



Rhode Island Airport Corporation

April 24, 2014

ADDENDUM NO. 002

Request For Bids, RIAC Contract No. 24932 Voluntary Land Acquisitions Program Phase 5 (2020) - Demolition Services T. F. Green Airport

Prospective Bidders and all concerned are hereby notified of the following changes in the Advertisement for Bids document for the Voluntary Land Acquisitions Program, Phase 5 (2020) - Demolition Services, T. F. Green Airport, RIAC Contract No. 24932. These changes shall be incorporated in and shall become an integral part of the contract documents.

Item No. 1 (Chain-Link Fences and Gates)

- DIVISION 02, Specifications Section 02820 – Chain-Link Fences and Gates revised to reflect modifications to the Contract Documents. Please note; Barbed Wire and Wire Arms have been removed from the base scope of work and is no longer required. The following sections have been omitted and removed from the contract documents.
 1. Page 02820-5 FITTINGS, paragraph - 2.5.H, Barbed Wire Arms.
 2. Page 02820-5 BARBED WIRE, paragraph - 2.6, Steel Barbed Wire.
 3. Page 02820-5 CHAIN-LINK FENCE INSTALLATION, paragraph 3.4.L - (*Barbed Wire*).

Item No. 2 (Disadvantaged Business Enterprise)

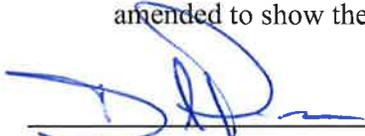
- DIVISION 00, Specification Section 00750 D.B.E PLAN.

QUESTION:

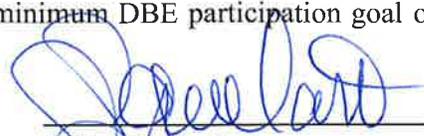
Could you please confirm the DBE Participation Requirement? It is listed as both 11.2% (Page 00750-1) and 9.45% (Page P-19 and Page 00100-11).

RESPONSE:

The correct percentage for DBE participation is **9.45 %**.
DIVISION 00, Specifications D.B.E PLAN, page 00750-1, Paragraph 1.0 - "*Policy Statement*", and page 00750-4, Paragraph 3.1.3 - "*Terms and Conditions*" have been amended to show the correct project wide minimum DBE participation goal of 9.45%.



Dan Porter
Vice President Planning



Jeffrey P. Goulart
Purchasing Agent

End of Addendum - 002

**SECTION 00750
DISADVANTAGED BUSINESS ENTERPRISE
(DBE) PLAN**

CONTRACT DOCUMENTS

1.0 POLICY STATEMENT

The Owner acting through its designated agent agrees to ensure that Disadvantaged Business Enterprise (DBE) have the maximum opportunity to participate in the performance of the work. In this regard, the Owner has established a project wide minimum **DBE participation goal of 9.45%**. The attainment of this goal will be implemented through the establishment of individual DBE goals for each trade contract bid package. The Project Manager and all Contractors and Subcontractors will take all reasonable steps in accordance with applicable Federal and State laws, regulations and the Contract Documents to ensure that DBEs have the maximum opportunity to compete for and perform work on the project. On any work funded by the Federal Aviation Administration the term Minority Business Enterprise (MBE) shall be substituted for Disadvantaged Business Enterprise (DBE) and Women Business Enterprise (WBE).

The Owner will seek to provide and promote equal opportunity employment within its own organization and that of its contracted organizations. The Owner will take affirmative action to ensure equal employment opportunity without regard to race, color, religion, sex, national origin, or age.

Each sub-recipient, Contractor or Subcontractor is advised that failure to comply with Federal, State and Contract requirements shall constitute a breach of contract and, after notification by the Owner, may result in termination of the agreement or contract by the Owner or such other remedy, as Owner deems appropriate.

Any Contractor that fails to meet the DBE and EEO requirements of their Trade Contract will be subject to sanctions and penalties in accordance with Rhode Island State Law 37.14.1-8 and Federal Law 29CFR60, 49CFR21, and 49CFR26.

2.0 PROJECT DBE/EEO MONITORING

The Owner will provide services to oversee, monitor, and report on DBE/EEO participation by the Contractors and Subcontractors and to function as the Project DBE/EEO Contract Compliance Monitor.

Contractors and Subcontractors shall cooperate with the Owner in the monitoring and reporting of DBE/EEO requirement compliance. All DBE/EEO related reports and certifications required of the Contractor and Subcontractor should be submitted to the Owner, or its designated agent.

3.0 DBE PARTICIPATION REQUIREMENTS

Through the submittal of his/her bid, the Trade Contractor certifies that he/she has complied with all requirements of this DBE/EEO plan and 49 CFR Part 26.

Any Contractor bidding on work is required to make a concerted, systematic, results-oriented, and documented effort to engage DBEs in accordance with the established DBE requirement assigned to each bid package.

The requirements outlined herein have been prepared to assist each bidder in identifying their method of meeting the established requirement as well as to document to the Owner how the requirement will be accomplished.

Certification

1. All DBE firms participating in this program will meet the certification requirements of the State of Rhode Island Department of Administration and the Owner under U.S. Department of Transportation Certification Guidelines.
2. Evidence of certification for all DBE's to be credited, as supplier, manufacturer, Contractor or joint venture shall be submitted within the Contractor's sealed envelope in writing at the time of bid.
3. All DBE's including majority/DBE joint ventures must complete the Letter of Intent to Perform (Exhibit 1).
4. Contractors who have been convicted of a violation of DBE regulations may not be considered for participation in this project.

Failure to comply with the project's DBE requirements, engaging in efforts to subvert the requirements or manipulate control of the bid process, attempting to include DBE firms with a known prior record of brokering or other illegal practices or failure to complete the appropriate forms will be considered an incomplete bid failing to respond to the bid documents specifications and will be cause for rejection of the entire bid or the exclusion from receiving credit of the DBE portion in question as an eligible participant in the DBE program, whichever the Owner deems appropriate.

3.1 TERMS AND CONDITIONS

1. DBE participation will be counted toward meeting the DBE requirement as follows:
 - a. The total dollar value of a Trade Contract or Subcontract awarded to a Rhode Island certified DBE will be counted toward the applicable requirement.
 - b. In the case of a Rhode Island certified joint venture, that portion of the total dollar value of the contract equal to the percentage of participation and control of the minority partner in the joint venture will be counted toward the applicable requirement.
 - c. Only expenditures to DBEs that perform a commercially useful function in the work of a contract or subcontract may be counted toward DBE goals. A DBE is considered to perform a commercially useful function when it is responsible for execution of a distinct element of the work of a Contractor's Subcontract and

carries out its responsibilities by actually performing, managing, and/or supervising the work involved. To determine whether a DBE is performing a commercially useful function, the Owner shall evaluate the amount of work subcontracted (no more than approximately 60%), industry practice, the past performance and capability of the DBE and other relevant factors. The commercially useful function will be determined by the Owner and must be within the work category for which the DBE is certified by the Rhode Island Department of Administration.

- d. Contractors may count expenditures for materials and supplies obtained from DBE suppliers and manufacturers, provided that the DBE's are regular dealers and assume the actual and contractual responsibility for the provision of the materials and supplies. The entire expenditure to a DBE manufacturer (supplier that produces goods from raw materials or substantially alters them before resale) may be counted. Sixty percent (60%) of expenditures to DBE suppliers that are regular dealers and not manufacturers may be counted provided that the supplier performs a commercially useful function in the supply process. All expenditures with manufacturers and suppliers must be properly documented in writing in order to count toward a DBE obligation.

Regular Dealer is a firm that owns, operates or maintains a store, warehouse or other establishment in which the materials or supplies required for the performance of the contract are bought, kept in stock and regularly sold to the public in the usual course of business. To be a regular dealer, the firm must engage in, as its principal business and in its own name, the purchase, and sale of the products in question. A regular dealer in such bulk items as steel, cement, gravel, stone and petroleum products need not keep such products in stock if it owns or operates distribution equipment. (49 CFR & 13 CFR).

Manufacturer is a firm that operates or maintains a factory or establishment that produces on the premises the materials or supplies obtained by the recipient or Contractor. (49 CFR & 13 CFR).

2. Bidders must complete and return with the bid for informational purposes, a Letter of Intent to Perform as a Qualified DBE for each potential DBE included on the DBE Utilization Plan.

The apparent low bidder will be required to submit copies of agreements, which they intend to execute with DBEs within four (4) working days of receipt of notice of apparent low bid. Failure of the apparent low bidder to submit the required DBE contract agreements within four (4) working days of receipt of the notice of apparent low bid may be considered, at the sole discretion of the Owner, non-responsive and will result in rejection of the bid.

The agreement with the DBE's must indicate the contracting parties, scope of the work to be performed and amount of compensation for same.

3. The bidder's offer of the DBE participation as identified in the “Disadvantaged Business Enterprise Utilization Plan” (*Exhibit 3*) at time of bid shall express his/her commitment to the percentage of DBE utilization during the term of his/her contract for the work so bid. The Contractor shall be deemed to have met its commitment for DBE utilization if the DBE utilization goal of **9.45%** is achieved based on final contract value including contract amendments.

