

ARPA Engineering Contract Review Checklist

Grant Recipient _____

ARPA Project Number _____

Consulting Engineering Firm _____

ARPA Project Manager _____

Name of Assigned Consulting Engineer _____

This document will be used by ARPA project managers to review engineering contracts for the purposes of ARPA eligibility.

The checklist is divided into two sections. The first section contains requirements for the structure and function of the contract. The second section contains specific scope of work items that should be included in most contracts.

The following requirements must be followed in the agreement:

Section 1:

1. The work to be completed under the contract must be necessary and directly related to the accomplishment of the project.
2. The contract must be in the form of a bilaterally executed agreement.
3. The contract must be for monetary consideration.
4. A specific time frame for performance of the work must be included.
5. The contract must state a total price for services to be performed that may not be exceeded except by amendment. Contract should not be in the form of a percentage of construction cost.
6. The following language must be included in the agreement

“The ENGINEER agrees to take steps to ensure that disadvantaged business enterprises (DBEs) are utilized when possible as sources of supplies, equipment, construction, and services as required by 2 CFR 200.321”

7. The method of payment must be stated in the contract. The following statement must be included in the agreement.

“The owner shall make payment to the engineer in accordance with section 8.960, RSMo.”

8. The contract must include a statement that 1 stamped hardcopy and one stamped digital copy of plans and specifications and all change orders will be submitted to the department for approval. (Not Applicable for Stormwater Projects)

Section 2: Scope of Work Requirements

All scope of work items must be eligible for ARPA reimbursement. Please note, some ARPA projects do not require an engineering report or plans and specifications for technical permitting purposes (ex. meter replacement, collection system lining, etc.). If a grant recipient decides to hire an engineer to assist with these projects some of the scope of work items listed below may not be required. These situations will be accounted for during department review and will be adjusted for on a case by case basis.

Additionally, projects that do not require plans and specifications may still need to be competitively bid (if they are in excess of \$250,000). In this case the grant recipient may decide to hire a consulting engineer to assist with the creation, bidding, and oversight of these construction contracts, even though these plans and specifications do not need a construction permit from the department. ARPA project managers will still need to review construction contracts prior to bidding even if a construction permit is not required.

The scope of work in the contract must include (but is not limited to).

1. Preparation of plans, specifications, and contract documents
2. Assistance with bid letting (All construction and equipment contracts in excess of \$250,000 must be competitively bid per federal rules)
3. Review and tabulation of bids and recommendation of award
4. Construction inspection
5. Assistance with operation of the facility for the one year certification period if needed

Additionally, the Department recommends the inclusion of the following scope of work items.

6. Assistance with change orders
7. Establishment of field control surveys
8. Assistance with payments to contractors
9. Assistance with grant reimbursements
10. Development and submission of as-built drawings/record drawings and the statement of work complete (SOC). (SOC is not applicable for Stormwater Projects)

12. Review of easements or land ownership documents
13. Preparation of an operation and maintenance manual(s) or assistance with updates to existing operation and maintenance manuals, possibly required
14. Other work as necessary

Ineligible Scope of Work Items

Note: Ineligible scope of work items can be included in an engineering contract. However, they must be listed separately from eligible work items with a separate cost, and they must be itemized independently on invoices for payment. Questions on the eligibility of specific scope items should be sent to the assigned ARPA project manager.

1. Environmental Reviews: NEPA reviews are not a requirement for ARPA funded projects and their completion is not eligible for State ARPA funding.
2. Work necessary to meet the requirements of another funding agency: CDBG, USDA, SRF, etc.
3. Work completed prior to March 03, 2021.