

# Government of Newfoundland and Labrador

Transportation and Infrastructure  
**Municipal Infrastructure**

## **GUIDELINE FOR PROJECTS CARRIED OUT ON A PROJECT MANAGEMENT BASIS USING ULTIMATE RECIPIENT'S OWN FORCES**

Revision 2  
June 2021

<b>Revision</b>	<b>Changes</b>	<b>Effective Date</b>
0	New Guideline	unknown
1	Updates to New Department, clarifying language	Sept 2016
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## 1 PURPOSE

The business as usual policy of the Department is to complete projects in the traditional method utilizing Consultants and Contractors.

In limited cases it may be advantageous for an Ultimate Recipient to complete the work using their own forces. This Guideline details the requirements for approval and execution of such projects.

The objective of this document is to create clear, consistent Guidelines that allow Municipalities and Local Service Districts to proceed with work in impacted areas, without undue financial burden.

## 2 DEFINITIONS

1. "The Department" means the Department of Transportation and Infrastructure (TI), specifically Municipal Infrastructure (MI) Division.
2. "The Director" means the Director of Municipal Infrastructure
3. "Ultimate Recipient" (UR) means an entity that is eligible to receive municipal infrastructure funding (i.e. Municipality, Local Service District, Inuit Community Government).

## 3 APPLICATION

1. This Guideline applies to all Municipal Ultimate Recipients receiving funding from Municipal Infrastructure (MI) for infrastructure projects and wishing to utilize their own forces to complete the work.
2. This Guideline will be universally applied to all future projects where an Ultimate Recipient may request delivery via Project Management. No exceptions will be made because of any precedents established on past projects.

## 4 ULTIMATE RECIPIENT ELIGIBILITY

1. The UR must:
  - a. have an Occupational Health and Safety Policy
  - b. Have qualified technical project management staff (Professional Engineer, Technologist)
  - c. Demonstrate knowledge of the technical requirements of the project in relation to national standards (Fire, Plumbing, Electrical, Building, Accessibility)
  - d. Demonstrate knowledge of Municipal Infrastructure Specifications, Transportation and Infrastructure Highway Design Specification

## 5 PROJECT ELIGIBILITY

1. For projects \$20,000 + HST or less, Ultimate Recipient's may choose to complete the work using their own forces.
2. In the case where the Ultimate Recipient employs its own engineer, on staff, the town must maintain appropriate registration through PEGNL, and suitable liability insurance.
3. Projects that ARE eligible:
  - a) Building Envelope Replacement or Rehabilitation (e.g. Window, door, siding, shingle replacement, etc.)
  - b) Minor interior renovations to buildings
  - c) Small scale water, sewer, and storm water infrastructure that does not require paving and having a length less than 100m.
  - d) Small access trails to municipal infrastructure
  - e) Walking trails, parks, playground, community dog parks, community gardens
4. Projects that are NOT eligible:
  - a) Projects that have quantifiable life safety issues

- b) Water / Waste Water projects (Lift stations, treatment plants, outfalls, etc.)
- c) Water and Sewer linear infrastructure that is longer than 100m
- d) Water supply development, Dams
- e) Buildings with regular occupancy schedules, or require LEED certification
- f) Any project that includes blasting

## **6 ACCOUNTABILITY**

1. The Director of Municipal Infrastructure will ensure compliance with this policy.
2. All applications to implement projects via Project Management will be assessed by the Director and/or applicable Divisional staff to ensure requirements are met.

## **7 RESPONSIBILITY OF THE UR**

1. Indicate in the application process that the intent is to utilize the methods in this Guideline. The project estimate should then reflect the anticipated costs and not including ineligible expenditures.
2. Obtain the Director of Municipal Infrastructure's approval on each project where Project Management is sought. This is achieved by submitting a letter of request to the Director of Municipal Infrastructure.
3. Ensure that the work is completed in accordance with these Guidelines, and all legislative and regulatory requirements.
4. Ensure that all labour and materials procured from sources other than the UR are done so in accordance with the Public Procurement Act.
5. Erect a project sign in accordance with the funding agreement. Payments cannot be processed until there is a photo of the project sign submitted to MI regional office.
6. Submission of Status Reports in MSIS for processing and payment. Status report shall include all required back up documentation.

## 8 RESPONSIBILITY OF MI

1. Provision of approval of the request as deemed appropriate.
2. Review, Request addition information if required, and approve project payments as submitted by the UR.
3. Periodic review and updates of this Guideline.
4. Assist the UR in the engagement of consultants as required, and in accordance with MI's Consultant Procurement Policy and the Public Procurement Act.

## 9 PROJECT COSTS

### 9.1 EQUIPMENT OWNED BY UR

1. Equipment rental rates charged to the project by the UR for its own machinery shall not exceed 75% of the rates set by the Department of Transportation & Infrastructure. Form 1000 found at <https://www.gov.nl.ca/ti/files/pdf-2015-equip-rates-name-change.pdf>
2. These rates are to be inclusive of all costs including fuel, repairs, etc., but not including operator's wages. The machinery can only be charged to the project for actual operating time and not for down time (e.g. lunch breaks, etc.).

### 9.2 CONTRACTS FOR CONSULTANTS

1. Engagement of Consultants must be in accordance with the Public Procurement Act and the MI's Consultant Procurement Policy.
2. Work under the contract must be only for the project in question.
3. Approval of the Director is required before the award of any contract.
4. Contracts must utilize the most recent template for MI's Prime Consultant Agreement.

### 9.3 CONTRACTS FOR CONTRACTORS

1. Engagement of Contractors must be in accordance with the Public Procurement Act and utilize MI's standard front end specification, and technical specification.
2. Work under the contract must be only for the project in question.
3. Approval of the Director is required before the award of any contract.