If the Contractor fails to achieve its DBE utilization requirement, the value of the difference between the actual DBE utilization and the DBE utilization requirement will be deducted from the Trade Contract.

Bidders will be given notice, approximately four weeks, between the time bid documents are made available and the actual bid submittal date to seek out, obtain bids and receive letter of intent to perform work (*Exhibit 1*) from potential DBE's.

4. The Contractor must receive approval from the Owner before making substitutions of any DBE firms offered in the original bid. The request for change must be made in writing with full explanation and in sufficient time so as not to delay the Contractor's performance of his work.
5. The Contractor's commitment to a specific requirement is to meet the DBE objective and is not intended and shall not be used to discriminate against any qualified firm or group of firms.
6. Only DBE's and joint ventures that are currently certified by the State of Rhode Island Department of Administration and approved by the Owner will be considered eligible for inclusion in the Trade Contractor's requirement for DBE utilization.
7. Bidder's effort to accomplish a specific requirement for DBE's utilization as required by the Participation Requirement shall constitute a commitment to make every good faith effort to meet such requirement by subcontracting with or undertaking to joint venture with DBE firms. If the bidder fails to meet the requirement, he/she will carry the burden of furnishing sufficient documentation with the bid proposal of their good faith efforts to justify a grant of relief from the requirement set forth as the Participation Requirement. Such justification will take the form of a detailed written report which will document, to the satisfaction of the Owner and its designated agent, the Contractor's efforts and include but not necessarily be limited to the following information:
 - a. Efforts made to select portions of the Trade Contract to be performed by DBEs in order to increase the likelihood of achieving the stated requirement.
 - b. Efforts to negotiate with disadvantaged business enterprises for specific sub-bids including at a minimum:
 1. The names, addresses, and telephone numbers of DBE enterprises contacted;
 2. A description of the information provided to DBEs regarding the plans and specifications for portions of work to be performed;

3. A statement of why additional agreements with DBEs were not reached (*see Form Exhibit 2*):
4. Copies of written correspondence and telephone logs documenting all contact and attempted contact with DBE enterprises.
- c. Concerning each DBE supplier/Contractor contacted but rejected as unqualified, the reasons for the supplier/Contractor's exclusion. A DBE Waiver Form (Exhibit 2) signed by each business or statement that each refused to give such certification after reasonable request if the bidder considers a DBE firm that was contacted to be unavailable.
- d. Efforts made to assist contacted DBE's who are capable, competent and competitive but need assistance in obtaining required bonding and insurance or prompt payment safeguards.
- e. Use of the services of minority community organizations, minority Contractors' groups, governmental minority business assistance offices and other organizations, which assist in the recruitment and placement of DBE's.
- f. The bidder must document efforts made to meet requirements in accordance with Appendix A to 26 of 49 CFR.
8. The Owner in their evaluation of any request for waiver submitted by the apparent low bidder will consider in addition to 49 CFR 26 the following:
 - a. Efforts made by other bidders to meet the requirements.
 - b. Independent verification of DBEs who were eligible to participate.
9. In the event the documentation of good faith effort submitted by the apparent low bidder is rejected by the Owner as not substantiating a good faith effort, the apparent low bidder will be given two (2) working days after notice of rejection to remedy his deficiencies. If the deficiencies are not remedied to the satisfaction of the Owner, the bid will be rejected as non-responsive. If the deficiencies are remedied to the satisfaction of the Owner, the bidder will be issued a notice of apparent low bid at which time the bidder must comply with Paragraph 3.1.2.
10. In the event requirements of this DBE/EEO plan contradict requirements stipulated elsewhere in Federal or State regulations, the more stringent requirement and at a minimum the Federal regulation must be satisfied.

3.2 PRE-BID MEETING

All Contractors will be notified of a Pre-Bid Meeting where any questions concerning EEO or DBE utilization may be addressed. If a question cannot be answered at that time or a point needs clarification, that information will be provided prior to the bid date.

3.3 DBE BID PACKAGE REQUIREMENTS

The DBE percentage requirements assigned to a bid package by the Owner, or its designated agent, will be derived from a review of the capabilities of potentially available DBE's in relation to the nature and estimated size of the bid package. There are no restrictions on the use of Rhode Island certified DBE's except that they must be utilized in the work category (capacity) for which they are certified and in a commercially useful manner on the project. It may be possible for a certified DBE to perform related work to the work category for which certification was received. This performance analysis, if necessary, will be done by the Owner. Bidders are not required to stipulate only one DBE Subcontractor on their Bid Proposal if they are seeking quotes from more than one DBE but they must indicate, at the time of bid submittal, all of their potential DBE's and have all of them fill out the "Intent to Perform" sheet.

Once a contract is awarded, no DBE firm that was identified to perform as part of your "Disadvantaged Business Enterprise Utilization Plan" (Exhibit 3) will be allowed to change their bid values or perform a lesser scope of work than indicated without written explanation acceptable to the Owner, or its designated agent. Such written explanation must be submitted to the Owner for evaluation.

Non-certified Minority or Women Contractors can be used but will not be counted as part of your DBE plan unless they become certified by the time they actually perform their work. Non-certified DBE's cannot be counted toward meeting the initial DBE bid package requirement. The failure of a non-certified DBE to gain certification will not be considered grounds for any adjustment to the contractually stipulated DBE participation requirement.

3.4 DBE UNAVAILABILITY CERTIFICATION

A market survey of DBE availability has been conducted to aid the Owner, or its designated agent, in the establishment of reasonably attainable DBE requirements for each bid package.

Any DBE who, for any reason, declines to bid or subcontract with a Contractor must indicate same on the DBE Waiver Form (Exhibit 2). Those who have been contacted in good faith and do not respond should be brought to the attention of the Owner, or their designated agent, in sufficient time for them to document the circumstances. If, after making a genuine attempt to seek out and solicit bids from DBE's fails to attain the bid package percentage requirement, the Contractor must submit a request for partial or full waiver of the DBE requirement. The request for a partial or full waiver of the DBE requirement must include documentation in accordance with Paragraph 3.1.7 and must be made with the bid for evaluation by the Owner or their designated agent. The Owner reserves the right to verify the good faith documentation submitted. The Owner may waive a part or all of the DBE participation requirement. A waiver will only be granted if the Owner is satisfied that the documentation submitted clearly substantiates a good faith effort by the Contractor to meet the DBE participation requirement (Reference paragraph 3.1.8).

3.5 CHANGES TO DBE PLAN

The successful bidder will be required to attend a Pre-Construction Conference where, among other things, the bidder's proposed DBE plan of action (Exhibit 3) will be reviewed. Any DBE modifications or changes that may have occurred between the time of the bid submittals and the

conference must be brought to the attention of the Owner and their designated agent at this meeting. No deviation from the bid will be acceptable without explanation/documentation acceptable to the Owner and their designated agent.

Any changes in the utilization of DBE's identified at the time of bid must be brought to the attention of the Owner and their designated agent immediately as part of the conditions of the contract. No DBE can be submitted for another DBE named as part of the DBE Utilization Plan with the bid submittal without written notification to the original DBE and the approval of the Owner and their designated agent.

If the successful bidder attempts to alter their proposed DBE participation without an explanation and/or documentation that is acceptable to the Owner, the Owner reserves the right to disqualify the bid and/or find the Contractor in default and terminate the contract, award the contract to the next most responsive bidder or to re-bid the work, whichever they deem to be in the project's best interest. If the contract is terminated and/or the work is re-bid, the disqualified/terminated bidder(s) will have his/her bid surety forfeited and be barred from participating in the re-bid. Any additional costs incurred as a result of the contract termination including, but not limited to, delays, increased labor, material, equipment, airport/airlines operations, etc., shall be the responsibility of the disqualified/terminated Contractor and his surety.

The final accepted "Disadvantaged Business Enterprise Utilization Action Plan" (Exhibit 3) with any accepted modification will become the contract requirement that the Owner will monitor for the duration of the contract.

3.6 DBE REQUIREMENT REPORTING AND MONITORING

Each Contractor will be required to submit documentation of DBE participation as the work progresses. A Monthly Compliance Report/DBE Participation Affidavit (Exhibit 4) and EEO/DBE Monthly Activities Report (Exhibit 5) will be required to be submitted monthly with the Contractor's Application for Payment or by the last day of the month if the Contractor is not submitting an Application for Payment. Trade Contractor's Application for Payment will not be processed if any of the DBE monthly reports is delinquent.

4.0 EEO PARTICIPATION REQUIREMENTS

All Contractors and Subcontractors must comply with the requirements for affirmative action to ensure equal opportunity in accordance with Executive Order 11246 as amended by Executive Order 11375 and as supplemented in Department of Labor regulations (41CFR, Chapter 60).

As a condition of contract, the Contractor certifies that it does not maintain segregated facilities by signing Exhibit A at the same time the contract is signed. The Contractor further agrees to adhere to and be obligated to the provisions of Exhibit A-1 through and including A-4 of this plan.

The Contractor and Subcontractor are subject to audit by the Rhode Island State Equal Opportunity Office, Rhode Island Department of Transportation, and Federal Department of Labor OFCCP. If it should be determined by the Rhode Island State Equal Opportunity Office that the Contractor or Subcontractor is in non-compliance with any of the provisions of Exhibit A,

A-1 through and including A-4, the Trade Contractor or Subcontractor will be given written notice. If the Contractor does not comply within seven (7) days, the Contractor will be considered in breach of contract and upon ten (10) additional days the Trade Contract may be terminated.

