

- A. **Contractual Agreements** – By civil law all parishes within the Roman Catholic Diocese of Portland, is a Corporation Sole. Therefore, all valid contracts and other legal documents can only be executed by the Bishop as Corporation Sole.
- B. **Authorization Approval** - The Roman Catholic Diocese of Portland requires that all capital improvements, work for construction, renovations, and purchases of equipment over \$2,500.00 must be authorized by the Director of Property Management.
- C. **Code Requirements** - That design work for new buildings and other new facilities shall comply with all current Federal, Maine State and Local Building Codes. Policy also requires that wherever and whenever practical design work for the repair, reconstruction, alteration, renovation and changes of use of existing Diocesan's building and other facilities shall comply with Federal, Maine State and Local Building Codes.
- D. **Environmental** - Wherever and whenever possible, all buildings and other facilities within the Diocese must be environmentally safe and in compliance with current Federal and State regulations. A wide range of environmental hazards including but not limited to:
1. Asbestos Abatement
 2. Removal of inactive or unsafe underground storage tanks.
 3. Oil Spills
 4. Hazardous Landfills
 5. Lead Paint
 6. Radon
 7. Chemical Waste, including school lab-chemicals
 8. Biological Hazards and Indoor Air Quality
- To ensure compliance with all current regulation and to minimize placing the Diocese risk, the Diocese requires that the abatement, remediation and disposal of all hazardous materials must be managed by the Designated Person assigned by the Diocese.
- E. **Accessibility for the Handicapped** – The Diocese is committed to providing a barrier free environment throughout its facilities wherever and whenever possible. The design work for new Churches, Parish Centers and other new buildings and facilities must comply in full with the Regulations of America Disability Act (ADA).
- F. **Prequalification of Architects and Other Professional Consultants** - To ensure that Architects and other professionals retained to provide services to the Diocese are properly qualified and licensed, the Diocese requires that all such professionals must be pre-qualified by the Diocese's Finance Director and Director of Property Management. Diocesan's policy requires that all Architects, Structural, Mechanical, and Electrical Engineers and other design professionals engaged must carry comprehensive insurance coverage.

G. **Prequalification of Contractors** - To protect against unskilled, financially unstable or irresponsible General Contractors, the Diocese requires that all Contractors invited to bid on work must be pre-qualified by the Diocese's Director of Finance and Director of Property Management. Each prospective Contractor needs to complete AIA Document A305 Contractor's Qualification Statement and to provide the following additional information:

1. Certificate of Insurance with limits of coverage for;
 - General Liability
 - Automobile Liability
 - Excess Liability
 - Worker's Compensation
 - Employer's Liability
2. Statement of employee wage and benefit packages.
3. Information on employee safety and other training programs.

Once approved, a Contractor may be invited to bid on any work for which he/she is considered qualified. The Diocese maintains current listings of approved Contractors which are readily available for the selection of a qualified bidder's list.

H. **Design Plan Approval for Worship** – All proposed plans for new or renovated churches, chapels, shrines and other spaces of worship must be liturgically reviewed and approved by Msgr. Marc Caron in the beginning stages of a project. It is the responsibility of the Pastor / Administrator to contact the Msgr. Marc Caron directly during the predesign phase of a project and to arrange a meeting to discuss initial plans and the current norms governing worship space. The liturgical needs of space of worship are a most important part of the planning process and must be carefully considered and included in the preliminary program presented to the Architect. For additional information, see section ----, Guidelines and **Norms Pertaining to Building and Renovating Churches**

I. **Competitive Bidding Policy** - The Diocese requires that all Contracts to do work for the Diocese must be awarded through the process of competitive bidding. This process requires that each Contractor invited to bid on a particular project must submit his/her sealed proposal or bid to the Architect or Designated Diocesan's Representative at a specified time and date.

The sealed proposals are opened and evaluated by the Architect / Designated Representative. The proposals or bid lowest in amount is generally accepted and approved by the Diocese providing that the proposed amount does not exceed the amount budgeted for the project. Upon execution of a written contract incorporating

the terms of the accepted bid, the low bidder becomes the General Contractor for the project.

It is in the interest of the Owner that contractors shall bid on identical specifications and variations shall not be allowed without the consent of the Owner. Materials having salvage value shall become the property of the Owner. All other materials and debris accumulated as a result of this operation shall become the property of the contractor and shall be removed from the premises by the contractor.

- J. **Insurance Requirements** – The Roman Catholic Diocese of Portland requires that all Contractors, Sub-Contractor, Consultants and Suppliers qualified to do work for the Diocese must purchase and maintain insurance during the duration of Work. Certificates of Insurance are legal evidence that insurance coverage is in force as described on the certificate.

