EOHLIC-funded work.

See M.G.L. Chapter 30 §39K.

Payment of Retainage. Pursuant to M.G.L. Chapter 30, Section 39K, which governs payments to contractors on public construction jobs, if the Contractor submits an Application for Payment requesting full payment of the five percent (5%) retainage within sixty-five (65) days from the date of substantial completion, or within sixty-five (65) days of the date the project is more than 99% complete, whichever occurs first. However, the LHA should continue to retain sufficient funds to cover:

- the cost of completing any incomplete or unsatisfactory items of work;
- the value of any demands for direct payment by subcontractors;
- and

- any **anticipated** demands for direct payment by subcontractors, as may be indicated by the contractor's record of payments to the subcontractors.

Before the LHA pays any or all of the retainage, the Design Consultant needs to make an inspection. Often the Project Representative is no longer on the job. It is important that the LHA Contract Officer coordinate inspections with the Design Consultant, so the Design Consultant does not make wasted trips to the job site.

The latest date that this inspection should be made is approximately 45 days after the date of substantial completion. This allows enough time for the Design Consultant and contractor to prepare the forms necessary for the contractor to be paid all or part of his or her retainage by the 65th day after substantial completion. These forms are described in detail below.

Release of Retainage

Release of Retainage

Immediately after the Design Consultant completes the forty-five (45) day inspection as described above, Design Consultant needs to decide whether or not the job is complete in all respects. This decision is important because there are two paths leading to final project close-out. The Design Consultant reviews the status of each of the following items before making this decision:

- punch list items;
- non-conforming work discovered since the preparation of the punch list;
- proposed Change Orders;
- subcontractor demands for direct payment from the LHA;
- claims against the LHA by the contractor;
- claims against the contractor by the LHA for late completion;
- complete set of record drawings;
- complete set of operating and/or maintenance manuals;
- adequate maintenance instruction;
- replacement/spare parts; and
- complete set of written warranties/guarantees.

If all these items are complete, the Design Consultant executes a Certificate of Final Completion. If any of these items are unresolved or incomplete, the Design Consultant executes a Certificate for Partial release of Retainage.

Demands for Direct Payment by Subcontractors. By statute, certain subcontractors may request payment directly from the LHA if the contractor fails to make a periodic payment to the subcontractor or fails to include in the Application for Payment an amount for labor and materials furnished by the sub-contractor. This procedure, and the situation where it applies, is set forth in M.G.L. Chapter 30, §39F. All parties are strongly urged to read this statute in its entirety.

See M.G.L. Chapter 30 §39F.

Damages for Late Completion. Sometimes the contractor will fail to complete the project within the time allowed by the Contract Documents. In those instances, the LHA often incurs added costs, such as payments for the Design Consultant's extended construction supervision, the salary of the Project Representative, and any lost rental income or subsidy costs. Rather than calculate all these costs, the Contract Documents provide for the LHA to deduct from monies otherwise due the Contractor an amount based on how late the Contractor completed the project. This amount is called liquidated damages, and the daily amount that is to be deducted is stated in the Contract Documents.

Under the terms of the Contract for Financial Assistance between the LHA and the Commonwealth, the LHA is charged with the duty of monitoring the construction contract. Part of this duty entails seeking damages when appropriate for late completion. Therefore, the LHA should closely examine every instance where the contract is not completed on time and, after consulting with the EOHLC Construction Advisor and the Design Consultant, determine if damages should be assessed.

See Appendix C-30 for a copy of the Certificate of Final Completion

Design Consultant Prepares Certificate of Final Completion. If, after the 45-day inspection, the Design Consultant concludes that **all** the items listed above have been satisfactorily completed or resolved, he or she submits the Certificate of Final Completion.

Contractor Executes Certificate of Final Completion. The Contractor approves the CFC.

LHA Votes to Approve Certificate of Final Completion. The LHA Contract Officer should review the Certificate of Final Completion and the final

Application for Payment received from the Design Consultant. If there are any problems, the Contract Officer should contact the Design Consultant immediately. If there are no problems, the Contract Officer should bring up the Certificate for a vote by the LHA Board. After board approval, the Contract Officer should approve the CFC. The CFC then needs to be approved by the Construction Advisor and CMU Director.

It is essential that the LHA Board act quickly on the Certificate of Final Completion and the Application for Payment because of the statutory requirement that the Contractor be paid his or her retainage within sixty-five (65) days from the date of substantial completion and because of the added statutory requirement that the Contractor be within thirty (30) days from the date the Contractor delivers an Application for Payment to the Design Consultant. This may require holding a special Board meeting.

See Appendix C-29 for a copy of the Certificate of Partial Release of Retainage

Design Consultant Submits Certificate for Partial Release of Retainage.

If, after the forty-five (45) inspection, the Design Consultant determines that there are unfinished items from the list described above or if there are other unresolved claims, the Design Consultant does not submit the Certificate of Final Completion and does not release all of the retainage. However, the Contractor is still entitled to receive a partial release of his or her retainage within the statutory 65-day time period described above in “Payment of Retainage” section.

Therefore, instead of submitting the Certificate of Final Completion, the Design Consultant submits the PRR and a monetized punch list showing the claims and deficiencies at this time. This monetized punch list supersedes the punch list prepared at the time of substantial completion. The Design Consultant assigns a dollar value to each item on the list and then totals these amounts.

Contractor Approves Certificate for Partial Release of Retainage. The Contractor approves the PRR.

LHA Review, EOHLC Review, LHA Payment. The Certificate for Partial Release of Retainage and the Application for Payment are processed in the same manner as the Certificate of Final Completion. Follow the sequence of LHA approval, EOHLC approval, and payment to the Contractor described previously. As with the Certificate of Final Completion, it is critical that the LHA Board act quickly on the Certificate for Partial Release

of Retainage and accompanying Application for Payment in order to avoid having to pay the Contractor interest because the Contractor did not receive payment in a timely fashion.

Completion of Punch list Work. Immediately after the Certificate for Partial Release of Retainage is issued, the Contractor begins to complete or correct each item on the monetized punch list. When the Contractor has finished, the Design Consultant again inspects the work. If all work has been satisfactorily completed and there are no unresolved claims, the Design Consultant submits the CFC via Cap Hub.

If the Contractor does not fix the items on the monetized punch list in a timely manner, the LHA may have the work done under a separate contract and back-charge the Contractor. To do this, the LHA needs prior written permission from EOHLC.

Warranties and Guarantees

Warranties and Guarantees

Contractor's Warranty. The Contractor and subcontractors must correct at their own expense any defective items or items not in conformance with the Contract Documents for one year from the date of substantial completion. During this period the LHA should promptly send written notice to the Contractor describing any items that need attention or replacement. If the Contractor or any subcontractors fail to do the corrective work or if the LHA finds that the same items are continually failing, the LHA should notify the Design Consultant and the EOHLC Construction Advisor.

Nine Month Inspection. Approximately eight months after the date of substantial completion, Cap Hub will notify the Design Consultant to conduct the **nine month inspection**. The purpose of this inspection is to identify any problems the Contractor is obligated to correct under the terms of their warranty. The Design Consultant should be accompanied by the LHA Executive Director, the EOHLC Construction Advisor, and the Contractor, if the Contractor chooses to attend. The LHA should also designate a maintenance person and someone from the service vendor, if applicable, to join the inspection group since these persons may be helpful in distinguishing warranty-related problems from maintenance problems and ordinary wear and tear.

Additionally, the Design Consultant may be able to offer useful maintenance suggestions.

Immediately after the inspection is complete, the Design Consultant prepares a formal list of all problems encountered during the inspection that are to be corrected by the Contractor. To give the Contractor adequate time to respond to this list, the Design Consultant mails it, return receipt requested, to the Contractor within two weeks of the inspection. Failure to notify the Contractor promptly may result in the LHA having to spend money and time to correct problems that are the Contractor's responsibility. This, in turn, may cause the LHA to seek reimbursement from the Design Consultant.

The Design Consultant also sends copies of this list to the LHA Executive Director, the EOHLC Construction Advisor, and the appropriate EOHLC asset manager. It is important that the EOHLC asset manager be notified of the defective items because, after the Contractor's warranty expires, any problems that arise are the responsibility of the EOHLC asset manager and the LHA. By knowing what problems were discovered during the warranty inspection, the EOHLC asset manager can better prepare for future problems.

When the Contractor receives the list of non-conforming warranty items, the Contractor should immediately proceed to correct them. If some of the items require the work of subcontractors, it is the responsibility of the Contractor to contact the subcontractors and to see that their work is done correctly.

One month after the completion of the inspection the Design Consultant should contact the Contractor for a report on the progress of the work and to schedule a reinspection.

In the event the Contractor fails to satisfactorily perform the warranty work identified by the Design Consultant, the LHA should notify the EOHLC Construction Advisor immediately.