The Contractor and Subcontractor are required to complete and submit the Department of Administration State Equal Opportunity Office Contract Compliance Report (Exhibit 6) and the Monthly Employment Utilization Report (Exhibit 7) to document and report the percent (%) of minorities and women in the work labor force. The Contractor and Subcontractor are expected to maintain the specified minority/female manpower utilization for the duration of their work.

The Contractor and Subcontractor must complete the Equal Opportunity Office Contract Compliance Report (Exhibit 6) within sixty (60) days of contract award and prior to commencing work on the project site. The Contractor completes pages 1-4 and a page 4A for every Subcontractor to be used on the project. This report must be submitted to the Rhode Island State Equal Opportunity Office with a copy to the Owner.

The Monthly Employment Utilization Report, Form CC257 (Exhibit 7) must be completed by the Contractor and all Subcontractors. The report must be submitted by the fifth (5th) of the month and contain information for the preceding month. Should the Contractor fail to submit the report or ensure that the Subcontractors have submitted same by the fifth (5th) of the month, the Contractor's payment in process will be withheld and subsequent applications for payment will not be processed until the Contractor has complied.

4.1 CERTIFICATE OF UNDERSTANDING

The attached Exhibit 8, Bid Conditions - Certificate of Understanding, must be signed and submitted with the Bid Proposal. The bidder certifies they have read and understand the EEO requirements of the Project. Should the Trade Contractor fail to comply with the Project EEO requirements, the Contractor will be considered in default of contract and the Trade Contract may be terminated.

EXHIBITS

I. DBE

- | | |
|-----------|---|
| Exhibit 1 | Letter of Intent to Perform as a Qualified Disadvantaged Business |
| Exhibit 2 | DBE Waiver Form |
| Exhibit 3 | Disadvantaged Business Enterprise Utilization Plan |
| Exhibit 4 | Monthly Compliance Report – DBE Participation Affidavit |
| Exhibit 5 | EEO/DBE Monthly Activities Report |
| Exhibit 6 | Contract Compliance Report |
| Exhibit 7 | Monthly Employment Utilization Report |
| Exhibit 8 | Bid Conditions – Certificate of Understanding |

II. EEO

- Exhibit A Equal Opportunity Certificate of Assurance
- Exhibit A-1 Standard Federal EEO Construction Contract Specifications
- Exhibit A-2 Equal Opportunity Clause Federally-Assisted Construction Contracts
- Exhibit A-3 Notice of Requirement for Affirmative Action to Ensure EEO
- Exhibit A-4 Certificate of Nonsegregated Facilities

EXHIBIT 1

**LETTER OF INTENT TO PERFORM
AS A QUALIFIED DISADVANTAGED BUSINESS**

To: _____
(Name of Contractor)

Project: _____

Reference #: _____

The undersigned intends to perform work in connection with the above project as (check one):

_____ an individual _____ a corporation
_____ a partnership _____ a joint venture

The undersigned certifies the company is a Disadvantaged Business Enterprise as defined by the Rhode Island Department of Administration

The undersigned is prepared to perform the following described work in connection with the above project (specify in detail work to be performed).

Subcontractor: _____
(Name)

Contract Amount _____

Supplier: _____
(Name)

Contract Amount _____

The Bid Price agreed upon is: \$ _____

Dated _____

The undersigned agrees that the contract conditions above are true and accurate and will be performed by the above, who will enter into a formal agreement for the above work with you, conditioned upon your execution of a contract with _____

Name of company, signature and title of authorized official of the company and the date must be properly executed on this document or the bid will be deemed nonresponsive.

(Name of Disadvantaged Company)

(Date)

*As determined by _____
(Signature of Authorized Official)

(Title of Authorized Official)

EXHIBIT 2

DBE WAIVER FORM

(Required for All Bids Requesting Waiver of the 9.45 % DBE Requirement)

I, _____, _____, of _____
(Name) (Title) (Company)

certify that on _____, I contacted the following DBE Contractors to obtain a bid for
(Date)

work items to be performed on Contract Number _____.

DBE Contractor Name and Address

Work Items Sought

To the best of my knowledge and belief, said DBE Contractor was unavailable (exclusive of unavailability due to lack of agreement on price) for work on this project, or unable to prepare a bid for the following reason(s):

Signature _____

Date _____

This portion to be completed by DBE Contractor:

_____ was offered an opportunity to bid or make an offer on the
(Name of DBE)
above identified work on _____ by _____
(Date) (Source)

The above statement is a true and accurate account of why I did not submit an offer/bid on this project.

(Signature of DBE)

(Title) _____

EXHIBIT 3
DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION PLAN

The undersigned hereby further assures that the information included herein is true and correct, and that the DBE firm(s) listed herein have agreed to perform a commercially useful function in the work items noted for each firm. The undersigned further understands that no changes to this statement may be made without prior approval from the Civil Right Staff of the Federal Aviation Administration.

1. Name of Project _____
2. Number of Project _____
3. Total Dollar Amount of Bid _____
4. Disadvantaged Business Enterprise Participation \$ Goal _____
 - a. Name of Bidder _____
Address _____
Phone(s) _____
 - b. If the Bidder is a Disadvantaged Business Enterprises (Contractors, suppliers, vendors), the services they will provide and the approximate amount of money they will receive. (Include joint venture partner, if applicable.)

Total of listed amounts \$ _____

(Use back of sheet for additional space, if needed)

Contractor: _____

By: _____

Address: _____

Phone Number: _____ Zip Code: _____

EXHIBIT 4
MONTHLY COMPLIANCE REPORT
DISADVANTAGED BUSINESS ENTERPRISES PARTICIPATION AFFIDAVIT
RHODE ISLAND AIRPORT CORPORATION (RIAC)

WBS # _____ BASE CONTRACT AMOUNT: % _____ DURATION OF CONTRACT _____ TO _____
CONTRACT # _____ APPROVED CONTRACT AMENDMENTS: \$ _____ REPORT OF CONTRACT _____ TO _____
PROJECT # _____ ADJUSTED CONTRACT AMOUNT: \$ _____ PREPARED BY: _____
DBE BASE CONTRACT COMMITMENT: \$ _____ TITLE: _____
DBE BASE CONTRACT PERCENTAGE: % _____
ACTUAL DBE AMOUNT: \$ _____
ACTUAL DBE PERCENTAGE: % _____

	NAME OF DBE	INDICATE WBE CONTRACTOR OR DBE CONTRACTOR	INDICATE DBE CONTRACTOR (C) SUPPLIER (S)	CLASSIFICATION OF WORK	ITEM \$ OF WORK	DATE OF AWARD	CONTRACT START DATE	APPROX. COMPLETION DATE	TOTAL AMOUNT OF CONTRACT	\$ IN CHANGE ORDERS TO DATE	FROM PREVIOUS APPLICATIONS	\$ PAID THIS PERIOD	TOTAL PAID TO DATE	% COMPLETE	CONTRACT & REMAINING
1															
2															
3															
4															
5															
6															
7															
8															
9															
10															

EXHIBIT 4
(Cont'd)

Signature: _____

Subscribed and sworn to before me this _____ day of _____ A.D. 201__.

Notary Public in and for _____ County.

My commission expires _____

EXHIBIT 5

E.E.O. / DBE MONTHLY ACTIVITIES

The following data must be contained in your report of EEO/DBE activity on the project.

EEO/DBE Participation for Month of _____, 20____.

Contractor/Subcontractor _____

List DBE's (Disadvantaged Business Enterprises) who worked on the project during the reporting period: (Note: Any DBE who started or completed contract during this period)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Provide a brief description of project EEO/DBE activities for the months including Audits, Complaints, Discrimination Charges, and Terminations etc.

EEO _____
No. of Hiring Opportunities _____
Layoffs/Recalls _____
EEO Meetings/Sessions _____
Out of reach Efforts _____
DBE _____

Contractor _____

	Prior Month	Current Month	To Date
1. Number of TOTAL PERSON HOURS	_____	_____	_____
2. Number of MINORITY PERSON HOURS	_____	_____	_____
3. Number of WOMEN PERSON HOURS	_____	_____	_____
4. Status of project Affirmative Action goals:	_____	_____	_____

	Prior Month %	Current Month %
Women	_____	_____
Minority	_____	_____

EXHIBIT 6

DEPARTMENT OF ADMINISTRATION
STATE EQUAL OPPORTUNITY OFFICE

Evaluation

III. Contract Compliance Report

11.1 Bid # _____ **Contract #** _____

Contract Value _____

For Office Use Only	
<input type="checkbox"/>	Compliance
<input type="checkbox"/>	Non-compliance
<input type="checkbox"/>	Incomplete Data

11.1.1 Section 1

1. Name, Address & Phone # of Contractors Office	2. Name & Title of Executive Officer
3. Name & Title of EEO Officer	4. Project Location & Activity
5. Contract Production Schedule: Beginning Date _____ Estimated Completion Date _____ Anticipated Peak Employment Dates _____	6. Name & Title of Project Officer

7. DATE LAST REPORT SUBMITTED TO THIS AGENCY: _____

	YES	NO
8. Has a collective bargaining agreement or other contract of understanding been made with a labor union(s), which represent the employees?		
9. Is the non-discrimination clause included in all union contracts, sub-contracts and other contracts as executed in your state contract? If YES', submit a copy of these letters/notices		
10. Have all you unions, Contractors and sub-Contractors covered by these reporting requirements been advised in writing of your non-discrimination requirements? If YES', submit a copy of these letters/notices		
11. Has a written Affirmative action Program been established that covers all applicable requirements of 41 C.F.R. Chapter 60 including a program for Disabled and Vietnam Era Veterans and persons with handicap? If YES', submit a copy		
12. Has your company policy been communicated in writing to all officers and employees?		
13. Do you explain all educational or formal training programs to employees or prospective employees, which allow persons to participate on an equal basis?		

