



Attachment 8-6
Pre-Construction Meeting Checklist
[Project Title]

Date: _____

Location: _____

In Attendance: (Please attach signed attendance sheet)

INTRODUCTION: The following checklist has been prepared to assist contractors and subcontractors in meeting contractual labor standards responsibilities. All major administrative and procedural activities have been covered in the sequence they will occur as the construction project proceeds. Careful attention to and use of the checklist should result in a minimum number of problems with respect to labor standards.

1. Introduction and Responsibility of CDBG Administrator (if applicable):	
	Observe and monitor construction to ensure compliance with the CDBG program requirements on behalf of the City/Town.
	Perform employee interviews, observe and inspect onsite activities.
	Review weekly payrolls and ensure compliance.
	Review change orders and other reports.
	Process claims for disbursement of CDBG funds upon review and certification by the grantee/sub-grantee architect or engineer. Grant Administrator will confirm for the grantee that the claim is ready to be processed and that all related requirements are met.
2. Responsibilities of Contractor:	
	General Contractor is responsible for collection and submission to the Grant Administrator of completed required forms or documentation from Sub Contractors as needed to comply with Federal Requirements and as requested by the CDBG Administrator/CDFA. General Contractor is responsible for ensuring compliance by all Sub-Contractors of all applicable labor requirements and labor standards.

	<p>The General Contractor will insert in any subcontracts the clauses contained in 29CFR 5.5(a)(1) through (10) and such other clauses as HUD or its designee may by appropriate instructions require, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. This document is included in the pre-construction meeting packet. The General Contractor shall be responsible for the compliance by a subcontractor or lower tier subcontractor with all the contract clauses in 29CFR Part 5.5.</p>
	<p>General Contractor must provide a list of all Sub-Contractors including their address and amount of contract at time of contract signing. The list is to be updated at each construction meeting or when any change in Sub-contractors is made.</p>
	<p>General Contractor and all Sub Contractors <u>must be</u> registered and in Good Standing with the State of New Hampshire and provide documentation of compliance upon request: if they are not registered and in Good Standing they are ineligible for funding.</p>
	<p>General Contractor and all Sub Contractors <u>may not</u> be on the Excluded Parties List (Debarment); if debarred they are ineligible for any federal funds.</p>
	<p>General Contractor <u>shall provide</u> Insurance Certificates naming NH CDFA, 14 Dixon Avenue, Suite 102, Concord, NH 03301, and the Grantee as Additional Insureds. Coverage shall comply with the Contract.</p>
	<p>General Contractor will sign and submit CDBG Attachments 5, 6, 7, 8, and 9 relating to Equal opportunity, Affirmative Action, and Section 3 Certifications (provided in pre-construction meeting packet).</p>
	<p>General Contract shall complete and submit the US Department of Labor Form (attached) for <i>each</i> contract or subcontract in excess of \$10,000.</p>
	<p>Lien Waivers are required at each requisition meeting. Final lien waivers are required showing that materials and labor are paid at requisition meetings.</p>
	<p>General Contractor will provide payment and performance bonds to CDBG Administrator.</p>
	<p>General Contractor will complete and submit the Section 3 Summary Report and Contract/Subcontract Activity Forms to the Grant Administrator as new hires occur.</p>
	<p>General Contractor has requested and received certification of his apprentice program for the State's Bureau of Apprenticeship and Training (recognized by USBAT) and submitted a copy thereof to the recipient prior to employment on the project. Likewise, "trainee" programs certification from U.S.B.A.T. if applicable, must be submitted.</p> <p>NOTE: Employees should not be listed on payrolls as "helpers" but as "apprentices" if they are enrolled in a state apprenticeship program. This distinction and all supportive documentation will waive Davis Bacon for apprentices only.</p>
	<p>3. Sub Contractor Requirements:</p>

	<p>Sub Contractors must be registered and in Good Standing with the State of New Hampshire and provide documentation of compliance as requested: if they are not registered and in Good Standing they are ineligible for funding.</p>
	<p>Sub Contractors may not be on the Excluded Parties List (Debarment). If debarred they are ineligible for any federal funds.</p>
	<p>Subcontracts: The contractor or subcontractor will insert in any subcontracts the clauses contained in 29CFR 5.5(a)(1) through (10) and such other clauses as HUD or its designee may by appropriate instructions require, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. This document is included in the pre-construction meeting packet. The prime contractor shall be responsible for the compliance by a subcontractor or lower tier subcontractor with all the contract clauses in 29CFR Part 5.5.</p>
	<p>Sub Contractors are required to provide the Contractor with required forms or documentation as needed to comply with State or Federal Requirements and as requested by the CDBG Administrator/CDFA.</p>
	<p>All applicable conditions of the Contract shall apply to the Sub-Contractors.</p>
	<p>General Contractor will require sub contractors to complete and submit the Section 3 Summary Report and Contract/Subcontract Activity Forms as new hires occur.</p>
	<p>These requirements apply to all subs on site (no matter the designation).</p>
	<p>4. Labor Requirements and Labor Standards:</p>
	<p>All Posters, including the Wage Decision and Employee Rights Poster must be displayed at the job site in a manner whereby they can be viewed at all times. The posters cannot be locked in the job trailer.</p>
	<p>Equal Employment Opportunity/Nondiscrimination - The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. No person shall be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination on the grounds of race, handicap, color, sex, sexual orientation, national origin, or familial status.</p>
	<p>Affirmative action - The encouragement of increased representation of women and minority-group members in employment.</p>
	<p>Section 3 Certifications - The Contractor will, to the greatest extent feasible, see that opportunities for training and employment are given lower income residents of the project area and contracts for work in connection with the project are awarded to business concerns which are located in, or owned in substantial part by persons residing in the area of the project.</p>