Manufacturers' Guarantees. The Contractor must deliver any manufacturers' guarantees or warranties to the Design Consultant before final payment to the Contractor can be made. Failure by the Contractor to deliver a required guarantee or warranty constitutes a failure to fully complete the work in accordance with the Contract Documents. The Design Consultant will include any outstanding guarantees on the punch list.

Problems that occur more than one year after substantial completion should be investigated to see if they are covered by the manufacturer's

guarantees. The LHA should include in its maintenance plan scheduled inspections of all guaranteed items well before the guarantee expires. To help keep track of items under guarantee, EOHLIC suggests that the LHA create a project master list of all guaranteed items.

If the LHA has recurring problems with any item covered by a manufacturer's guarantee, the LHA Contract Officer should consult with the Design Consultant, notify the EOHLIC Construction Advisor, and contact the actual guarantor. As is the case with the Contractor's warranty, it is essential that guarantee problems be reported in a timely manner. Otherwise, the LHA may have to spend money to fix problems that are a manufacturer's responsibility. Failure of a manufacturer to honor a guarantee should be reported promptly to the EOHLIC Construction Advisor.

Failures in Design, Materials, or Workmanship. You may find that the building, its components, or its equipment are not performing as anticipated. In the course of routine maintenance and inspection you may note problems that require maintenance beyond those addressed in the maintenance plan. Either situation may mean a failure in design, materials, or workmanship requiring special effort to resolve.

If you believe you have such a problem, contact the EOHLIC Construction Advisor immediately. He informs EOHLIC staff who will assist in the investigation and resolution of the problem. Successful resolution of such problems requires planned, coordinated inspection and analysis of the building or equipment. The Design Consultant, the Contractor, and manufacturers may all need to be involved.

Note: Do not use consultants to investigate problems unless you have obtained prior written approval from EOHLIC. EOHLIC cannot pay for consultants engaged in such investigations without its prior written approval.

APPENDICES

PROJECT REPRESENTATIVE'S DAILY REPORT

Pg. _____ of _____
Report No. _____
Date: _____
Day M T W Th F

Architect: _____

Project: _____

Contractor: _____

Superintendent: _____

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

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

PERSONNEL COUNT	Spec Sect	Contractor	Trade	Foreman	Journeymen	Helpers	Total
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**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: _____

PROJECT REPRESENTATIVE'S DAILY REPORT

Pg. 1 of 1
 Report No. 82
 Date: 5/22/80
 Day M T W Th F

Architect: ABC Architects

Project: ENFIELD 705-2

Contractor: RST CONSTRUCTION

Superintendent: PETER PERCH

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

Temperature: 8:00 am 45° Noon: 58° 4:00 pm 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	Full Flo 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.	Electrician	1	3	2	6
Total:				10	30	10	50

NOTES:

- (1) 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
- (2) 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 2 nd floor
 Fire Protection pipefitters setting standpipe @ stair #2
 Electricians pulling feeders to 2nd floor
- (7) Mr. Rogers, RST Construction Co Inspecting Project
 Mr. Harmone, Enfield Building Inspector (PM)

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: _____

Sample Notice to Proceed

ENFIELD HOUSING AUTHORITY

123 Reservoir Street
Enfield, Massachusetts 01234

Telephone (403) 555-1234
Fax (403) 555-4321

30 February 2000

RST Construction, Inc.
Box 100
Enfield, MA 01234

Re: Enfield H.A. Project 667-3
Enfield, MA

NOTICE TO PROCEED

Gentlemen:

Pursuant to the terms of your Contract dated January 12, 1992, for the Modernization of Kitchens for this Authority, at Project 667-3, you are hereby notified to commence work at the start of the business day on March 1, 1992. The time for the completion set forth in the Contract is Three Hundred Sixty-Five (365) consecutive calendar days, including the starting date which establishes February 28, 1993 as the Contract Completion Date.

You are informed that Ms. Bertha Gold has been appointed Contract Officer and is duly authorized to administer your Contract for and in the name of this Authority. In case of her inability to act in this capacity at any time, Mr. Charles F. Chubb has been designated as an alternative.

You are instructed to submit, without delay, your Construction Progress Schedule and a breakdown of your Construction Price on a copy of the Application for Payment continuation sheet. A copy of the continuation sheet can be found at Appendix C-24 of the CONSTRUCTION HANDBOOK.

Please acknowledge receipt of this correspondence by executing and dating the original and three (3) copies of this Notice and returning the noted three (3) copies to this Authority.

Our tax exempt number is #000-000-000.

Sincerely,

Robert J. Olsen
Executive Director

Accepted:

RST Construction, Inc.

By: _____ Dated:

PROJECT DIRECTORY

ENFIELD HOUSING FOR FAMILIES 705-2
200 SWIFT STREAM DRIVE
ENFIELD, MA 01234

EMERGENCY PHONE NUMBERS

Enfield Police: 911	Business Phone: (403) 555- 3298
Enfield Fire Dept: 911	Business Phone: (403) 555-5967
Enfield Ambulance (403) 555-9999	
DIG SAFE (800) 344-7233	

Owner: Enfield Housing Authority 123 Reservoir Street Enfield, MA 01234	Office Phone: (403) 555-1234 Office FAX: (403) 555-4321
Executive Director: Robert J. Olsen Chairman: Charles F. Chubb Maint. Supt: Rita Mollusk	Home Phone: (403) 555-5678 (403) 555-9876

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

Construction Management Unit
100 Cambridge St., Suite 300
Boston, MA 02114

Construction Advisor Randy Waters	Office Phone: (617) 573-1173 Cell Phone: (617) 571-4860 Office Fax: (617) 573-1335
MBE/WBE Coordinator Candace Tempesta	Office Phone (617) 573-1507 Office Fax: (617) 573-1515

General Contractor: RST Construction Company, Inc. Box 100 Enfield, MA 01234	Office Phone: (403) 555-8888 Office Fax: (403) 555-7777
Project Manager: Roy Rogers Project Superintendent: Peter Perch	Home Phone: (403) 555-1111 Site Phone: (403) 555-2222 Home Phone: (403) 555-6767

Architect: ABC Architects, Inc 324 Bass Street Enfield, MA 01234	Office Phone: (403) 555-3434 Office Fax: (403) 555-4444
Project Captain: Michele Pike Principal in Charge: Alan Albacore	Cell Phone: (403) 646-0909
Project Representative: Calico Jones	Site Phone: (403) 555-2332 Site Fax (403) 5553223

Provide a separate listing for every consultant, subcontractor, and major suppliers

PROGRESS SCHEDULE

January 12, 2000

	Description	Value	2000										2001							
			Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May			
-	Bonds & Permits	72,000	0	87	100															100%
01000	General Conditions	275,000	0	21	28	35	47	50	57	64	78	86	97	100						
02200	Earthwork	222,000	0	14	42	71	91				91	95	100							
2500	Paving	47,000										0	100							
02700	Site Utilities	110,000	0	10		53	74	95	100											87.2%
02710	Foundation Drains	34,000		0	8	28	50	72	94	100										
02800	Site Improvements	38,000						0	50		50	75		100						
02900	Landscape	31,000							0	50	100									
03300	Concrete	391,000	0	5	28	51	74	95		95	100									75%
-	Structural Steel	35,500		0	10	32	55	77	100											
06100	Rough Carpentry	299,578		0	10	33	56	49	100											
06192	Trusses	14,000			0	25	50	75	100											
06200	Finish Carpentry	95,000						0	11	27	44	60	76	93	100					62.5%
07180	Waterproofing & Damp	33,000			0	8	46	83	100											
07200	Insulation	82,000				0	14	34	53	72	91	100								
07300	Shingles	50,000			0	12	37	63	88	100										
07400	Siding	80,000			0	12	37	63	88	100										50%
07900	Joint Sealants	10,000				0	17	33	50	67	83	100								
08100	Hollow Metal	17,000						0	20	40	80	80	100							
08200	Wood Doors	13,000									0	21	43	64	85	100				
08300	Special Doors	15,000			0	12	41	71	100											37.5%
08610	Wood Windows	56,000			0	14	43	57	100											
08700	Hardware	13,000									0	20	40	60	80	100				
09250	Gypsum Drywall	160,000				0	15	35	55	75	95	100								
09300	Tile	18,190								0	33	87	100							25%
09650	Resilient Floors	32,000								0	5	26	48	69	90	100				
09800	Carpet	22,000								0	5	36	48	69	90	100				
09900	Painting	125,638					0	4	22	41	59	77	95	100						
10100	Tub & Bath Access	3,500										0	33	67	100					
11450	Kitchen Appliances	22,000													0	100				12.5%
12300	Cabinets	43,000								0	25	51	76	100						
15400	Plumbing	190,716			0	14	37	52	71	91	100									
15500	HVAC	183,875			0	14	33	52	71	91	100									
16010	Electrical	110,000			0	13	32	50	68	87	95		95	100						0%
TOTALS		\$2,915,183	138,065	281,529	636,695	933,247	1,249,948	1,802,109												
Accum. Monthly Value of Work			172,837	419,545	798,545	→ 1,257,624	→ 1,887,309	→ 2,045,991	→ 2,306,235	→ 2,524,045	→ 2,701,015	→ 2,791,856	→ 2,856,150	→ 2,915,183						
Accum. Anticipated Percent			5.9%	14.4%	27.4%	→ 43.1%	→ 57.9%	→ 70.2%	→ 79.1%	→ 86.6%	→ 92.7%	→ 95.8%	→ 98.0%	→ 100%						
Accum. Actual Percent			4.7%	9.7%	21.8%	→ 33.9%	→ 42.9%	→ 55.0%												
Monthly Change Orders Value							2,082	888												