14. Have all recruitment sources, including unions, been notified in writing that all qualified applicants will receive consideration for employment without regard to RACE, SEX, NATIONAL ORIGIN, RELIGION, COLOR, AGE AND HANDICAP?		
15. Does Union(s) notify the company in writing that its policies and practices are consistent with the non-discrimination requirements? If NO', attach a sheet of paper describing the effort by union(s) to obtain such information and commitments		
16. Do you maintain segregated facilities (e.g. restrooms, lunch rooms, recreational areas, etc.)? On basis of RACE, SEX, NATIONAL ORIGIN, RELIGION, COLOR, AGE AND HANDICAP?		

**SECTION 2
HIRING INFORMATION AND PROCEDURES**

Which of the following recruitment sources does your company use?

<u>Check Sources Used</u>	<u>Percentage of Applicants</u>
<input type="checkbox"/> Word of Mouth	_____
<input type="checkbox"/> State Employment Services	_____
<input type="checkbox"/> Private Employment	_____
<input type="checkbox"/> Schools and Colleges	_____
<input type="checkbox"/> Newspaper Advertisements	_____
<input type="checkbox"/> Walk-Ins	_____
<input type="checkbox"/> Referral by Labor Organization	_____
<input type="checkbox"/> Referral by Minority Organization	_____
<input type="checkbox"/> Other _____ (Specify)	_____

17. Do all recruitment publications show “An Equal Opportunity Employer”?
18. Please attach an explanation of criteria use for hiring, and copy of your employment application.
19. Submit your employee handbook of contract compliance information and Equal Opportunity Policy Statement.

Union Title or Identification	Union Local Number	Does the Union have exclusive referral rights?		Does Union sponsor or participate in pre-apprentice, or post-apprentice training programs?		Does Contractor sponsor or participate in pre-employment, or post-employment training programs?	
		Yes	No	Yes	No	Yes	No

Other recruiting services, especially minority, women, handicap and social service organizations.

Name of Other Identification

Address

SECTION 3 SUBCONTRACTORS – VENDORS – SUPPLIERS

List sub-Contractors to be used on this contract.

<u>Name</u>	<u>Address</u>	<u>Percent Minority</u>	<u>Percent Female</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SECTION 4

EMPLOYMENT STATISTICS

1. Employment Statistics (Use pay period ending nearest to the 15th of the month preceding that in which it is due.)

Occupational Categories	Total Male	W	B	H	API	AI AN	Total Female	W	B	H	API	AI AN	HCP	Over 40 yrs
Official/managers														
Professionals														
Technicians														
Sales workers														
Office/clerical														
Crafts (skilled)														
Operatives (skilled)														
Crafts (unskilled)														
Service workers														
Total:														
# Of employees one year ago to date														
Apprentices														

Male Employees

Female Employees

TOTAL EMPLOYEES IN RHODE ISLAND: _____

LEGEND:	W – WHITE	H – HISPANIC	AI – AMERICAN INDIAN
	B – BLACK	API – ASIAN/PACIFIC ISLANDER	AN – ALASKAN NATIVE
			HCP - HANDICAP

2. Employment figures were obtained from data dated: _____
3. Attach a sheet identifying by name, sex, race, date of hire, position held, and date of termination of all minorities & females hired since your last bid review.
4. Please submit copies of all late 257 Monthly Utilization Reports. Future reports must be in this office no later than the 5th of each month.
5. The Contractor will notify the State Equal Opportunity Office in Writing upon completion of this contract.

SIGNATURE AND TITLE OF PERSON COMPLETING THIS FORM

DATE

SIGNATURE OF CONTRACT COMPLIANCE OFFICER
(STATE EQUAL OPPORTUNITY OFFICE)

DATE

(1) SECTION 4-A

SUBCONTRACTOR'S EMPLOYMENT STATISTICS

1. Name, Address & Phone # of Subcontractor	2. Name, Address & Phone # of Prime Contractor
EEO Contract Value	

3. Employment Statistics (Use pay Period ending nearest to the 15th of the month preceding that in which it is due).

Occupational Categories	Total Male	W	B	H	API	AI AN	Total Female	W	B	H	API	AI AN	HCP	Over 40 yrs
Managers/managers														
Professionals														
Technicians														
Sales workers														
Office/clerical														
Crafts (skilled)														
Operatives (skilled)														
Crafts (unskilled)														
Service workers														
Total:														
# Of employees one year ago to date														
Apprentices														

TOTAL EMPLOYEES IN RHODE ISLAND: _____

LEGEND: W – WHITE H – HISPANIC B – BLACK API – ASIAN/PACIFIC ISLANDER AI – AMERICAN INDIAN AN – ALASKAN NATIVE HCP - HANDICAP

4. Employment Figures were obtained from data dated: _____
5. Attach a sheet identifying by name, sex, race, date of termination of all minorities & females hired since your last bid review.

SIGNATURE AND TITLE OF PERSON COMPLETING THIS FORM

DATE

SIGNATURE OF CONTRACT COMPLIANCE OFFICER
(STATE EQUAL OPPORTUNITY OFFICE)

DATE

Monthly Employment Utilization Report

U.S. Department of Labor

EXHIBIT 7

Employment Standards Administration

Office of Federal Contract Compliance Programs

This report is required by Executive Order 11246, Sec. 203. Failure to report can result in contracts being cancelled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts of federally assisted construction contracts.				1. Covered Area (SMSA or EA)				2. Employers I.D. No.				OMB No. 1215-01633 Expires: 12/13/92					
3. Current Goals Minority _____ Female _____		4. Reporting Period From _____ To _____		Name and Location of Contractor								Federal Funding Agency					
5. CONSTRUCTION TRADE		Classifications		TOTAL FEDERAL & NON-FEDERAL CONSTRUCTION WORK HOURS										9. Total Number of Employees		10. Total Number of Minority Employees	
				6a. Total All Employees By Trade		6b. Black (Not of Hispanic Origin)		6c. Hispanic		6d. Asian or Pacific Islander		6e. American Indian or Native American					
		M	F	M	F	M	F	M	F	M	F			M	F	M	F
	Journey Worker																
	Apprentice																
	Trainee																
	Sub-Total																
	Journey Worker																
	Apprentice																
	Trainee																
	Sub-Total																
	Journey Worker																
	Apprentice																
	Trainee																
	Sub-Total																
	Journey Worker																
	Apprentice																
	Trainee																
	Sub-Total																
	Total Journey Worker																
	Total Apprentices																
	Total Trainees																
	Grand Total																
11. Company Official's Signature and Title								12. Telephone Number (Include area code)				13. Date Signed				Page of	

EXHIBIT 8

BID CONDITIONS - CERTIFICATE OF UNDERSTANDING

TRADE CONTRACTOR: _____

PROJECT: _____

ADDRESS: _____

PHONE: _____

PROJECT NO: _____

I the undersigned understand that:

1. Form 257 is to be submitted by the fifth day for the previous month to the State EEO Office and a copy to the project site's designated Contract Compliance Officer.
2. All building trade manhours work being performed during the performance of this contract (Federal and non-Federal) in the SMSA area of the project are to be reported to the Federal Government.
3. A minimum goal is outlined by OFCCP or the project agreement for minority and female manpower utilization in terms of total trade work hours in the aggregate trade work force. It will be achieved or maintained at a minimum, for the duration of work to minimize any necessity for make-up hours or expansion of the normal workforce.
4. Minority and female work hours are to be consistent with other work crew hours in each trade whenever possible. Any major variations should be justified in the weekly report.
5. Minority or female employees are not to be transferred from your Firm's other projects for the purpose of meeting the goals of this contract.
6. The designated Project Contract Compliance Officer and the State Employment Office's construction desk are to be used as a source for assistance in recruiting minorities and females when they are not available through union referral procedures.
7. A roster of all minority and/or female applicants, seeking employment must be maintained at the project site.
8. The project site and union hall hiring practices and equal opportunity performance of trade-Subcontractors are the responsibility of the trade Contractor.
9. Reliance on union halls as the sole referral agent for minorities or female trades persons is not a justifiable excuse in meeting your EEO employment obligations and affirmative action responsibilities of this contract.
10. Trade Contractors who have been debarred from participating in federally funded contracts shall not bid or be utilized on this project.
11. By signing this document, I confirm that I have thoroughly reviewed the Contract Document EEO requirement and will comply with all rules and requirements contained therein.