A Certificate of Insurance should be obtained under the following circumstances, and the certificate holder should be shown as Roman Catholic Bishop of Portland, a Corporation Sole, P.O. Box 11599, Portland, Maine 04104-7559.

A \$2,000,000 limit under general liability insurance should be considered a minimum requirement. If the work entails bringing contractors vehicles onto church property, the certificate should include automobile liability insurance with a limit of \$1,000,000.

In addition to liability insurance, the Diocese requires that all Contractors doing work for the Diocese must carry Workmen's Compensation and Employee Liability Insurance. This coverage provides for the payment of compensation benefits to employees who sustain job related illnesses or injuries. These benefits are paid to the injured employee. Please refer to the appendix for Form 01002 Insurance Requirements for Contractors.

Insurance for Architects and Engineers – Diocese requires that all Architects, Structural, Mechanical and Electrical Engineers and other design professionals engaged by the Diocese must carry comprehensive insurance coverage.

- K. **Bond Requirements** – Diocese requires that all project with a construction cost of \$_____ and more, must be covered by both Performance Bond and a Payment Bond. The requirement for such bonds shall be specified in the Bidding Documents and the cost for same shall be included in the Bid.

The Bonds shall be written on AIA Document A311, and both bonds shall be written in the amount of the contract. The bonds shall be dated on or after the date of the contract and shall be delivered to the Diocese prior to commencement of the Work. As a private Owner, however, the Diocese reserves the right to reject any and all bids for the Work, for any reason, and to waive any informalities in the bid procedure of bidding and to award the Work to the bidder most suitable to the interest of the Roman Catholic Diocese of Portland, a Corporation Sole.

This Competitive Bidding Policy enables the Diocese to build a project at the lowest possible cost and assures that all Contracts are awarded on a fair and equitable basis

and without favoritism.

- L. **Performance Bond** – The Performance Bond is intended to protect the Roman Catholic Diocese of Portland from the consequences of the Contractor’s failure to complete the contract, in accordance with plans and specifications. Performance Bonds are referenced in the General Conditions of the Construction Contract. A Performance Bond does not provide absolute assurance that the Contract Work will be completed as specified for the contract price. It does indicate that a financially responsible Surety Company stands behind the Contractor to the limit of the contract and bond amount.

Payment Bond – The Payment Bond commonly called a labor and Material Payment Bond, assures that the Contractor’s obligations for labor and materials incurred under the contract will be paid. The Payment Bond protects the Roman Catholic Diocese of Portland from liens and other claims made after completion of the Work and final payment has been made to the Contractor.

Bid Bond – A bond issued by a surety of behalf of a contractor to guarantee that the bidder, if awarded the contract within the time stipulated, will enter into the contract and provide a performance bond. Under the bond, the surety is obligated to pay lowest responsible bidder if the bid is accepted and the contractor fails to execute a contract or to provide a performance bond.

- M. **Construction Management Team** – The Construction Management team for all major projects includes the Pastor / Administrator, Architect, General Contractor, Director of Property Management, and a Clerk of the Works. The management team meets weekly / bi-weekly to review project progress, problems, proposed changes, applications for payment, performance against budget and all other matters pertinent to the effective management of the project. The Pastor / Administrator must approve all decisions and action items based on the joint recommendation of his advisors.
- N. **Role of the Architect** – The Architect is a primary advisor to the Pastor / Administrator throughout the planning and construction phases of a project. The Architect provides advice on site conditions, program development, alternate floor plans and elevations, and project cost estimates versus budget. His/Her basic services covers the entire project including architectural and structural design; design of electrical, plumbing, heating and air conditions systems; and specifying of all other required materials and equipment. The Architect may employ consultants but will retain overall responsibility for the project.
- O. **Role of the General Contractor** – As specified in the General Conditions of his/her (AIA Document A201), the Contractor is responsible for supervising and directing the Work, using his/her best skills and attention.

On large projects, the General Contractor often assigns a Project Manager as his / her authorized representative. The Project Manager manages the project for the General

Contractor and is responsible for procuring and scheduling all manpower, materials, and equipment and handling all administrative aspects of the project. The Project Manager for the General Contractor is a member of the Construction Management Team and attends the project meetings.

The General Contractor also may employ a Superintendent to run the job on a daily basis. The Superintendent is responsible for the daily supervision of the site and manpower. He/her is responsible for all construction means, methods, techniques, sequences and procedures and for the daily coordination of all portions of Work under Contract.