——— Anticipated Progress
 ——— Actual Progress
 ——— Actual Work Periods
 Winter Months

A Spec. Section	B Description of Work	C Scheduled Value	D Previously Approved	E Completed this Period	F Materials Stored Not in D or E	G Total Completed and Stored to Date D+E+F	H %	I Balance to Finish
	Primary Service	\$3,500						
	Secondary Service	\$5,000						
	Main distribution Panel	\$5,000						
	Apartment Panels	\$2,000						
	Feeders	\$2,500						
	Rough wiring	\$8,000						
	Finish wiring	\$4,500						
	Light fixtures	\$20,000						
	Fire alarm-rough	\$1,500						
	Fire alarm-finish	\$6,000						
	Fire alarm-master box	\$2,000						
	Intercom - rough	\$1,000						
	Intercom - finish	\$1,000						
	Emergency call - rough	\$1,000						
	Emergency call - finish	\$1,000						
	MATV	\$2,000						
	Site - rough	\$3,000						
	Site - finish	\$4,000						
		\$73,000						

DETAILED SCHEDULE OF VALUES

APPENDIX C-6

A Spec. Section	B Description of Work	C Scheduled Value	D Previously Approved	E Completed this Period	F Materials Stored Not in D or E	G Total Completed and Stored to Date D+E+F	H %	I Balance to Finish
	General Conditions	\$90,000						
	Bonds & Insurance	\$22,000						
	Demolition	\$27,000						
	Earth Work	\$9,000						
	Site Utilities	\$5,000						
	Site Improvements	\$7,000						
	Pavement	\$10,000						
	Landscape work	\$12,000						
	Concrete	\$13,000						
	Masonry	\$49,000						
	Structural Steel	\$5,000						
	Misc. Metals	\$13,000						
	Rough Carpentry	\$20,000						
	Finish Carpentry	\$8,100						
	Kitchen Cabinets	\$15,000						
	Waterproofing & Caulk'g	\$4,000						
	Insulation	\$4,000						
	Roofing & Flashing	\$14,000						
	Roof Specialties	\$1,000						
	Metal Doors & Frames	\$7,000						
	Wood Doors	\$4,000						
	Bifold Doors	\$2,000						
	Wood Windows	\$60,000						
	Finish Hardware	\$8,000						
	Glass & Glazing	\$1,000						
	Gypsum Wallboard	\$116,000						
	Ceramic Tile	\$6,000						
	Resilient Flooring	\$11,000						

SUMMARY SCHEDULE OF VALUES

APPENDIX C-7(1)

A Spec. Section	B Description of Work	C Scheduled Value	D Previously Approved	E Completed this Period	F Materials Stored Not in D or E	G Total Completed and Stored to Date D+E+F	H %	I Balance to Finish
	Carpet	\$13,000						
	Painting	\$21,000						
	Misc. Specialties	\$2,000						
	Bath Specialties	\$4,000						
	Appliances	\$15,000						
	Chute & Compactor	\$4,000						
	Window Treatment	\$3,000						
	Elevator	\$41,000						
	Plumbing	\$45,000						
	Heating & Ventilating	\$82,000						
	Fire Protection	\$12,000						
	Electrical	\$57,000						
		\$854,000						



CONTRACTOR'S WEEKLY PERSONNEL REPORT
COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES



_____ Housing Authority Development No. _____ Contract Amount: \$ _____

General Contractor: _____ Minority Goal: _____

Name of Contractor Filing Report: _____ Trade(s): _____

Week Ending: _____ Report No.: _____ Check Here if you are a non-filed Subcontractor:

Check Here if this is a Final Report Date Work Began: _____ Date Work Completed: _____

Job Category	# Employees	Weekly Total Hours Worked	# Min	Weekly Total Minority Hours Worked	Weekly % Minority Hours Worked	Total Hours Worked to Date	Total Minority Hours Worked to Date	%of Minority Hours Worked to Date

Mail Reports to: Awarding Housing Authority

Prepared by: _____

Title: _____

Date: _____ 20__



Massachusetts Executive Office of Housing and Livable Communities



CONTRACTOR'S AFFIDAVIT OF PAYMENTS TO MINORITY BUSINESS ENTERPRISES (GC FORM)

Date: _____

TO: Massachusetts Executive Office of Housing and Livable Communities
Candace Tempesta, MBE/WBE Coordinator
One Congress St 10th Floor
Boston, MA 02202
Phone (617) 727-7078 x 303
Fax: (617) 727-7129

From:
Name of Contractor
Address
City, State, Zip

RE: Contract for _____ Housing Authority
Original Contract _____ Project No _____
Amount _____ Recording Ending _____ Period _____

NOTICE IS HEREBY GIVEN:

The undersigned certifies that they have met the Minority Business Enterprise (MBE) and Women Owned Business Enterprises (WBE) requirements for the above named contract which states in part that the General Contractor:

- 1. Shall submit this form quarterly or at any time requested by EOHLC, completing the information below;
2. Shall maintain on this project a percent ratio of minority employee man-hours in each job category of not less than the percentages required in the contract documents;
3. Have subcontracted with the following MBEs in an amount equal to at least 12% of the contract price, and with the following WBEs in an amount equal to not less than 5% of the contract price, for this project as enumerated in the Letters of Intent filed at the time of contract execution; and
4. Have made the following payments to each of the W/MBEs for work performed on this project.

Table with 5 columns: MBE/WBE, Work Performed, Subcontract Amount, Total Payments to Date, Payments this Quarter. Includes multiple rows of blank lines for data entry.

In WITNESS WHEREOF, the undersigned has signed and sealed this instrument under the pain and penalty of perjury.

This _____ Day of _____ 200 _____

Name of General Contractor

Signed and Sealed

Subscribed and sworn before me this _____ Day of _____ 200 _____

My Commission Expires _____

ARCHITECT'S MINUTES OF MEETING

ABC ARCHITECTS, INC.

324 Bass Street
Enfield, Massachusetts 01234
Phone: (403) 555-3434

RE: Enfield Housing for the Elderly 667-3
Field Meeting #11
March 10, 1980

Present: Michele Pike ABC Architects
Calico Jones ABC Architects (Project Representative)
Bill Jones EOHLIC Construction Advisor
Ray Rogers RST Construction
Peter Perch RST Construction (Superintendent)

. The minutes of the previous meeting were read and accepted by all present with the following exceptions:

Old Business:

- 7.6 Water Closets; - Michelle Pike indicated she has reviewed the suggestion of changing the waterclosets to floor outlet with the plumbing engineer. The recommendation to accept them as equal to that specified will be forwarded to EOHLIC for approval.
- 9.3 Layout - Peter Perch informed the Architect that there were two areas where he had previously questioned the kitchen/bath layout. These have been resolved.
- 10.2 Should have read 3' 0" not 30"
- 10.4 R. Rogers indicated he agreed to proceed on the extra work but would do so under protest. Peter Perch was reminded to notify Calico Jones before protested work is started.

New Business:

- 11.1 Gas Service Ray Rogers indicated the local gas company had questioned the size of the new gas line into the project. Michele Pike said this was all reviewed prior to preparation of the drawings. She will call the Gas Co.
- 11.2. Grades - Michele Pike asked Peter Perch to check the existing grades in the NW corner of the site. Peter would have them for the next week's meeting when the site engineer would be present.
- 11.3. Window Submittal - Bill Jones requested the Arch./G.C. provide additional data on the windows which are being submitted as "equal". Bill also reminded the contractor a sample window will be selected from those delivered to site and the window sub. will deliver it to the testing lab. for air and water infiltration tests.

Field Observations:

- 11.4. The excavation contractor is rough grading the site.
- 11.5. Form work has begun for walls on "A" line.
- 11.6. The plumber has delivered a trailer to the site.

Discussions of this meeting have been recorded as understood by this writer. If there are any omissions or corrections, please contact the writer. Next meeting is March 17, 1980 at 9:00 A.M. unless notified to the contrary, these notes are assumed accurate.