Authorized Signature: _____

Title: _____

Presentation Made By: _____

Title: _____

Date: _____

EXHIBIT A
CONTRACT AGREEMENT

EXHIBIT A – OPPORTUNITY CERTIFICATE OF ASSURANCE

I, _____, THE UNDERSIGNED, CERTIFIES THAT HE DOES NOT AND WILL
(AUTHORIZED NAME)
NOT MAINTAIN OR PROVIDE FOR THE UNDERSIGNED’S EMPLOYEES ANY SEGREGATED FACILITIES AT ANY OF THE UNDERSIGNED’S ESTABLISHMENTS, AND THAT THE UNDERSIGNED DOES NOT AND WILL NOT PERMIT THE UNDERSIGNED’S EMPLOYEES TO PERFORM THEIR SERVICES AT ANY LOCATION, UNDER THE UNDERSIGNED’S CONTROL, WHERE SEGREGATED FACILITIES ARE MAINTAINED. THE UNDERSIGNED UNDERSTANDS THAT THE PHRASE “SEGREGATED FACILITIES” MEANS ANY WAITING ROOMS, WORK AREAS, REST ROOMS AND WASH ROOMS, RESTAURANTS AND OTHER EATING AREAS, TIME CLOCKS, LOCKER ROOMS AND OTHER STORAGE OR DRESSING AREAS, PARKING LOTS, DRINKING FOUNTAINS, RECREATION OR ENTERTAINMENT AREAS, TRANSPORTATION AND HOUSING FACILITIES PROVIDED FOR EMPLOYEES WHICH ARE SEGREGATED BY EXPLICIT DIRECTIVE OR ARE IN FACT SEGREGATED ON THE BASIS OF RACE, CREED, COLOR OR NATIONAL ORIGIN, BECAUSE OF HABIT, LOCAL CUSTOM OR OTHERWISE. THE UNDERSIGNED UNDERSTANDS AND AGREES THAT MAINTAINING OR PROVIDING SEGREGATED FACILITIES FOR THE UNDERSIGNED’S EMPLOYEES TO PERFORM THEIR SERVICES AT ANY LOCATION, UNDER THE UNDERSIGNED’S CONTROL, WHERE SEGREGATED FACILITIES ARE MAINTAINED, IS A VIOLATION OF THE EQUAL OPPORTUNITY CLAUSE REQUIRED BY EXECUTIVE ORDERS 11246 OF SEPTEMBER, 1965 AND 11375 OF OCTOBER 13, 1967 AND THE RULES AND REGULATIONS THEREUNDER.

THE UNDERSIGNED FURTHER AGREES THAT IT WILL OBTAIN IDENTICAL CERTIFICATIONS FROM PROPOSED SUBCONTRACTORS PRIOR TO THE AWARD OF SUBCONTRACTS EXCEEDING \$10,000.00 WHICH ARE NOT EXEMPT FROM THE PROVISIONS OF THE EQUAL OPPORTUNITY CLAUSE.

THE UNDERSIGNED AGREES TO COMPLY WITH ALL REPORTING REQUIREMENTS OF EXECUTIVE ORDERS 11246, AS AMENDED, SECTION 503 OF THE REHABILITATION ACT OF 1973, AS AMENDED, THE VIETNAM ERA VETERANS’ READJUSTMENTS ASSISTANCE ACT OF 1974, AS AMENDED, (38U.S.C.4212) AND THEIR IMPLEMENTING REGULATIONS AT 41 CFR CHAPTER 60. EMPLOYER INFORMATION REPORT EEO-1 (STANDARD FORM 100) MUST BE FILED WITH THE JOINT REPORTING COMMITTEE NO LATER THAN MAY 31 EACH YEAR.

THE UNDERSIGNED ACKNOWLEDGES EXHIBITS A-1 THROUGH AND INCLUDING A-4 AS PART OF AND INCLUDED WITHIN THE UNDERSIGNED’S CONTRACT AGREEMENT AND OBLIGATION.

IF YOU HAVE A CURRENT GOVERNMENT APPROVED EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION PROGRAM PURSUANT TO 41CFR 60-2, PLEASE CHECK HERE _____. IF YOU DO NOT HAVE A CURRENTLY APPROVED PROGRAM, YOU HEREBY AGREE TO

DEVELOP AND SECURE GOVERNMENT APPROVAL OF AN EQUAL EMPLOYMENT OPPORTUNITY ACTION PROGRAM WITHIN 120 DAYS AFTER RECEIPT OF ANY ORDER OF \$50,000.00 OR MORE IF YOU HAVE OVER FIFTY (50) EMPLOYEES.

NOTE: THE PENALTY FOR MAKING FALSE STATEMENTS IN OFFERS IS PRESCRIBED IN 18 U.S.C. 1001.

COMPANY NAME

AUTHORIZED SIGNATURE

DATE

EXHIBIT A – 1
STANDARD FEDERAL EQUAL EMPLOYMENT OPPORTUNITY
CONSTRUCTION CONTRACT SPECIFICATIONS
(41 C.F.R. PART 60-4.3)

1. As used in these specifications:
 - a. “Covered area” means the geographical area described in the solicitation from which this contract resulted.
 - b. “Director” means Director, Office of Federal Contract Compliance Programs, United States Department of Labor, or any person to whom the Director delegates authority.
 - c. “Employer identification number” means the Federal Social Security number used on the employer’s Quarterly Federal Tax Return, U.S. Treasury Department form 941.
 - d. “Minority” includes:
 - (i) Black (all persons having origins in any of the Black African racial groups not of Hispanic origin)
 - (ii) Hispanic (all persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish Culture or origin, regardless of race);
 - (iii) Asian and Pacific Islander (all persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands);
 - (iv) American Indian or Alaskan Native (all persons having origins in any of the original peoples of North America and maintaining identifiable tribal affiliations through membership and participation or community identification.
2. Whenever the Contractor, or any Subcontractor at any tier, subcontracts a portion of the work involving any construction trade, it shall physically include in each subcontract in excess of \$10,000 the provisions of these specifications and the Notice which contains the applicable goals for minority and female participation from which this contract resulted.
3. If the Contractor is participation (pursuant to 41 CFR & 60-4.5) in a Hometown plan approved by the U.S. Department of Labor in the covered area either individually or through an association, its affirmative action obligations on all work in the plan are (including goals and timetables) shall be in accordance with that Plan for those trades which have unions participation in and compliance with the provisions of any such Hometown Plan. Each Contractor or Subcontractor participating in an approved Plan is individually required to comply with its obligations under the EEO clause, and to make a good faith effort to achieve each goal under the Plan in each trade in which it has employees. The overall good faith performance by other Contractors or Subcontractors toward a goal in an approved Plan does not excuse any covered Contractor’s or Subcontractor’s failure to take good faith efforts to achieve the Plan goals and timetables.

4. The Contractor shall implement the specific affirmative action standards provided in paragraphs 7(a) through 7(p) of these specifications. The goals set forth in the solicitation from which this contract resulted are expressed as percentages of the total hours of employment and training of minority and female utilization the Contractor should reasonably be able to achieve in each construction trade in which it has employees in the covered area. The Contractor is expected to make substantially uniform progress toward its goals in each craft during the period specified.
5. Neither the provisions of any collective bargaining agreement nor the failure by a union with whom the Contractor has a collective bargaining agreement to refer either minorities or women shall excuse the Contractor's obligation under these specifications, Executive Order 11246, or the regulations promulgated pursuant thereto.
6. In order for the nonworking training hours of apprentices and trainees to be counted in meeting the goals, the Contractor must employ such apprentices and trainees during the training period, and the Contractor must have made a commitment to employ the apprentices and trainees at the completion of their training, subject to the availability of employment opportunities. Trainees must be trained pursuant to training programs approved by the U.S. Department of Labor.
7. The Contractor shall take specific affirmative actions to ensure equal employment opportunity. The evaluation of the Contractor's compliance with these specifications shall be based upon its effort to achieve maximum results from its actions. The Contractor shall document these efforts fully, and shall implement affirmative action steps at least as extensive as the following:
 - a. Ensure and maintain a working environment free of harassment, intimidation, and coercion at all sites, and in all facilities at which the Contractor's employees are assigned to work. The Contractor, where possible, will assign two or more women to each construction project. The Contractor shall specifically ensure that all foreman, superintendents and other on-site supervisory personnel are aware of and carry out the Contractor's obligation to maintain such a working environment, with specific attention to minority or female individuals working at such sites or in such facilities.
 - b. Establish and maintain a current list of minority and female recruitment sources, provide written notification to minority and female recruitment sources and to community organization when the Contractor or its unions have employment opportunities available, and maintain a record of the organizations' responses.
 - c. Maintain a current file of the names, address and telephone numbers of each minority and female off-the –street applicant and minority or female referral from a union, a recruitment source or community organization and of what action was taken with respect to each such individual. If such individual was sent to the union hiring shall for referral and was not referred back to the Contractor by the union or, if referred, not employed by the Contractor, this shall be documented in the fields with the reason therefore, along with whatever additional actions the Contractor may have taken.

with which the Contractor has a collective bargaining agreement has not referred to the Contractor a minority person or woman sent by the Contractor, or when the Contractor has other information that the union referral process has impeded the Contractor's efforts to meet its obligations.