	<p>Section 3 Affirmative Action - The Contractor will attempt to recruit from within the Town/City/County the necessary individuals to fill employment opportunities generated by Section 3 covered assistance through: local advertising media, signs placed at the proposed site for the project, and community organizations and public or private institutions operating within or serving the project area such as Service Employment and Redevelopment (SER), Opportunities Industrialization Center (OIC), Urban League, Concentrated Employment Service.</p>
	<p>Contract Work Hours and Safety Standards Act: CWHSSA establishes requirements for payment of over-time and penalties for violations. Penalties are referred to as liquidated damages. Liquidated damages liability equals \$27 per day per worker per event, and requires that over-time pay restitution be paid to workers who are underpaid. This act also establishes safety standards compliance. (Liquidated damage penalty adjusts annually. Amount can be found at: https://www.dol.gov/whd/govcontracts/cwhssa.htm.)</p>
	<p>Davis-Bacon Act: The Davis Bacon Act requires that each contract over \$2,000, “to which the Federal Government is a party, for construction shall contain a provision for the minimum prevailing wages to be paid” to all laborers and mechanics employed at the site of work and includes fringe benefits payments for specific trades. DBA REQUIRES weekly payments to workers.</p>
	<p>Copeland “Anti-Kickback” Act: Copeland establishes laws to prohibit the payment of “kickbacks” to work on federally assisted projects, enforces weekly payment and sets forth rules concerning allowable and disallowed employee deductions. Copeland also provides basis for contract termination and criminal prosecution pursuant to 18 U.S.C 874.</p>
	<p>Federal Labor Standards – FLSA establishes laws for minimum wages paid to workers and laws associated with the employment of minors. FLSA prohibits wage discrimination based on gender and governs the rules for independent contractors. It also enforces over-time payment mandates at 1.5 the basic wage rate for nonexempt employees that exceed 40 hours in a work week. The Department of Labor governs enforcement jurisdiction of FLSA rules.</p>
	<p>Any rates that need to be added to the Decision may be submitted on Form HUD-4230a to the Grant Administrator.</p>
	<p>Certified payrolls shall be completed and submitted to the CDBG Administrator weekly by the Contractor and all Sub Contractors. Payrolls are to be numbered and/or dated sequentially and the final payroll marked “Final”. Wage classifications must be identified on payrolls for each employee. If the payrolls are dated instead of numbered, “no work” payrolls must be submitted for weeks not on site. All Payrolls must be original signature, no copies or emailed documents will be accepted.</p>
	<p>Any person other than the principal officer signing the payroll must have a letter of authorization to sign the payrolls. See sample letter in pre-construction meeting packet.</p>

	<p>There is NO owner/operator or independent contractor exemption from Davis Bacon. See Federal Memo in pre-construction meeting packet for more information. General Contractors can list one-man firms on their payrolls.</p>
	<p>5. General Discussion of Construction Contract:</p>
	<p>Where requirements of various funding agencies conflict, the more restrictive shall govern.</p>
	<p>Initiating Construction: As dated on the Notice to Proceed.</p>
	<p>Completion Time for the Contract: The construction period will be as outlined in the Contract and will begin in accordance with the Notice to Proceed. Any changes in contract length or completion dates shall require a Change Order prior to work being performed beyond the Contract completion date.</p>
	<p>6. General Contractor's Schedule:</p>
	<p>The Construction schedule shall be provided to the CDBG Administrator prior to construction The construction start date must be submitted in writing.</p>
	<p>A list of subcontractors expected to be on site is to be emailed to the CDBG Administrator at the beginning of each week.</p>

I acknowledge and confirm receipt of the above information presented at the Pre-Construction Meeting. I understand that the information presented is a summary meant to guide the process and is in no way inclusive of all requirements specified in the Community Development Block Grant Agreement for the project.

Signed: _____

Print: Name, Title, Company, and Date