Prepared by Michele Pike, Architect

cc: All present
Enfield Housing Authority
EOHLIC, Project Manager - Boston Office

A	B	C	D	E	F	G	H	I
Spec. Section	Description of Work	Scheduled Value	Previously Approved	Completed this Period	Materials Stored Not in D or E	Total Completed and Stored to Date D+E+F	%	Balance to Finish
	Primary Service	\$3,500	\$3,500	0	0	\$3,500	100	0
	Secondary Service	\$5,000	\$1,000	\$1,000	0	\$2,000	40	\$3,000
	Main distribution Panel	\$5,000	0	0	\$3,000	\$3,000	60	\$2,000
	Apartment Panels	\$2,000	0	0	\$1,000	\$1,000	50	\$1,000
	Feeders	\$2,500	0	\$1,000	\$500	\$1,500	60	\$1,000
	Rough wiring	\$8,000	\$4,000	\$1,000	0	\$5,000	62	\$3,000
	Finish wiring	\$4,500	0	0	0	0	0	0
	Light fixtures	\$20,000	0	0	0	0	0	0
	Fire alarm-rough	\$1,500	\$800	0	0	\$800	53	\$700
	Fire alarm-finish	\$6,000	0	0	0	0	0	0
	Fire alarm-master box	\$2,000	0	0	0	0	0	0
	Intercom - rough	\$1,000	\$1,000	0	0	\$1,000	100	0
	Intercom - finish	\$1,000	0	0	0	0	0	0
	Emergency call - rough	\$1,000	\$800	\$100	0	\$900	90	\$100
	Emergency call - finish	\$1,000	0	0	0	0	0	0
	MATV	\$2,000	\$500	\$500	0	\$1,000	50	\$1,000
	Site - rough	\$3,000	0	0	0	0	0	0
	Site - finish	\$4,000	0	0	0	0	0	0
		\$73,000						

DETAILED APPLICATION FOR PAYMENT

CHANGE REQUEST LOG

Date:
Project:
Contractor:
Architect:

Change Request No.	Date of Request	Description	Subs Involved	Change Estimate Date	Dollar Amount	CO#	Remarks

SUBMITTAL LOG

Project: _____

Page Of

Contractor _____

Rec'd Date	Spec Section	Trade	Item	Copies Rec'd	Consultant	Date Sent	Copies Sent	Return Date	Action/Date
			<input type="checkbox"/> General Contractor's Approval						<input type="checkbox"/> Approved <input type="checkbox"/> Approved as Noted <input type="checkbox"/> Revise & Resubmit <input type="checkbox"/> Disapproved
			<input type="checkbox"/> General Contractor's Approval						<input type="checkbox"/> Approved <input type="checkbox"/> Approved as Noted <input type="checkbox"/> Revise & Resubmit <input type="checkbox"/> Disapproved
			<input type="checkbox"/> General Contractor's Approval						<input type="checkbox"/> Approved <input type="checkbox"/> Approved as Noted <input type="checkbox"/> Revise & Resubmit <input type="checkbox"/> Disapproved
			<input type="checkbox"/> General Contractor's Approval						<input type="checkbox"/> Approved <input type="checkbox"/> Approved as Noted <input type="checkbox"/> Revise & Resubmit <input type="checkbox"/> Disapproved
			<input type="checkbox"/> General Contractor's Approval						<input type="checkbox"/> Approved <input type="checkbox"/> Approved as Noted <input type="checkbox"/> Revise & Resubmit <input type="checkbox"/> Disapproved
			<input type="checkbox"/> General Contractor's Approval						<input type="checkbox"/> Approved <input type="checkbox"/> Approved as Noted <input type="checkbox"/> Revise & Resubmit <input type="checkbox"/> Disapproved
			<input type="checkbox"/> General Contractor's Approval						<input type="checkbox"/> Approved <input type="checkbox"/> Approved as Noted <input type="checkbox"/> Revise & Resubmit <input type="checkbox"/> Disapproved
			<input type="checkbox"/> General Contractor's Approval						<input type="checkbox"/> Approved <input type="checkbox"/> Approved as No <input type="checkbox"/> Disapproved ted <input type="checkbox"/> Revise & Resubmit

SUBMITTAL LOG

APPENDIX C-14

ABC ARCHITECTS, INC.**324 BASS STREET
ENFIELD, MA 01234****Phone: (413) 555-3434****Fax (413) 555-4444**

May 22, 2000

Mr. Ray Rogers, Project manager
RST CONSTRUCTION COMPANY, INC.
PO Box 100
Enfield, MA 01234RE: Enfield 705-1
Minor Change in Work #1

Dear Mr. Rogers:

Pursuant to our discussion during my tour of the Work after today's weekly field meeting, this letter confirms my instructions to reverse the door swing on the basement doors in the even numbered apartments. The new door swing shall be as shown on the attached clarification sketch SK-16. This change may affect the location of the light switches that have yet to be installed. You should coordinate this modification with your electrical subcontractor.

It is agreed that there is no change in Contract Sum or Contract Time as a result of this minor modification. Should this not be your understanding please advise me before proceeding with any work.

If you have any questions feel free to contact me at (413) 555-3434.

Sincerely,

Michele Pike
Project Architect

Attachment: SK-16 Basement Door Clarification

cc:	EOHLC Construction Advisor	w/attachment
	Enfield H.A. Executive	w/attachment
	Director Project Representative	w/attachment
	Electrical Consultant	w/attachment

SAMPLE CHANGE REQUEST

ABC ARCHITECTS, INC.
324 BASS STREET
ENFIELD, MA 01234**Phone: (413) 555-3434****Fax (413) 555-4444**

May 22, 1995

Mr. Ray Rogers, Project Manager
RST CONSTRUCTION COMPANY, INC.
Box 100
Enfield, MA 01234RE: Enfield 705-1
Change Request #4

Dear Mr. Rogers,

Pursuant to our conversation at the weekly field meeting this morning, please submit an itemized quotation for changes in the Contract Sum and/or Contract Time resulting from the proposed revision to the grades and construction of a retaining wall, approximately 50 feet in length, along the back of Building 3. More specific details can be found on the attached clarification sketch SK-15. These details should be compared to the grades and details shown on Drawings L-3 and L-4. All proposed work shall be performed in accordance with other conditions of the contract.

Your attention is directed to Article 8 of the General Conditions which clearly spells out the manner in which a change estimate may be prepared.

This request is not a change order nor is it a directive to proceed with any revised work. Once I receive your change estimate I will review it with the Enfield H.A. and the EOHLC construction advisor and notify you accordingly. Hopefully we can review your change estimate at our weekly field meeting on May 29, 1995.

If you have any questions feel free to contact me at (413) 555-3434.

Thank you for your prompt attention to this matter.

Sincerely,

Michele Pike
Project Architect
Attachment: SK-15 Building 3 -Grading Changescc: EOHLC Construction Advisor - w/attachment
Enfield H.A. Executive Director w/attachment
Calamari Landscape Architects - w/attachment
Project Representative w/attachment

**RST Construction
Box 100
Enfield, MA 01234**

January 5, 2026

ABC Architects
126 Bay Rd.
Enfield, MA 01234

RE: Enfield Change Order Proposal Request 123456-CP-1, Latent condition bathroom repairs.

Below please find our proposal based on the above referenced Change Order Proposal Request.

General Contractor:

Labor:

Qty Hours	Trade	Unit	Rate	Total
16	Carpenter	Hours @	78.55	\$1,256.80
8	Laborer	Hours @	45.17	\$361.36
				<u>\$1,618.16</u>

Materials:

Description	Qty	Unit of Measure	Unit Cost	Total
3/4x4x8 Plywood	4	ea	68.34	\$273.36
2x10x8'	6	ea	12.69	\$76.14
				<u>\$349.50</u>

Unit Cost Change Proposal:

Description	Qty	Unit of Measure	Unit Cost	Total
			GC Labor & Materials	\$1,967.66
			GC Unit Cost	\$0.00
			Overhead & Profit 15%	\$295.15
			25% Insurance & Taxes	\$404.54
				<u>\$699.69</u>
			GC Work Total	\$2,667.35

Subcontractor:

Labor:

Qty Hours	Trade	Unit	Rate	Total
4	Plumber	Hours @	97.32	389.28
				<u>\$389.28</u>

Materials:

Description	Qty	Unit of Measure	Unit Cost	Total
Toilet	2	ea	789.00	\$1,578.00
Flange	2	ea	24.99	\$49.98
				<u>\$1,627.98</u>

Unit Cost Change Proposal:

Appendix C-17
(revised 9/19/25)

Description	Qty	Unit of Measure	Unit Cost	Total
			Subcontractor Labor & Materials	\$2,017.26
			Subcontractor Unit Cost Total	\$0.00
			Overhead & Profit 15%	\$302.59
			25% Insurance & Taxes	<u>\$97.32</u>
				\$399.91
			Subcontractor Work Total	\$2,417.17
			10% General Contractor	\$241.72
<hr/>				
			GC Bond Premium	\$106.52
			Grand Total	<u>\$5,432.76</u>

We will require 2 additional calendar days to complete this work. If you wish for us to proceed with this work, please issue a formal Change Order.