- e. Develop on-the-job training opportunities and/or participate in training programs for the area which expressly include minorities and women, including upgrading programs for the area which apprenticeship and trainee programs relevant to the Contractor's employment needs, especially those programs funded or approved by the Department of Labor. The Contractor shall provide notice of these programs to the sources complied under 7(b) above.
- f. Disseminate the Contractor's EEO policy by providing notice of the policy to unions and training programs and requesting their cooperation in assisting the Contractor in meeting its EEO obligations; by including it in any policy manual and collective bargaining agreement; by publishing it in the company newspaper, annual report, etc.; by specific review of the policy with all management personnel and with all minority and female employees at least once a year, and by posting the company EEO policy on bulletin boards accessible to a; employees at each ;occasion where construction work is performed.
- g. Review, at least annually, the company's EEO policy and affirmative action obligations under these specifications with all employees having any responsibility for hiring, assignment, layoff, termination or other employment decisions including specific review of these with onsite supervisory personnel such as Superintendents, General Forman, etc. prior to the initiation of construction work at any job site. A written record shall be made and maintained identifying the time and place of these meetings, persons attending, subject matter discussed, and disposition of the subject matter.
- h. Disseminate the Contractor's EEO policy externally by including it in any advertising in the news media, specifically including minority and female news media, and providing written notification to and discussing the Contractor's EEO policy with other Contractors and Subcontractors with whom the Contractor does or anticipates doing business.
- i. Direct its recruitment efforts, both oral and written, to minority, female and community organizations, to schools with minority and female students and to minority and female recruitment and training organizations serving the Contractor's recruitment area and employment needs. Not later than one month prior to the date for the acceptance of applications for apprenticeship or other training by a recruitment source, the Contractor shall send written notification to organizations such as the above, describing the openings, screening procedures, and tests to be used in the selection process.
- j. Encourage present minority and female employees to recruit other minority persons and women and, where reasonable, provide after school, summer and vacation employment to minority and female youth both on the site and in other areas of a Contractor's work force.

- k. Validate all tests and other selection requirements where there is an obligation to do so under 41 CFR & 60-3.
 - l. Conduct. At least annually, an inventory and evaluation at least of all minority and female personnel for promotional opportunities and encourage these employees to seek or prepare for, though appropriate training, etc., such opportunities.
 - m. Ensure that seniority practices, job classifications, work assignments and other personnel practices, do not have a discriminatory effect by continually monitoring all personnel and employment related activities to ensure that the EEO policy and the Contractor's obligation under these specifications are being carried out.
 - n. Ensure that all facilities and company activities are no segregated except that separate or single-user toilet and necessary changing facilities shall be provided to assure privacy between the sexes.
 - o. Document and maintain a record of all solicitations of offers for Subcontractors from minority and female construction Contractors and suppliers, including circulation of solicitations to minority and female Contractor associations and other business associations.
 - p. Conduct a review, at least annually, of all supervisors' adherence to and performance under the Contractor's EEO policies and affirmative action obligations.
8. Contractors are encouraged to participate involuntary associations, which insist in fulfilling one or more of their affirmative action obligations (7(a-p)). The efforts of a Contractor association, joint Contractor-union, Contractor-community, or similar group of which the Contractor is a member and participant, may be asserted as fulfilling any one or more of its obligations under 7(a-p) of these specifications provided that the Contractor actively participates in the group, makes every efforts to assure that the group has a positive impact on the employment of minorities and women in the industry, ensures that the concrete benefits of the program are reflected in the Contractor's minority and female workforce participation, makes a good faith effort to meet its individual goals and timetables, and can provide access to documentation which demonstrates the effectiveness of actions taken on behalf of the Contractor. The obligation to comply, however, is the Contractor's and failure of such a group to fulfill an obligation shall not be a defense for the Contractor's noncompliance.
9. A single goal for minorities and a separate single goal for women have each been established. The Contractor, however, is required to provide equal employment opportunity and to take affirmative action for all minority groups, both male and female, and all women, both minority and non-minority. Consequently, the Contractor may be in violation of the Executive Order if a particular group is employed in a substantially disparate manner (for example, even though the Contractor has achieved its goals for women generally, the Contractor may be in violation of Executive Order if a specific minority group of women is underutilized).

10. The Contractor shall not use the goals and timetables or affirmative action standards to discriminate against any person because of race, color, religion, sex or national origin.
11. The Contractor shall not enter any Subcontractor with any person of firm debarred from Government contracts pursuant to Executive Order 11246.
12. The Contractor shall carry out such sanctions and penalties for violation of these specifications and of the Equal Opportunity Clause, including suspensions, termination and cancellation of existing subcontracts as many be imposed or ordered pursuant to Executive Order 11246, as amended, and its implementing regulations, by the Office of Federal Contract Compliance Programs. Any Contractor who fails to carry out such sanctions and penalties shall be in violation of these specifications and Executive Order 11246, as amended.
13. The Contractor, in fulfilling its obligation under these specifications, shall implement specific affirmative action steps, at least as extensive as those standards prescribed in paragraph 7 of these specifications, so as to achieve maximum results from its efforts to ensure equal employment opportunity. If the Contractor fails to comply with the requirements of the Executive order, the implementing regulations, or these specifications, the Director shall proceed in accordance with 41 CFR & 60-4.8.
14. The Contractor shall designate a responsible official to monitor all employment related activity to ensure that the company's EEO policy is being carried out, to submit reports relating to the provisions hereof as many be required by the Government, and to keep records. Records shall at least include for each employee the name, address, telephone number, construction trade, union affiliation, if any, employee identification number when assigned, social security number, race, sex, status (e.g. mechanic, apprentice trainee, helper or laborer), dates of changes in status, hours worked per week in the indicated trade, rate of pay, and locations at which the work was performed. Records shall be maintained in an easily understandable and retrievable form; however, to the degree that existing records satisfy this requirement, Contractors shall not be required to maintain separate records.
15. Nothing herein provided shall be construed as a limitation upon the application of other laws, which establish different standards of compliance or upon the application of requirements for the hiring of local or other area residents (e.g., those under the Public Works Employment Act of 1977 and the Community Development Block Grant Program).

EXHIBIT A-2

**THE EQUAL OPPORTUNITY CLAUSE FEDERALLY
ASSISTED CONSTRUCTION CONTRACTS (41 C.F.R.
PART 60-1.4b)**

The applicant hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the following Equal Opportunity Clause:

During the performance of this contract, the Contractor agrees as follows:

1. The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: Employment upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.
2. The Contractor will, in all solicitations or advertisements for employees placed by or behalf of the Contractor state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.
3. The Contractor will send to each labor union or representative of workers with which it has a collective bargaining agreement or other understanding, a notice to be provided advising the labor union or workers' representative of the notice in conspicuous places available to employees and applicants for employment.
4. The Contractor will comply with all provisions of Executive Order 11246 of the September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
5. The Contractor will furnish all information and reports required by the Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.
6. In the event of the Contractor's noncompliance with the non-discrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts or federally-assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or otherwise provided by law.

7. The Contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each Subcontractor or vendor. The Contractor will take such action with respect to any Subcontractor or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a Subcontractor or vendor as a result of such direction by the administering agency the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

The applicant further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the applicant so participating is a State or local government, the above equal opportunity clause is not applicable to the agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

The applicant agrees that it will assist and cooperate actively with the administering agency and the Secretary of labor in obtaining the compliance of Contractors and Subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor such information as they may require the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.

The applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a Contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon Contractors and Subcontractors by the administering agency or the Secretary of Labor pursuant to Part II. Sub-part D of the Executive Order. In addition the applicant agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or part this grant (contract, loan, insurance, guarantee); refrain from extending any failure or refund occurred until satisfactory assurance of the future compliance has been received from such an applicant; and refer the case to the Department of Justice for appropriate legal proceedings.

EXHIBIT A-3

NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY (41 C.F.R. PART 60 – 4.2)

The following notice shall be including in all solicitations for offers and bids on all federal and federally-assisted construction contracts or subcontracts in excess of \$10,000.

1. The Officer's or Bidder's attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications" set forth herein.
2. The goals and timetables for minority and female participation expressed in percentage terms for the Contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

Goals for
minority
participation for
each trade
3%

Goals for
female
participation in
each trade
6.9%

These goals are applicable to all the Contractor's construction work (whether or not it is Federal or federally-assisted) performed in the covered area. If the Contractor performs construction work in a geographical area located outside of the covered area, it shall apply the goals established for such geographical areas where the work is actually performed. With regard to this second area, the Contractor also is subject to the goals for both its federally involved and nonfederally involved construction.

The Contractor's compliance with the Executive Order and the regulations in 41 CFR & 60-4 shall be based on its implementation of the Equal Opportunity Clause, specific affirmative action obligations required by the specifications set forth in 41 CFR & 60-4.3 (a), and its efforts to meet the goals established for the geographical area where the contract resulting from this solicitation is to be performed. The hours of minority and female employment and training must be substantially uniform throughout the length of the contract, and in each trade, and the Contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from Contractor to Contractor or from project to project for the sole purpose of meeting Contractor's goals shall be a violation of the contract, the Executive Order and the regulations in 41 CFR & 60-4. Compliance with the goals will be measured against the total work hours performed.

