

Clean Water Construction Funding Requirements for Contractors and Grantees

What must be submitted with the Bid/Application?

- *Certification Regarding Lobbying* form (no EPA form number)
- EPA Form 6100-3, *Disadvantaged Business Enterprise (DBE) Subcontractor Performance Form*. Contractor requires DBE subcontractors/suppliers to complete this form. Provides description and price of work.
- EPA Form 6100-4, *DBE Subcontractor Utilization Form*. Contractor/subgrantee reports actual or anticipated use of DBE subcontractors. Includes Company name, contact and estimated dollar amount of subcontracts.
- Documentation of DBE outreach efforts. This can consist of a phone log, emails, and internet postings.

What special requirements must contractor/subgrantee adhere to when subcontracting and purchasing materials and supplies?

- If Bidder/Prime Contractor/Grant Applicant does not meet the District's 35% DBE requirement, the Bidder/Prime Contractor/Grant Applicant MUST document that it has performed outreach to Disadvantaged Business Enterprises (DBE) for procurement of construction, equipment, services and supplies.
<https://lsdbe.dslbd.dc.gov/public/certification/search.aspx>.
- Whenever possible, solicitations for bids must remain open for at least 30 days.
- EPA Form 6100-2, *DBE Subcontractor Participation Form*. Prime contractor/subgrantee must provide to DBE subcontractors/suppliers. The subcontractor/supplier may submit the completed form at their discretion.

What documents must be submitted during the project?

- EPA Forms 6100-4, 6100-3, and documentation of DBE outreach efforts (only if work is awarded to DBEs who were not identified at the time of bidding)
- Proof of 100% Performance and Payment Bond for construction or facility improvement contracts or subcontracts.
- Schedule of work, to be updated as necessary
- Certified Payroll (landscaping/tree planting projects are exempt from submission of certified payroll)
- Weekly status reports of work planned and performed, including but not limited to materials submission, two-week look ahead at work detailed schedule, difficulties encountered that affect the work, etc.
- Invoices detailing time & materials, description of work performed, and documentation of all expenditures.

What postings/documents are required to be posted at the construction site during the period of work?

- Permits, as applicable
- Wage Rates (landscaping/tree planting projects are exempt from posting of wage rates)
- Project sign detailing funding sources. Example of project sign provided in the attachment to the RFP/RFA titled "Federal Requirements and Contract

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Provisions for Work Under the Federal Water Pollution Control Act, As Amended.”

- Equal Opportunity Posting (<http://www1.eeoc.gov/employers/poster.cfm>)
- Approved construction plans and specifications, as applicable (present, not posted)

Will EPA or DDOE inspect the site to verify all requirements have been met?

Yes. DDOE will generally perform the inspections for EPA, photo-documenting site compliance. DDOE will interview workers to verify Davis Bacon Wage compliance if applicable. For this reason, it is imperative that the DDOE CWSRF representative be included in scheduling of site visits throughout the project period.

Each of these requirements and forms will be found in the attachment to the RFP/RFA titled “Federal Requirements and Contract Provisions for Work Under the Federal Water Pollution Control Act, As Amended.” The requirements in this document must be met by both contractors and subgrantees.