Sincerely,

Rusty Jones
RST Construction



CHANGE ORDER

Owner: _____ Housing Authority Date: _____ Number _____
 Development Number(s): _____ FISH No: _____
 Contractor: _____ Architect: _____

 Telephone No: _____ Telephone No: _____
 Fax: _____ Fax: _____
 Email: _____ Email: _____

The following change is ordered in accordance with Article 8 of the General Conditions of the Contract:

The Work described above shall (increase) (decrease) (not affect) the Contract Sum by: \$ _____
 The Work described above represents an increase in the Original Contract Sum of _____ %
 The effect of all Change Orders (including this one) is to increase in the Original Contract Sum by: _____ %
 The Work described above shall (increase) (not affect) the Contract Time by _____ calendar days

The conditions hereinbefore referred to are as follows:

- A. The aforementioned change and work affected thereby is subject to all contract stipulations and covenants.
- B. The rights of the Owner are not prejudiced.
- C. All claims against the Owner which are incidental to or a consequence of the aforementioned change are satisfied.
- D. This change order is not valid until approved by the Owner, Architect, and EOHL.
- E. Signature of the Contractor indicates agreement herewith, including adjustment to contract sum and/or contract time.

The above named Housing Authority met on _____ and voted to approve this Change Order:

Certified: _____
Contract Officer

Approved: Architect
 Firm: _____
 By: _____
 Date: _____

Reviewed: Construction Advisor
 Executive Office of Housing and Livable Communities
 By: _____
 Date: _____

Approved: Contractor
 Firm: _____
 By: _____
 Date: _____

Approved: Director of Construction Management
 Executive Office of Housing and Livable Communities
 By: _____
 Date: _____

CONSTRUCTION CHANGE DIRECTIVE

*Commonwealth of Massachusetts
Executive Office of Housing and Livable Communities*

Owner: _____ **Housing Authority**
Development Number:
Contractor:

CHANGE DIRECTIVE NO:
Date:
Architect:

Telephone No:
Fax:

Telephone No:
Fax:

Pursuant to Article 8 of the General Conditions you are hereby directed to make the following change(s) in this Contract:

• DO NOT USE THIS FORM FOR LUMP SUM CHANGES OR TIME EXTENSIONS •

The Contract Sum shall be adjusted by the following method (please check one)

- A. Unit Price of \$. per _____.
- B. Unit Prices found in Section 01020 of the specifications.
- C. Unit Prices found on the Attached list.
- D. Time and materials basis per Article 8.3.1.3 of the General Conditions
- E. Subject to the Conditions of Article 8.5 and 8.7 of the General Conditions **"Work Done Under Protest"**. The Contractor is not relieved of the obligation to notify the Owner's Representative when protested work is being performed, to allow for accurate monitoring. Failure to provide such notice may jeopardize the Contractor's right to compensation.
- F. As follows:

• THE UPSET LIMIT FOR THIS CHANGE DIRECTIVE IS \$ _____ •

- The Contract time shall be properly adjusted upon completion of any compensable work.
- Payment for the aforementioned work cannot be processed until executing an appropriate change order(s) to adjust the contract sum.
- When signed by the Owner and EOHL and received by the Contractor, this Construction Change Directive becomes effective IMMEDIATELY, and the Contractor shall proceed with the change(s) described above.
- This change directive is not valid until approved by the Owner and EOHL

Approved: Architect

Firm: _____
By: _____
Date: _____

Reviewed: Construction Advisor
Executive Office of Housing and Livable Communities

By: _____
Date: _____

Approved: Owner

_____ Housing Authority
By: _____
Date: _____

Approved: Director of Construction Management
Executive Office of Housing and Livable Communities

By: _____
Date: _____

- Change Estimate from Contractor & related backup.
- Architect's letter of explanation.

- Board Vote box filled out and signed.
- Signatures are there.

A Spec. Section	B Description of Work	C Scheduled Value	D Previously Approved	E Completed this Period	F Materials Stored Not in D or E	G Total Completed and Stored to Date D+E+F	H %	I Balance to Finish
	CO# 4							
	<u>ADDED OFFICE</u>							
	Framing	\$3,000	\$3,000	0	0			
	Drywall	\$2,000	\$300	\$1,000	\$400			
	Painting	\$1,100	0	0	0			
	Doors	\$500	0	0	0			
	Hardware	\$400	0	0	0			
	Electrical	\$4,000	\$700	\$1,000	\$600			
	Vinyl Base	\$700	0	0	0			
	Carpet	\$1,200	0	0	0			
		----- \$12,900	----- \$4,000	----- \$2,000	----- -\$1,000			

A	B	C	D	E	F	G	H	I
Spec. Section	Description of Work	Scheduled Value	Previously Approved	Completed this Period	Materials Stored Not in D or E	Total Completed and Stored to Date D+E+F	%	Balance to Finish
CO#								
1	Extra Excavation	\$4,000	\$4,000	\$0	\$0	\$4,000	100	\$0
2	Window Revisions	\$900	0	\$800	0	\$800	88	\$100
3	Brick allowance	(\$2,000)	(\$2,000)	0	0	(\$2,000)	100	0
4	Add Office (see detailed breakdown)	\$12,900	\$4,000	\$2,000	\$1,000	\$7,000	54%	\$5,900
5	Landscape changes	\$4,000	0	0	0	0	0	\$4,000
	NET CHANGE	\$19,800	\$6,000	\$2,800	\$1,000	\$9,800		\$10,000

A	B	C	D	E	F	G	H	I
Spec. Section	Description of Work	Scheduled Value	Previously Approved	Completed this Period	Materials Stored Not in D or E	Total Completed and Stored to Date D+E+F	%	Balance to Finish
	General Conditions	\$90,000	\$2,000	\$4,000	0	\$6,000	7	\$84,000
	Bonds & Insurance	\$22,000	\$22,000	0	0	\$22,000	100	0
02060	Demolition	\$27,000	\$10,000	\$10,000	0	\$20,000	74	\$7,000
02200	Earth Work	\$9,000	0	\$1,000	0	\$1,000	11	\$8,000
02720	Site Utilities	\$5,000	0	0	0	0		\$5,000
02800	Site Improvements	\$7,000	0	0	0	0		\$7,000
02510	Pavement	\$10,000	0	0	0	0		\$10,000
02900	Landscape work	\$12,000	0	0	0	0		\$2,000
03310	Concrete	\$13,000	0	\$3,000	0	\$3,000	23	\$10,000
04200	Masonry	\$49,000	0	0	\$1,000	\$1,000	2	\$48,000
05120	Structural Steel	\$5,000	0	0	0	0		\$5,000
05580	Misc. Metals	\$13,000	0	\$1,000	0	\$1,000	8	\$12,000
06100	Rough Carpentry	\$20,000	0	\$2,000	0	\$2,000	10	\$18,000
06200	Finish Carpentry	\$8,000	0	0	0	0		\$8,000
07900	Insulation	\$4,000	0	0	0	0		\$15,000
07200	Caulking	\$4,000	0	0	0	0		\$4,000
07510	Roofing & Flashing	\$14,000	0	0	0	0		\$4,000
07700	Roof Specialties	\$1,000	0	0	0	0		\$14,000
08110	Metal Doors & Frames	\$7,000	0	0	0	0		\$1,000
08210	Wood Doors	\$4,000	0	0	0	0		\$7,000
08215	Bifold Doors	\$2,000	0	0	0	0		\$4,000
08610	Wood Windows	\$60,000	0	0	0	0		\$2,000
08710	Finish Hardware	\$8,000	0	0	0	0		\$60,000
08800	Glass & Glazing	\$1,000	0	0	0	0		\$8,000
09250	Gypsum Drywall	\$116,000	0	0	0	0		\$1,000
09300	Ceramic Tile	\$6,000	0	0	0	0		116,000
09660	Sheet Vinyl Flooring	\$11,000	0	0	0	0		\$6,000
09680	Carpet	\$13,000	0	0	0	0		\$11,000
09910	Painting	21,000	0	0	0	0		\$21,000