3. The Contractor shall provide written notification to the Director of the Office of Federal Contract Compliance Programs within 10 working days of award of any construction subcontract in excess of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the name, address, and telephone number of the Subcontractor; employer identification number; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the contract is to be performed.
4. As used in the Notice, and in the contract resulting from this solicitation, the "covered area" is the City of Warwick, Kent County, State of Rhode Island and Providence Plantations.

EXHIBIT A-4

**CERTIFICATION OF NONSEGREGATED FACILITIES
(41 C.F.R. PART 60-1.8)**

This Company certifies that it does not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not permit its employees to perform their services at any location under its control, where segregated facilities are maintained. Seller agrees that a breach of this certification is a violation of the equal opportunity clause in this contract. As used in this certification, the term “segregated facilities” means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom or otherwise. Seller further agrees that (except where it has obtained identical certifications from proposed Subcontractors for specific time period) it will obtain identical certifications from proposed Subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the equal opportunity clause; that it will retain such certifications in its files; and that it will forward the following notice to such proposed Subcontractors (except where proposed Subcontractors have submitted identical certifications for specific time periods):

**“NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT
FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES”**

A certification of non-segregated facilities, as required by the May 9, 1967, order on elimination of segregated facilities, by the Secretary of Labor (32 Fed. Reg. 7439, May 19, 1967), must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the equal opportunity clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semi-annually, or annually.)

Whoever knowingly and willfully makes any false, fictitious or fraudulent representation may be liable to criminal prosecution under 18 U.S. Code 1001.

This Company hereby certifies that it will comply with all of the applicable provisions set forth in Executive Order 11246 and those specific provisions contained herein specifically Title 41 C.F.R. & 60-1.4b), & 60-4.2, & 60-4.3 and certification of non-segregated facilities statement.

END OF SECTION 00750

SECTION 02820

CHAIN LINK FENCES AND GATES

CONTRACT DOCUMENTS

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and Division 1 Specification Sections, apply to this Section.

1.2 SUMMARY

A. Section Includes:

- 1. Chain-link fences: Industrial
- 2. Gates: Horizontal swing.

B. Related Sections:

- 1. Division 31 Section "Earthwork" for site excavation, fill, and backfill where chain-link fences and gates are located.

1.3 PERFORMANCE REQUIREMENTS

- A. Delegated Design: Design chain-link fences and gates, including comprehensive engineering analysis by a qualified professional engineer, using performance requirements and design criteria indicated.

- B. Structural Performance: Chain-link fence and gate framework shall withstand the effects of gravity loads and the following loads and stresses within limits and under conditions indicated:

- 1. Minimum Post Size: Determine according to ASTM F 1043 for framework up to 12 feet high, and post spacing not to exceed 10 feet.
- 2. Minimum Post Size and Maximum Spacing: Determine according to CLFMI WLG 2445:
 - a. Wind Loads: 130 mph.
 - b. Exposure Category: B.
 - c. Fence Height: 8 feet.
 - d. Line Post Group: IA, ASTM F1043, Schedule 40 steel pipe, ASTM F1083-06 Regular Grade (30,000 psi yield).

1.4 SUBMITTALS

- A. Product Data: For each type of product indicated. Include construction details, material descriptions, dimensions of individual components and profiles, and finishes for chain-link fences and gates.
 - 1. Fence and gate posts, rails, and fittings.
 - 2. Chain-link fabric, reinforcements, and attachments.
 - 3. Gates and hardware.
- B. Warranty: Sample of special warranty.

1.5 QUALITY ASSURANCE

- A. Installer Qualifications: An experienced installer who has completed chain-link fences and gates similar in material, design, and extent to those indicated for this project and whose work has resulted in construction with a record of successful in service performance.
 - 1. Engineering Responsibility: Preparation of data for chain-link fences and gates, include Shop Drawings based on testing and engineering analysis of manufacturers standard units in assemblies similar to those indicated for this project
- B. Testing Agency Qualifications: For testing fence grounding. An independent agency with the experience and capability to conduct the testing indicated, that is a member company of the International Electrical Testing Association (NETA) or is a nationally recognized testing laboratory (NRTL) as defined by OSHA in 29 CFR 1910.7, and that is acceptable to authorities having jurisdiction.
 - 1. Testing Agency's Field Supervisor: Person currently certified by NETA ETT, or the National Institute for Certification in Engineering Technologies, to supervise on-site testing specified in Part 3.

1.6 PROJECT CONDITIONS

- A. Field Measurements: Verify layout information for chain-link fences and gates shown on Drawings in relation to property survey and existing structures. Verify dimensions by field measurements.
- B. Interruption of existing Utility Service: Do not interrupt utility services to abutting occupied units or others unless permitted under the following conditions and then only after arranging to provide temporary utility services according to requirements indicated:
 - 1. Notify the Company no fewer than two (2) days in advance of proposed interruption of utility services.
 - 2. Do not proceed with interruption of utility services without the Company's written permission.

1.7 WARRANTY

- A. Special Warranty: Manufacturer's standard form in which manufacturer and Installer] agree to repair or replace components of chain-link fences and gates that fail in materials or workmanship within specified warranty period.
1. Failures include, but are not limited to, the following:
 - a. Faulty operation of gate operators and controls.
 - b. Deterioration of metals, metal finishes, and other materials beyond normal weathering.
 2. Warranty Period: Five (5) years on material, One (1) year on product installation from date of Substantial Completion.

PART 2 - PRODUCTS

2.1 CHAIN-LINK FENCE FABRIC

- A. General: Provide fabric in one-piece heights measured between top and bottom of outer edge of selvage knuckle or twist. Comply with ASTM A 392, CLFMI CLF 2445, Product Manual and with requirements indicated below:
1. Steel Wire Fabric: Wire with a diameter of 0.148 inch (9-gauge).
 - a. Mesh Size: 2 inches.
 - b. Zinc-Coated Fabric: ASTM A 392, Type II, Class 1, 1.2 oz./sq. ft. with zinc coating applied before weaving.

2.2 INDUSTRIAL FENCE FRAMING

- A. Posts and Rails: Comply with ASTM F 1043 for framing, including rails, braces, and line; terminal; and corner posts. Provide members with minimum dimensions and wall thickness according to ASTM F 1083 based on the following:
1. Group: IA round steel pipe, Schedule 40
 2. Fence Height: 96 inches.
 3. Strength Requirement: Light Industrial Strength according to ASTM F 1043.
 4. Post Diameter and Thickness: According to ASTM F 1043.
 - a. Top Rail: 1.66 inches.
 - b. Line Post: 2.375 inches.
 - c. End, Corner and Pull Post: 2.875 inches.
 5. Brace Rails: Comply with ASTM F 1043.
 6. Metallic Coating for Steel Framing:
 - a. Type A, consisting of not less than minimum 2.0-oz./sq. ft average zinc coating per ASTM A 123/A 123M or 4.0-oz./sq. ft zinc coating per ASTM A 653/A 653M.

2.3 TENSION WIRE

- A. General: Provide horizontal tension wire at the following locations:
 - 1. Location: Extended along bottom of fence fabric.
- B. Metallic-Coated Steel Wire: 0.177-inch diameter, marcelled tension wire complying with ASTM A 817 and ASTM A 824, with the following metallic coating:
 - 1. Metallic Coating: Type I, aluminum coated (aluminized), with the following minimum coating weight.
 - a. Class 3: Not less than 0.8 oz./sq. ft. of uncoated wire surface.

2.4 SWING GATES

- A. General: Comply with ASTM F 900 for gate posts and Double swing gate types.
 - 1. Gate Leaf Width: More than 96 inches.
 - 2. Gate Fabric Height: More than 72 inches..
- B. Pipe and Tubing:
 - 1. Zinc-Coated Steel: Comply with ASTM F 1043 and ASTM F 1083; protective coating and finish to match fence framing.
 - 2. Gate Posts: Round tubular steel.
 - 3. Gate Frames and Bracing: Round tubular steel.
- C. Frame Corner Construction: Welded or assembled with corner fittings.
- D. Extended Gate Posts and Frame Members: Extend gate posts and frame end members above top of chain-link fabric at both ends of gate frame 12 inches to attach barbed wire assemblies.
- E. Hardware:
 - 1. Hinges: 360-degree inward and outward swing.
 - 2. Latches permitting operation from both sides of gate with provision for padlocking accessible from both sides of gate.
 - 3. Padlock and Chain: Owner furnished.
 - 4. Lock: Owner furnished

2.5 FITTINGS

- A. General: Comply with ASTM F 626.
- B. Post Caps: Provide for each post.
- C. Rail and Brace Ends: Attach rails securely to each gate, corner, pull, and end post.

