

COR/2022/02617

INFORMATION CIRCULAR

To: All Municipalities, Local Service Districts, Engineering/Architectural Consultants, Inuit Community Governments, MNL, PMA, HCANL, NLCA

Re: Changes to Master Specifications

Date: April 14, 2022

This Circular will serve as notice that the Municipal Infrastructure Division (MI) has completed the annual updates and changes to the Municipal Water, Sewer and Road Master Specifications (the “Master Specifications”). These can be found at <https://www.gov.nl.ca/ti/mi/mwsr/>. Here is a list of several important aspects of these changes, and some general reminders:

1. Use of the revised Master Specifications is effective as of April 14, 2022.

Projects funded by MI must use the Master Specifications as of the date of this circular. Projects currently ready for posting to MERX may continue to use the previous version of the Master Specifications, but those published for solicitation on MERX after April 14, 2022 must use the revised Master Specifications including the Front End.

2. Front End Updates

Updates were made to each of the Front End documents (for both Unit Price and Stipulated Price Contracts)

- Instructions to Bidders
- General Conditions
- Supplementary General Conditions
- Agreement Between Owner and Contractor
- Certificate of Insurance Form

A ‘tracked changes’ version of each will be available for a while on the website. Please note that the Supplementary General Conditions that were deleted from the SGCs were incorporated into the General Conditions. New version is to be used going forward.

3. Master Specification Updates

- The entire Master Construction Specifications were revised to provide consistency in formatting, update references to the term Owner, remove gendered language, better match Schedule of Quantities and Prices to the Specification, update links, etc.
- A new Section 01000 Project Specific Specification has been added to provide a template for consultants to provide additions to the Master Specification as outlined in the User’s Guide.

- Other updates to the Master Specification will be available in a 'track changes' version on the website. A summary of the changes will be available on the website.

4. MERX Price Sheets

The Excel (.xlsx) MERX Price Sheets (SPC and UPC) have been updated to address a change in the MERX system and the changes in the Schedule of Quantities and Prices. Consultants are reminded that the HST row provides a place for bidders to add HST to their bid. The bidders, not MERX, calculates the HST. Consultant shall confirm the value of the HST as part of their tender review.

5. Standard Forms and Drawings

- All Standard Forms in use were updated for consistency, formatting, Department and Division name, and for ease of making fillable pdfs.
- Form 15 received substantial edits including to clarify the use of Form 7. See below.
- Drawings updated or added:
 - 04060 Concrete Headwall for Sewer or Culvert Pipe
 - 04100 Concrete Sidewalk
 - 04560 Hydrant Connection
 - 04600 Watermain Thrust Blocks B
 - 04650 Typical Cross Section Municipal Road
- Additionally, you can expect further edits to the standard drawings before the next Master Specification update as MI continues to incorporate feedback and industry best practice. Previous versions of drawings remain on the website at <https://www.gov.nl.ca/ti/mi/mwsr/standard-drawings-previous/>

6. COR Certificate and WorkplaceNL Clearance must be in place at time of Bidding

In accordance with the revised Front End documents, found here: www.gov.nl.ca/ti/mi/#frontend, at the **time of bid submission**, Bidders must:

- Submit a Letter of Good Standing from the Newfoundland and Labrador Construction Safety Association (NLCSA) stating they are Certificate of Recognition (COR) Certified, and
- Submit a WorkplaceNL Certificate of Clearance.

These files are mandatory, and must be uploaded to MERX.

- Consultants are reminded that Tendering and Contracts will need to be informed when the 2022 Front End is in use so they can provide place holders for bidders for these documents in MERX.

7. Benchmark Price Indices for Liquid Asphalt

Given the volatility of global commodities, MI will be publishing for convenience, the benchmark liquid asphalt price to be used, will be that in effect at the time of tender close. MI will be updating our website to list benchmark liquid asphalt prices located at <https://www.gov.nl.ca/ti/mi/mwsr/#liquidasphalt>

8. Consultants are reminded that they must use the bolded text from the User Guide on the front page of their project specifications.

THESE PROJECT DOCUMENTS HAVE BEEN PREPARED FOR USE WITH AND REQUIRE BEING READ IN CONJUNCTION WITH THE MUNICIPAL WATER, SEWER AND ROADS MASTER CONSTRUCTION SPECIFICATIONS, **(CONSULTANT TO INSERT APPLICABLE DATE)** REVISION, AS PUBLISHED BY THE PROVINCE OF NEWFOUNDLAND AND LABRADOR. THIS PUBLICATION IS AVAILABLE ON THE DEPARTMENT WEB SITE AT THE FOLLOWING LINK:

<https://www.gov.nl.ca/ti/mi/mwsr/#spec>

9. Form 7 – Testing and Reinstatement Allowance Form

MI has observed that despite Form 7 being a part of the Master Specifications, its use by Consultants has been inconsistent. Effective immediately, MI will be enforcing the use of Form 7 by Consultants on MI funded projects. Form 7 feeds information forward to other Forms that are used in the calculation of Status Report payment amounts, and costs associated with Substantial Performance. Consultants are advised to review Form 7 and contact their local Regional Office should they have any questions.

10. Delegation of Financial Authority

Under the Public Procurement Act, Municipalities have the ability to delegate Financial Authority to a staff person, in order to process invoices and payments for Capital Works Projects. MI has observed that some municipalities have challenges in getting invoices paid in a timely manner, especially over the summer period when council meetings are taking place on an irregular schedule, or there are challenges in getting quorum. By delegating financial authority to a staff person, invoices for contractors and consultants working on municipal capital works can be processed and paid in a timely manner. Delegation of financial authority can be given for as narrow a scope as required to address the needs of a community. MI highly suggests that municipalities investigate whether delegation of financial authority would be a good fit for their circumstances. See the Public Procurement Policy at <https://www.gov.nl.ca/ppa/division/policy/19-2/>. Note that any interest charged by a consultant or contractor for failure to pay in a timely manner is 100% the responsibility of the municipality, it is not an eligible project cost.

Sincerely,



Kim Kieley, P. Eng., FEC
Director – Municipal Infrastructure