SUMMARY APPLICATION FOR PAYMENT

APPENDIX C-22

A Spec. Section	B Description of Work	C Scheduled Value	D Previously Approved	E Completed this Period	F Materials Stored Not in D or E	G Total Completed and Stored to Date D+E+F	H %	I Balance to Finish
10410	Misc. Specialties	\$2,000	0	0	0	0	0	\$2,000
10800	Bath Specialties	\$4,000	0	0	0	0	0	\$4,000
11450	Appliances	\$15,000	0	0	0	0	0	\$15,000
11170	Chute & Compactor	\$4,000	0	0	0	0	0	\$4,000
12390	Kitchen Cabinets	\$15,000	0	0	0	0	0	\$15,000
12500	Window Treatment	\$3,000	0	0	0	0	0	0
14210	Elevator	\$41,000	\$3,000	\$1,000	0	\$4,000	10	\$37,000
15300	Fire Protection	\$12,000	0	0	0	0	0	\$12,000
15400	Plumbing	\$45,000	\$1,000	0	0	\$1,000	9	\$44,000
15500	Heating & Ventilating	\$82,000	0	0	0	0	0	\$82,000
16000	Electrical	\$57,000	\$3,000	\$1,000	0	\$4,000	7	\$53,000
		\$854,000	\$41,000	\$23,000	0	\$65,000	8	\$789,000

APPLICATION AND CERTIFICATE FOR PAYMENT

Contractor: _____ To: _____ Housing Authority

 Telephone: _____ Telephone: _____
 Fax: _____ Fax: _____
 Email: _____ Email: _____
 Development No. _____ Period Ending: _____
 Contract for: _____ FISH No: _____

CONTRACTOR'S APPLICATION FOR PAYMENT

Number

Application is made for payment, as shown below in connection with the Continuation Sheet Attached.

1. ORIGINAL CONTRACT SUM	\$.00
2. Net change by Approved Change Orders	\$.00
<i>List On Attached Continuation Sheet</i>		
3. CONTRACT SUM TO DATE (Line 1 + Line 2)	\$.00
4. TOTAL COMPLETED & STORED TO DATE	\$.00
5. RETAINAGE - 5% of Total Completed and Stored to Date	\$.00
6. TOTAL COMPLETED LESS RETAINAGE (Line 4 — Line 5)	\$.00
7. LESS PREVIOUS APPROVED CERTIFICATES FOR PAYMENT	\$.00
8. CURRENT PAYMENT DUE (Line 6 — Line 7)	\$.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, that all workers used on this project have been paid in accordance with M.G.L. c. 149 §§26-27H, that all subcontractors have been paid in accordance with M.G.L. c.30 §39F, that the Contractor has complied with all applicable tax laws pursuant to M.G.L. c.62(c) §49(a), and that the current payment shown herein is now due. Acceptance of the final payment due under this contract shall operate as a release to the Owner, Department and Architect from all claims and liability.

CONTRACTOR:

State of _____ County of: _____
 On this ___ day of ___ 20___ before me, the undersigned notary public, _____ personally appeared, proved to me through satisfactory evidence which were _____ to be the person whose name is signed on the preceding document in my presence
 NOTARY SEAL
 Notary Public:
 My Commission expires: _____

By: _____ Date _____

ARCHITECT/ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on site observations and the data comprising the application, the Architect/Engineer certifies to the Owner that to the best of the Architect/Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

ARCHITECT/ENGINEER AMOUNT CERTIFIED \$ _____

By: _____ Date _____
 Title _____

Attach an explanation if the amount certified differs from the amount claimed due by the Contractor on line 8 above. Initial all figures on the application and any continuation sheet that changed in accordance with M.G.L. c.30 §39K.

_____ Housing Authority EOHLC Construction EOHLC - Director Construction
 By: _____ Advisor: By: _____ Management By: _____
 Date: _____ Date: _____ Date: _____

EOHLC AMOUNT APPROVED \$ _____

For Greater than 95%

Continuation Sheet

Page of

**Payment Application Number:
Period to:**

A	B	C	D	E	F	G	H	I
Spec. Section	Description of Work	Scheduled Value	Previously Approved	Completed this Period	Materials Stored Not in D or E	Total Completed and Stored to Date D+E+F	%	Balance to Finish

CONSTRUCTION CLOSE-OUT CHECKLIST

PROJECT: _____

ARCHITECT: _____ CONTRACTOR: _____

ITEM	ARCHITECT	CONTRACTOR	LHA	EOHLC	DATE COMPLETED
Contractor's Punchlist		PREPARE			
Architect's Punchlist	PREPARE				
Plumbing	PREPARE				
Mechanical	PREPARE				
Electrical	PREPARE				
Fire Protection	PREPARE				
Site	PREPARE				
Other	PREPARE				
Local Inspections					
Building Inspector		OBTAIN			
Plumbing Inspector		OBTAIN			
Electrical Inspector		OBTAIN			
Fire Chief		OBTAIN			
Sewer Commission		OBTAIN			
Other		OBTAIN			
Occupancy Permit		OBTAIN			
Certificate of Substantial Completion	PREPARE AND SIGN	SIGN	VOTE AND SIGN	SIGN	
As Built Drawings					
Architectural	CHECK	PREPARE			
Plumbing	CHECK	PREPARE			
Mechanical	CHECK	PREPARE			
Fire Protection	CHECK	PREPARE			
Electrical	CHECK	PREPARE			
Other	CHECK	PREPARE			
Maintenance Manuals	CHECK	PREPARE			
Instruct Owner's Personnel	CHECK	COMPLETE			
Spare Parts	CHECK	OBTAIN			
Prepare Checklist	PREPARE				
<u>65 Day Period</u>					
Certificate for Partial Release of Retainage		SIGN OR SIGN	VOTE AND SIGN	SIGN	
Certificate of Final Completion					

CERTIFICATE OF SUBSTANTIAL COMPLETION
COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

Contractor _____	Owner _____	Housing Authority _____
_____	_____	_____
_____	_____	_____
Phone _____	Phone _____	
Fax _____	Fax _____	
Development No _____	FISH No _____	
Contract for: _____		

Pursuant to the General, Supplementary, and Special Conditions of the Contract Documents relative to Partial or Total Occupancy, you are hereby notified that the Housing Authority has satisfied itself that the portion(s) of the above mentioned project, as hereinafter enumerated, is (are) ready for use and or occupancy:

Identify the Buildings and/or areas to be occupied and or used: _____

The Housing Authority, through its undersigned representative hereby accepts from the Contractor, subject to contract stipulations, said portion(s) of the Project, effective 12:00 Noon on:

INSERT DATE  the ____ day of _____ 20 ____

The Contractor will be relieved of responsibility for performing further Work or supplying further materials, equipment, or other items, in accordance with the General, Supplementary, and Special Conditions of the Contract Documents (relative to partial or total occupancy), except for the following work:

Append a complete list of all incomplete and/or unsatisfactory items of the Work, which in the opinion of this Housing Authority, are attributable to the fault, negligence, or oversight of the of the Contractor, any subcontractors, material suppliers, agents, servants, or employees.

NOTE: Attach one copy of the "Punch List" Items to each copy of this document.

The Use or Occupancy of the building(s) or portion(s) of this project by the Housing Authority shall **not**:

- constitute acceptance of any Work not performed in accordance with the Contract Documents;
- relieve the Contractor of the liability to perform any Work required by the Contract but not completed at the time of Use and or Occupancy; nor
- relieve the Contractor of liabilities with respect to any express warranties or guarantees required by the Contract.

CERTIFICATION OF HOUSING AUTHORITY BOARD VOTE **Must be completed by the Owner**

The _____ Housing Authority met on _____ And voted to approve this Certificate:

Certified By: _____, Contract Officer

Approved: Design Consultant

Firm: _____
 By: _____
 Date: _____

Reviewed: Construction Advisor

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES
 By: _____
 Date: _____

Accepted: Contractor

Firm: _____
 By: _____
 Date: _____

Approved: Director, Construction Management Unit

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES
 By: _____
 Date: _____



Division of Capital Asset Management Standard Contractor Evaluation Form

(Revised July 2009)



****IMPORTANT NOTICE****

THIS FORM IS TO BE USED TO EVALUATE THE PERFORMANCE OF BOTH PRIME/GENERAL AND SUBCONTRACTORS¹ ON MASSACHUSETTS PUBLIC BUILDING PROJECTS BID UNDER M.G.L. c. 149A and c. 149, § 44A AND § 44F. PLEASE DO NOT USE THIS FORM TO EVALUATE THE PERFORMANCE OF CONTRACTORS ON PRIVATE WORK.

Instructions to Public Awarding Authorities

1. This evaluation form is to be used for *Preliminary Evaluations* and *Final Evaluations* on both Prime/General Contractors and Subcontractors for all projects bid under M.G.L. c. 149A and c. 149, § 44A and § 44F. This form **must** be completed by every Massachusetts public agency and submitted to the Division of Capital Asset Management (“DCAM”) for inclusion in each contractor’s certification file promptly after completion (i.e. use and/or occupancy, or upon issuance of a certificate of use and/or occupancy, or termination, *whichever is earlier*).
2. This form must be completed and signed by one of the following:
 - a) For public projects estimated to be under \$1.5 million dollars which do not require an Owner’s Project Manager (“OPM”), as mandated by M.G.L., c. 149, § 44A 1/2, the Awarding Authority must complete the evaluation and sign the last page of the Evaluation. At the Awarding Authority’s discretion, the Awarding Authority’s Representative (e.g. Architect/Designer) may sign the last page of the evaluation. The Awarding Authority’s Representative shall not submit a separate Evaluation to DCAM.
 - b) For public projects estimated to be \$1.5 million dollars or greater which require an OPM, it is mandatory that the Awarding Authority and the OPM complete and sign the Evaluation.