- D. Rail Fittings: Provide the following:
 - 1. Top Rail Sleeves: Pressed-steel or round-steel tubing not less than 6 inches long.
 - 2. Rail Clamps: Line and corner boulevard clamps for connecting rails in the fence line-to-line posts.
- E. Tension and Brace Bands: Pressed steel.
- F. Tension Bars: Steel, length not less than 2 inches shorter than full height of chain-link fabric. Provide one bar for each gate and end post, and two for each corner and pull post, unless fabric is integrally woven into post.
- G. Truss Rod Assemblies: Steel, hot-dip galvanized after threading rod and turnbuckle or other means of adjustment.
- H. Tie Wires, Clips, and Fasteners: According to ASTM F 626.
 - 1. Standard Round Wire Ties: For attaching chain-link fabric to posts, rails, and frames, complying with the following:
 - a. Hot-Dip Galvanized Steel: 0.106-inch diameter wire; galvanized coating thickness matching coating thickness of chain-link fence fabric.
- I. Finish:
 - 1. Metallic Coating for Pressed Steel or Cast Iron: Not less than 1.2 oz. /sq. ft. zinc.
 - 2. Aluminum: Mill finish.

2.6 CAST IN-PLACE CONCRETE

- A. Materials: Portland Cement: ASTM C 150, Type I aggregates complying with ASTM C 33, and potable water for ready-mixed concrete complying with ASTM C 94/C 94M. Measure, batch, and mix concrete according to ASTM C 94/C 94M.
- B. Concrete Mixes: Normal-weight concrete with not less than 3000-psi comprehensive strength (28 days), 3-inch slump, and 1-inch maximum size aggregate.

2.7 GROUT AND ANCHORING CEMENT

- A. Non-shrink, Nonmetallic Grout: Premixed, factory-packaged, nonstaining, noncorrosive, nongaseous grout complying with ASTM C 1107. Provide grout, recommended in writing by manufacturer, for exterior applications.
- B. Erosion-Resistant Anchoring Cement: Factory-packaged, non-shrink, non-staining, hydraulic-controlled expansion cement formulation for mixing with potable water at Project site to create pourable anchoring, patching, and grouting compound. Provide formulation that is resistant to erosion from water exposure without needing protection by a sealer or waterproof coating and that is recommended in writing by manufacturer, for exterior applications.

2.8 FENCE GROUNDING

- A. Conductors: Bare, solid wire for No. 6 AWG and smaller; stranded wire for No. 4 AWG and larger.
 - 1. Material above Finished Grade: Copper.
 - 2. Material on or below Finished Grade: Copper.
 - 3. Bonding Jumpers: Braided copper tape, 1 inch wide, woven of No. 30 AWG bare copper wire, terminated with copper ferrules.
- B. Connectors and Grounding Rods: Comply with UL 467.
 - 1. Grounding Rods: Copper-clad steel, 5/8 by 96 inches.

PART 3 - EXECUTION

3.1 EXAMINATION

- A. Examine areas and conditions, with Installer present, for compliance with requirements for a verified survey of property lines and legal boundaries, site clearing, earthwork, pavement work, and other conditions affecting performance of the Work.
 - 1. Do not begin installation before final grading is completed unless otherwise permitted by Engineer.
- B. Proceed with installation only after unsatisfactory conditions have been corrected.

3.2 PREPARATION

- A. Stake locations of fence lines, gates, and terminal posts. Do not exceed intervals of 300 feet or line of sight between stakes. Indicate locations of utilities, lawn sprinkler system, underground structures, benchmarks, and property monuments.

3.3 INSTALLATION, GENERAL

- A. Install chain-link fencing to comply with ASTM F 567 and more stringent requirements indicated.
 - 1. Install fencing on established boundary lines inside property line.

3.4 CHAIN-LINK FENCE INSTALLATION

- A. Post Excavation: Drill or hand-excavate holes for posts to diameters and spacing's indicated, in firm, undisturbed soil.
- B. Post Setting: Set posts in concrete at indicated spacing into firm, undisturbed soil.
 - 1. Verify that posts are set plumb, aligned, and at correct height and spacing, and hold in position during setting with concrete or mechanical devices.

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2. Concrete Fill: Place concrete around posts to dimensions indicated and vibrate or tamp for consolidation. Protect aboveground portion of posts from concrete splatter.
 - a. Concealed Concrete: Top 2 inches below grade to allow covering with surface material.
 - C. Terminal Posts: Locate terminal end, corner, and gate posts per ASTM F 567 and terminal pull posts at changes in horizontal or vertical alignment of 15 degrees or more.
 - D. Line Posts: Space line posts uniformly at 10 feet o.c.
 - E. Post Bracing and Intermediate Rails: Install according to ASTM F 567, maintaining plumb position and alignment of fencing. Install braces at end and gate posts and at both sides of corner and pull posts.
 1. Locate horizontal braces at mid-height of fabric 72 inches or higher, on fences with top rail and at (2/3) two-third fabric height on fences without top rail. Install so posts are plumb when diagonal rod is under proper tension.
 - F. Tension Wire: Install according to ASTM F 567, maintaining plumb position and alignment of fencing. Pull wire taut, without sags. Fasten fabric to tension wire with 0.120-inch diameter hog rings of same material and finish as fabric wire, spaced a maximum of 24 inches o.c. Install tension wire in locations indicated before stretching fabric.
 1. Install top tension wire through post cap loops.
 2. Install bottom tension wire within 6 inches of bottom of fabric and tie to each post with not less than same diameter and type of wire.
 - G. Top Rail: Install according to ASTM F 567, maintaining plumb position and alignment of fencing. Run rail continuously through line post caps, bending to radius for curved runs and terminating into rail end attached to posts or post caps fabricated to receive rail at terminal posts. Provide expansion couplings as recommended in writing by fencing manufacturer.
 - H. Chain-Link Fabric: Apply fabric to outside of enclosing framework. Leave 1 inch between finish grade or surface and bottom selvage unless otherwise indicated. Pull fabric taut and tie to posts, rails, and tension wires. Anchor to framework so fabric remains under tension after pulling force is released.
 - I. Tension or Stretcher Bars: Thread through fabric and secure to end, corner, pull, and gate posts with tension bands spaced not more than 15 inches o.c.
 - J. Tie Wires: Use wire of proper length to firmly secure fabric to line posts and rails. Attach wire at one end to chain-link fabric, wrap wire around post a minimum of 180 degrees, and attach other end to chain-link fabric per ASTM F 626. Bend ends of wire to minimize hazard to individuals and clothing.
 1. Maximum Spacing: Tie fabric to line posts at 12 inches o.c. and to braces at 24 inches o.c.
 - K. Fasteners: Install nuts for tension bands and carriage bolts on the side of the fence opposite the fabric side. Peen ends of bolts or score threads to prevent removal of nuts.

3.5 GATE INSTALLATION

- A. Install gates according to manufacturer's written instructions, level, plumb, and secure for full opening without interference. Attach fabric as for fencing. Attach hardware using tamper-resistant or concealed means. Install ground-set items in concrete for anchorage. Adjust hardware for smooth operation and lubricate where necessary.

3.6 GROUNDING AND BONDING

- A. Fence Grounding: Fences within 100 Feet of Buildings, Structures, Walkways, and Roadways: Ground at maximum intervals of 700 feet.
 - a. Gates and Other Fence Openings: Ground fence on each side of opening.
 - 1) Bond across openings, with and without gates, except openings indicated as intentional fence discontinuities. Use No. 2 AWG wire and bury it at least 18 inches below finished grade.
- B. Grounding Method: At each grounding location, drive a grounding rod vertically until the top is 6 inches below finished grade. Connect rod to fence with No. 6 AWG conductor. Connect conductor to each fence component at the grounding location, including the following:
 - 1. Make grounding connections to each barbed wire strand with wire-to-wire connectors designed for this purpose.
- C. Bonding Method for Gates: Connect bonding jumper between gate post and gate frame.
- D. Connections: Make connections to minimize possibility of galvanic action or electrolysis. Select connectors, connection hardware, conductors, and connection methods so metals in direct contact will be galvanically compatible.
 - 1. Use electroplated or hot-tin-coated materials to ensure high conductivity and to make contact points closer in order of galvanic series.
 - 2. Make connections with clean, bare metal at points of contact.
 - 3. Make aluminum-to-steel connections with stainless-steel separators and mechanical clamps.
 - 4. Make aluminum-to-galvanized-steel connections with tin-plated copper jumpers and mechanical clamps.
 - 5. Coat and seal connections having dissimilar metals with inert material to prevent future penetration of moisture to contact surfaces.

3.7 FIELD QUALITY CONTROL

- A. Grounding-Resistance Testing: Engage a qualified testing agency to perform tests and inspections.

1. Grounding-Resistance Tests: Subject completed grounding system to a megger test at each grounding location. Measure grounding resistance no fewer than two full days after last trace of precipitation, without soil having been moistened by any means other than natural drainage or seepage and without chemical treatment or other artificial means of reducing natural grounding resistance. Perform tests by two-point method according to IEEE 81.
2. Report: Prepare test reports certified by a testing agency of grounding resistance at each test location. Include observations of weather and other phenomena that may affect test results.

3.8 ADJUSTING

- A. Gates: Adjust gates to operate smoothly, easily, and quietly, free of binding, warp, excessive deflection, distortion, nonalignment, misplacement, disruption, or malfunction, throughout entire operational range. Confirm that latches and locks engage accurately and securely without forcing or binding.
- B. Lubricate hardware and other moving parts.

3.9 DEMONSTRATION

- A. Engage a factory-authorized service representative to train Owner's personnel to adjust, operate, and maintain chain-link fences and gates.

END OF SECTION 02820