The General Contractor and his authorized representative take instruction only from and through the Architect.

- P. **Role of the Clerk of the Works** – Hired by the Pastor / Administrator as an independent contractor, the Clerk of the Works reports directly to Pastor / Administrator, Architect and Director of Property Management. As a Diocesan’s representative, the Clerk of the Works primary responsibility is to observe the progress of construction on a daily basis to determine in general that the Work is proceeding in accordance with contract plans and specifications and to notify the Pastor / Administrator, Architect and Director of Property Management immediately, if in his opinion, the Work is not in compliance. The Clerk of the Works provides oversight only and is not authorized to issue instructions directly to the General Contractor and other Subcontractors working on the site. The Diocese requires that the Clerk of the Works and other persons representing the Diocese, and the General Contractor shall channel all important communications through the Architect. The Diocese policy further requires that communications by and with Subcontractors and material suppliers, shall be through the General Contractor. The Clerk of the Works attends weekly / bi-weekly project meetings and is an important member of the Construction Management Team. He/she is responsible for completing a daily construction report covering information concerning activity at the site. Copies of the field report are submitted to the Architect and Designated Diocesan Representative daily.
- Q. **Project Meeting** – Weekly project meetings are held at the project site until the date of “Substantial Completion” and the owner takes occupancy.
The Architect serves as chairperson of all meetings which must be attended by all members of the management team.
Subcontractors, other suppliers and consultants may attend project meetings as needed but only when invited by the architect.
- R. **Meeting Minutes** – The Architect shall be responsible for keeping the minutes of each project meeting. The minutes of each weekly / bi-weekly meeting shall show a chronological history of each topic of discussion and each topic of discussion shall remain a part of the minutes until the topic of discussion is finalized. The published minutes of each project meeting shall serve as the agenda for the following weeks meeting.

S. **Administrative Submittals** – The following documents are to be submitted to the Architect and designated Diocesan Representative in accordance with time periods specified in the construction contract and no later than the first project meeting.

- Building Permit
- Insurance Certificate
- Performance and Payment Bonds
- Job Directory and List of Subcontractors.
- Schedule of Manufacturers and Supplies
- Project Schedule
- Schedule of Submittals
- Schedule of Values

T. **Schedule of Values** – The Schedule of Values must be completed by the General Contractor and submitted at the first scheduled project meeting. The Schedule of Values shall subdivide the work into items in sufficient detail to facilitate and serve as the basis for payment, as specified in the Contract Documents, and if not specified, as approved by the Diocesan Representative and Architect.

U. **Change Order Procedures** – Requests for changes in the Work may be initiated by the Architect, Pastor / Administrator, Designated Diocesan Representative or the General Contractor.

Minor changes in the Work, not involving an adjustment to the Contract Sum or Contract Time may be authorized by the Architect. Other proposed changes in the Work that will require adjustment to the Contract Sum or Contract time may be initiated by completing a Proposal Form (AIA Document G709). The Proposal Request Form is generally completed by the General Contractor regardless of who initiates the request. The completed form includes a detailed description of the proposed change and the adjustment to the Contract Sum and Contract Time.

All proposed Change Orders must be reviewed and approved by the Architect and Designated Diocesan Representative before they are recommended for approval by the Pastor / Administrators. Proposed changes approved by the Pastor / Administrator are then presented to the Roman Catholic Diocese of Portland for final approval and authorization to proceed with the change. In those instances where the proposed changes are of a routine nature and do not exceed the Project Budget, the Designated Representative may authorize the Architect to proceed with changes in the Work in advance of the Diocese approval.

V. **Application for Payment** – Once a month, at a regularly scheduled project meeting, the Contractor shall submit to the Designated Representative and Architect, Applications for Payment signed by the Contractor and notarized, certifying work completed, and enclosing all supporting documentation. Application for Payment are

reviewed in detail by the Designated Person, Architect and Clerk of the Works. If the review confirms that the work has progressed to the point indicated and that the quality of work is in accordance with the Contract Documents, the Architect certifies the Application for Payment. The Designated Person and Architect then jointly recommend the Application for approval by the Pastor / Administrator who in turn certifies it for payment. The Finance Director of the Diocese will then processes the Certified Copy for payment.

W. **Lean Waivers** – Lean Waivers must be obtained from General Contractor, Sub-Contractors, and Materiel Suppliers for Wages, Salaries, Labor Cost and Building Materials provided for the Work, once payment has been received. Receipt of payment of which is acknowledged, voluntarily waives all claims of lien and right of lien on the property Owner.