Evaluations that do not meet these requirements will not meet the Awarding Authority’s statutory obligations regarding Contractor Evaluations and will not be accepted by DCAM. DCAM will return incorrectly completed Evaluations to the Awarding Authority for proper completion within the required time frames. The Awarding Authority’s evaluation of the contractor is critically important to DCAM and affects DCAM’s determination of whether a contractor should be, or remain certified. It is of the utmost importance that the individual from the Awarding Authority with the most knowledge of the project be the evaluator on this form.

¹ For the purpose of this evaluation form, the term “Subcontractor” shall mean all filed sub-bidders as defined in M.G.L. c. 149, §44F. Subcontractors who are NOT filed sub-bidders need not be evaluated.

3. Any public agency that fails to complete and submit the contractor evaluation forms to DCAM within 70 days (for the Prime/General Contractor) and 90 days (for Subcontractors) of the completion of a project shall be ineligible for the receipt of any public funds disbursed by the Commonwealth for the purposes of any public buildings or public works projects. Individuals completing this form on behalf of a public Awarding Authority will be indemnified and represented by that Awarding Authority in connection with any suit commenced by a contractor as a result of the completion of an evaluation form in accordance with the terms of M.G.L., c. 149, § 44D.
4. Upon completion of all Contractor Evaluation forms on your project, submit them **directly** to the DCAM Contractor Certification Office at the following address: *One Ashburton Place, 15th Floor Boston, MA 02108*
5. **As an Awarding Authority, you are also required to send a copy of any completed Contractor Evaluation form to the contractor being evaluated.**
6. We strongly encourage you to provide DCAM with copies of the Preliminary Evaluations on the Prime Contractors and Subcontractors.

Guidelines for Reviewers

The following definitions are being furnished as a guide for assisting evaluators in determining an appropriate rating for contractors:

Finished Product Quality

The rating in this category covers general quality of workmanship.

- (a) A building and/or system will be rated “very good” to “excellent” if the workmanship exceeds customary practices with no complaints.
- (b) The Division will consider as “satisfactory” a building and/or system that has been installed and is operating in accordance with contract requirements with few and minor complaints.
- (c) A building and/or system that has met contract requirements only after frequent adjustments or modifications and with many complaints will be rated “poor.”
- (d) A building and/or system which functions with constant adjustments or modifications and serious complaints attributed to the contractor's work, and a building and/or system which fails to meet contract requirements, rates as “unacceptable,” and no points will be given to the contractor, with a written explanation attached.

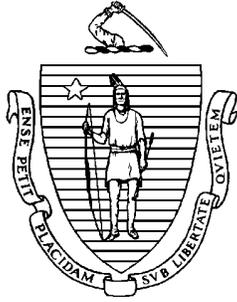
Project Management

Five factors are evaluated: coordination and scheduling; ability to manage subcontractors; safety and housekeeping procedures; change orders; working relationships with others on the project; and paperwork.

- (a) “Very good” to “excellent” performance is when the contractor routinely furnishes all schedules, shop drawings, and submittals required by the contract in a timely fashion, performs according to the schedules, has the subcontractors in and out of the project as scheduled, maintains a businesslike relationship with the Awarding Authority, designer, subcontractors and the project manager, and runs an orderly and safe project with few complaints.
- (b) “Satisfactory” performance is when the contractor occasionally fails to meet the above scheduling and management requirements.
- (c) A “poor” rating is when the contractor fails to meet the above scheduling and management requirements on a regular and recurring basis.
- (d) If the contractor's performance is so poor that the project is seriously affected, the rating should be “unacceptable,” thereby, no points should be given, and a written explanation attached.

Supervisory Personnel Rating

The contractor's on-site supervisory staff is rated on their knowledge, management skills and experience.



Division of Capital Asset Management Standard Contractor Evaluation Form

IMPORTANT – Please check (✓) if this evaluation is for:

Prime/General Contractor

Subcontractor

Section I- General Project Information - Section I must be completed in its entirety.

Reference Name:	Reference Telephone #:
Reference Position/ Title:	Date:
Reference Agency/ Firm:	DCAM
Name of Contractor Being Evaluated:	Interviewer (if any):
	Contract Cost for Contractor Being Evaluated Including Change Orders: \$ (if change order amount unknown for subcontractor then estimate as 5% of subcontract amount)
Project Title:	Contract Start/ End Dates:
	Actual Completion Date:
Scope of Work:	
Project Location (city and state):	

*******Important*******

- *Please check (✓) if this is a :* *Preliminary Evaluation (50% complete); or*

Final Evaluation (once use and/or occupancy, or issuance of a certificate of use and/or occupancy, or contract termination have been achieved, whichever is earlier)

- *Please check (✓) if:* *The project was estimated to be greater than \$1.5M dollars and required an Owner's Project Manager.*

- *Did the contractor execute this project using their own employees?* Yes No

Section II- Evaluation Questionnaire

Please rate this contractor's performance in each of the following areas. If you need additional space, attach additional sheets. If you rate the contractor below "satisfactory" in any area, please provide detailed information to explain the rating assigned. You are not restricted to using the numerical values (points) shown and may score in between the points shown. A total of 80 points are required for a passing grade.

1. Quality of Workmanship (0-28 points)

Carry over points
here ↓

Rate the quality of this contractor's workmanship. Were there quality-related or workmanship problems on the contract? Was the contractor responsive to remedial work required? If so or if not, provide specific examples.

unacceptable *poor* *satisfactory* *very good* *excellent*
0 points *14 points* *24 points* *26 points* *28 points*

→ ___ points

comments: _____

2. Project Management

- a) **Scheduling-** (0-13 points) Rate this contractor's performance with regard to adhering to contract schedules. Did this contractor meet the contract schedule or the schedule as revised by approved change orders? If not, was the delay attributable to this contractor? If so, provide specific examples.

unacceptable *poor* *satisfactory* *very good* *excellent*
0 points *7 points* *11 points* *12 points* *13 points*

→ ___ points

comments: _____

- b) **Subcontractor Management-** (0-13 points) Rate this contractor's ability, effort and success in managing and coordinating subcontractors (if no subcontractors, rate this contractor's overall project management). Was this contractor able to effectively resolve problems? If not, provide specific examples.

unacceptable *poor* *satisfactory* *very good* *excellent*
0 points *6 points* *11 points* *12 points* *13 points*

→ ___ points

comments: _____

c) **Safety and Housekeeping Procedures-** (0-9 points) Rate this contractor's safety and housekeeping procedures on this project. Were there any OSHA violations or serious safety accidents? If so, provide specific examples.

unacceptable 0 points poor 3 points satisfactory 7 points very good 8 points excellent 9 points → ___ points

comments: _____

d) **Change Orders-** (0-9 points) Did this contractor unreasonably claim change orders or extras? Were this contractor's prices on change orders and extras reasonable? If not, provide specific examples.

unacceptable 0 points poor 3 points satisfactory 7 points very good 8 points excellent 9 points → ___ points

comments: _____

e) **Working Relationships-** (0-7 points) Rate this contractor's working relationships with other parties (i.e. Awarding Authority, designer, subcontractors, etc.). Did this contractor relate to other parties in a professional manner? If not, give specific examples.

unacceptable 0 points poor 2 points satisfactory 5 points very good 6 points excellent 7 points → ___ points

comments: _____

f) **Paperwork Processing-** (0-7 points) Rate this contractor's performance in completing and submitting required project paperwork (i.e. change orders, submittals, drawings, requisitions, payrolls, workforce reports, etc.). Did the contractor submit the required paperwork promptly and in proper form? If not, provide specific examples.

unacceptable 0 points poor 2 points satisfactory 5 points very good 6 points excellent 7 points → ___ points

comments: _____

3. On-Site Supervisory Personnel Rating (0-14 points)

a) **General Performance-** Rate the general performance of this contractor's on-site supervisory personnel. Did the superintendent(s) have the knowledge, management skills and experience to run a project of this size and scope? If not, provide specific examples.

unacceptable *poor* *satisfactory* *very good* *excellent*
0 points *3 points* *10 points* *12 points* *14 points* → *points*

comments: _____

Please add up all points from this page and the preceding pages and enter total here: _____

Section III- Legal and Administrative Proceedings

Are you aware of any legal or administrative proceedings, invoked bonds, assessed damages, demands for direct payment, payment bond claims, contract failures, contract terminations, or penalties involving this contractor on this contract? What is the status of any pending litigation? What was the final outcome of any completed litigation? What are the dollar amounts of assessed damages or penalties?

comments: _____

Section IV- Evaluator Certification

I hereby certify that the information contained in this evaluation form represents, to the best of my knowledge, a true analysis of this contractor's performance record on this contract and that this Project Evaluation and Project Rating was not the subject of any negotiation, close-out, or settlement of the subject project or related thereto and that no compensation or consideration (either financial or additional work on this project or otherwise) was given to the awarding authority or me in connection with its preparation or the opinions contained herein.

I also certify that I have no ties with this contractor either through a business or family relationship.

I have mailed a copy of this completed evaluation form to the contractor on _____
(Public Awarding Authorities must mail a copy of this completed evaluation form to the contractor).

For Public Projects below \$1,500,000, this form must be completed and signed by the Awarding Authority and may also be signed by the Owner's Representative (i.e. Architect/Designer) in conjunction with the Awarding Authority:

_____ Signature of Awarding Authority	_____ Print Name and Title	_____ Date
--	-------------------------------	---------------

_____ Signature of Awarding Authority's Representative (optional)	_____ Print Name and Title	_____ Date
---	-------------------------------	---------------

For Public Projects \$1,500,000 or greater, this form must be signed by the Owner's (Awarding Authority's) Project Manager and the Awarding Authority pursuant to M.G.L., c. 149, § 44A 1/2:

_____ Signature of Owner's (Awarding Authority's) Project Manager	_____ Print Name and Title	_____ Date
---	-------------------------------	---------------

_____ Signature of Awarding Authority	_____ Print Name and Title	_____ Date
--	-------------------------------	---------------

Section V- Additional Comments

Comments: _____

CERTIFICATE FOR PARTIAL RELEASE OF RETAINAGE

COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

This form should originate with the Design Consultant

Contractor _____	Owner: _____ Housing Authority
_____	_____
_____	_____
Phone _____	Phone _____
Fax _____	Fax _____
Development No _____	Period Ending _____
Contract for: _____	FISH No: _____

THE PARTIES AGREE THAT THE STATUS OF THE CONTRACT IS AS FOLLOWS:

I. CONTRACT TIME

1. The Date of Substantial Completion is _____
2. The Date of Substantial Completion as Extended by Change Order is _____
3. The Actual Date of Substantial Completion is:..... _____
4. Overrun in Contract Time _____

II. CONTRACT SUM

1. The Original Contract Sum is \$ _____
2. The Sum of Approved Change Orders to Date is \$ _____
3. The Adjusted Contract Sum is \$ _____

LESS:

4. Sum of authorized payments to date:..... \$ _____
5. Sum of Moneitized Punch List..... \$ _____
6. Sum of other claims by Owner \$ _____

III. THAT APPLICATION FOR PAYMENT NO. _____ IS DUE & PAYABLE IN THE AMOUNT OF: \$ _____

Copy Attached

THE UNDERSIGNED CONTRACTOR HEREBY CERTIFIES THAT: *The Contractor should complete items 1-5 and certify below*

1. All Work, including work required under change order(s) _____ has been performed in accordance with the terms of the Contract.
2. All changes to the Work (except minor modifications and field adjustments) have been authorized in writing by the Owner.
3. All laborers and mechanics have been paid at least the minimum wage rates as set forth in the Contract, and
4. There have been no claims made for infringement of any patent.
5. By accepting the payment shown in line III the Contractor releases the Owner from any and all claims arising under the Contract except for those set forth in A-B below. However if the Owner does not pay the Contractor the full amount of the payment shown above, such reduction shall not affect the validity of this release. Rather, the amount not paid shall be considered as another claim asserted by the Contractor.

EXCEPTIONS: CONTRACTOR'S CLAIMS AGAINST OWNER

- A. _____
- B. _____

CERTIFIED: CONTRACTOR

In witness Whereof the Undersigned has signed and sealed this Instrument this _____ day of _____ 200 _____

Firm: _____ Subscribed and Sworn before Me this _____ day of _____ 200 _____
 By: _____ Date: _____ Notary

Title: _____ My Commission Expires _____

CERTIFICATION OF HOUSING AUTHORITY BOARD VOTE:

The _____ Housing Authority met on _____ And voted to approve this Certificate and Payment

Certified: _____, Contract Officer

APPROVED: Design Consultant

Firm: _____
 By: _____
 Date: _____

REVIEWED: CONSTRUCTION ADVISOR

Executive Office of Housing and Livable
 Communities
 By: _____
 Date: _____

APPROVED: DIRECTOR CONST. MANAGEMENT UNIT

Executive Office of Housing and Livable
 Communities
 By: _____
 Date: _____

CERTIFICATE OF FINAL COMPLETION

COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES *This form should originate with the Design Consultant*

Contractor _____	Owner: _____ Housing Authority
_____	_____
_____	_____
Phone _____	Phone _____
Fax _____	Fax _____
Development No _____	Period Ending _____
Contract for: _____	FISH No; _____

THE PARTIES AGREE THAT THE STATUS OF THE CONTRACT IS AS FOLLOWS:

I. CONTRACT TIME

1. The Date of Substantial Completion is..... _____
2. The Date of Substantial Completion as Extended by Change Order is _____
3. The Actual Date of Substantial Completion is:..... _____
4. Overrun in Contract Time _____

II. CONTRACT SUM

1. The Original Contract Sum is \$ _____
2. The Sum of Approved Change Orders to Date is \$ _____
3. The Adjusted Contract Sum is \$ _____

LESS:

4. Sum of authorized payments to date: \$ _____
5. Sum of other claims by Owner: \$ _____

III. THAT APPLICATION FOR PAYMENT NO. _____ IS DUE & PAYABLE IN THE AMOUNT OF: \$ _____

Copy Attached

THE UNDERSIGNED CONTRACTOR HEREBY CERTIFIES THAT: *The Contractor should complete items 1-5 and certify below*

1. All Work, including work required under change order(s) _____ has been performed in accordance with the terms of the Contract.
2. All changes to the Work (except minor modifications and field adjustments) have been authorized in writing by the Owner.
3. All laborers and mechanics have been paid at least the minimum wage rates as set forth in the Contract, and
4. There have been no claims made for infringement of any patent.
5. By accepting the payment shown in line III the Contractor releases the Owner from any and all claims arising under the Contract.

CERTIFIED: CONTRACTOR

In witness Whereof the Undersigned has signed and sealed this Instrument this ____ day of _____ 200 _____ Subscribed and Sworn before Me this ____ day of _____ 200

Firm: _____	_____
By: _____ Date: _____	Notary
Title: _____	My Commission Expires

CERTIFICATION OF HOUSING AUTHORITY BOARD VOTE:

The _____ Housing Authority met on _____ And voted to approve this Certificate and Payment

Certified: _____ Contract Officer

APPROVED: DESIGN CONSULTANT

Firm: _____

By: _____

Date: _____

REVIEWED: CONSTRUCTION ADVISOR

Executive Office of Housing and Livable Communities

By: _____

Date: _____

APPROVED: DIRECTOR CONST. MANAGEMENT UNIT

Executive Office of Housing and Livable Communities

By: _____

Date: _____

MONITORING PUBLIC HOUSING CONSTRUCTION

A HANDBOOK FOR EOHLC PROJECT REPRESENTATIVES



September 12, 2025

Massachusetts Executive Office of Housing & Livable Communities

MAURA HEALEY, GOVERNOR
KIM DRISCOLL, LIEUTENANT GOVERNOR
ED AUGUSTUS, JR., SECRETARY

Prepared By:
Construction Management Unit

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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

1 DUTIES AND RESPONSIBILITIES

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

1 DUTIES AND RESPONSIBILITIES

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

1 DUTIES AND RESPONSIBILITIES

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 EOHL 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 EOHL.)

**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

1 DUTIES AND RESPONSIBILITIES

- 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.

PROJECT REPRESENTATIVE'S HANDBOOK

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,

PROJECT REPRESENTATIVE'S HANDBOOK

3 DAILY REPORTS

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.

PROJECT REPRESENTATIVE'S HANDBOOK

3 DAILY REPORTS

- 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.

PROJECT REPRESENTATIVE'S HANDBOOK

3 DAILY REPORTS

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: _____

PROJECT REPRESENTATIVE'S HANDBOOK

3 DAILY REPORTS

PROJECT REPRESENTATIVE'S DAILY REPORT

Pg. 1 of 1

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.

PROJECT REPRESENTATIVE'S HANDBOOK
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.

PROJECT REPRESENTATIVE'S HANDBOOK
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.

PROJECT REPRESENTATIVE'S HANDBOOK
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 EOHLIC.

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