#### **9.4 UR OWNED SOILS/QUARRIES**

1. No charge can be made to the project by the UR for any soil materials such as rock or gravel, etc., from any gravel pit or quarry owned or developed by the UR other than the associated equipment costs required to transport the materials to the project.

#### **9.5 UR OWNED/SUPPLIED MATERIALS**

1. Any materials used on the project from the UR's inventory, or purchased by the UR for the project, must be charged at the original cost of purchase. No overhead or profit mark ups. Receipts will be required. If a receipt cannot be supplied, the cost will not be reimbursed.

#### **9.6 PERSON HOURS WORKED**

1. All engineer invoices, payroll sheets, etc. must be certified by the supervising engineer before submission to the Department for payment.
2. URs are not permitted to charge against the project any salary costs relating to permanent staff, such as, Town Manager, Town Clerk, Engineer, Works Superintendent, etc., who may have any involvement with the project.

#### **9.7 PURCHASED EQUIPMENT**

1. Equipment purchased for the purpose of the project that will be retained by the UR is not eligible for reimbursement under the project.

#### **9.8 PURCHASING MATERIAL, RENTING EQUIPMENT**

1. Prior to the purchasing of materials or renting of equipment for the project, the UR must call public tenders as required by the Public Procurement Act. Open call for Bids

and Limited Call for bid threshold apply to all procurements.

2. The project cannot be arbitrarily reduced into smaller phases to avoid the requirements of the Public Procurement Act.

## 10 WORK PLANNING AND SCHEDULES

1. The UR must record and keep sufficient information to track the UR's work force productivity and quality of work.
2. Before construction starts, schedules and estimated quantities and unit prices for work items must be prepared. This information must be used as a benchmark against which actual costs can be compared. Copies of this information and monthly reports indicating planned progress vs. actual progress must be submitted to the Regional Engineer.

## 11 SAFETY

1. The UR must be aware of its responsibilities under the Occupational Health & Safety Act & Regulations, (OHS), such as Trench Excavation Safety Guide, Confined Space, etc.
2. The UR must be able to demonstrate they have a Safety Policy Manual and Program which addresses the safety hazards associated with the work.
3. The UR shall develop and submit to MI a Site Specific Safety Plan.
4. The UR shall complete daily hazard field assessments and train all employees and internal staff for the hazards identified to complete the work.
5. The UR shall maintain copies of Training Certificates, which must be available for MI review on request.
6. Staff or employees hired for a project must be trained, in:
  - a) Transportation of Dangerous Goods
  - b) Workplace Hazardous Materials Information System



- c) First Aid
  - d) Construction Worker Safety Training (through NL Construction Safety Association)
7. Staff or employees hired for a project shall be trained in project specific applicable safety areas, including but not limited to:
- a) Navigation of Overhead Wires,
  - b) Working in Confined Spaces,
  - c) Working at heights
  - d) Lock out / tag out
  - e) Scaffolding
  - f) Ladder Safety
  - g) Working alone
  - h) Traffic Control, and Signage
  - i) Working with Small Tools
8. The attached Certificate of Safety Training & Supervision must be completed for all projects delivered through Project Management.
9. The cost of safety training is not an eligible project cost.
10. It will be the responsibility of the consulting engineer to ensure OHS regulations are followed. Where no consulting engineer is involved the UR will be responsible.

## **12 INSURANCE REQUIREMENTS**

1. The UR must carry the same insurance policies as required by a contractor as required under the Department's Municipal Infrastructure front end documents for associated work, specifically the General Conditions and Supplementary General Conditions for contracts (either Unit Price or Stipulated Price).

2. The UR must provide general liability insurance coverage for the project.
3. It will be the responsibility of the consulting engineer to ensure that insurances are in place. Where no consulting engineer is involved the UR will be responsible for these matters.
4. The cost of general liability insurance or the work is an eligible project cost.

## 13 DESIGN PHASE

1. Plans and specifications must be submitted to the MI Regional Engineer for review and approval prior to start of construction.
2. If the UR requires the services of Consulting Engineers, Architects, or other professional services, they must be procured in accordance with the Public Procurement Act and Department's Procurement of Professional Services Policy.
3. Water, Sewer and Road work must be completed to the standards set out in the Department's Municipal Water, Sewer and Road Specifications, most recent revisions, available at: <https://www.gov.nl.ca/ti/mi/mwsr/#spec>.
4. Work on buildings must be completed to the standards set out in the NL Master Specification Guide for Public Funded Buildings, available at: <https://www.gov.nl.ca/ti/works/masterspec/masterspec/>

## 14 ENVIRONMENTAL REQUIREMENTS

1. The UR must meet all Environmental requirements as well as those of other regulatory agencies.
2. The UR must obtain, prior to start of construction all required permits from the Department of Environment and Climate Change and other Authorities having Jurisdiction.

## 15 CONSTRUCTION PHASE

1. Infrastructure construction should be completed by a Journeyman tradesperson, in

the trade of the work.

2. When work is not completed by a Journeyperson, it may be completed by an apprentice of the trade, under the supervision of a Journeyperson.
3. The Department may ask for records documenting the credentials of the tradesperson.
4. All work must be completed in accordance with the legislation of the Province of Newfoundland and Labrador.

## **16 RESIDENT INSPECTION**

1. The UR's Project Manager must complete and have available for review, a copy of the resident inspector's weekly progress report to MI.

## **17 AS-BUILT DOCUMENTATION**

1. The UR's Project Manager must have prepared As-Built plans for the project.
2. Copies of the plans in AutoCAD, version 14 or less, as well as PDF, must be submitted to the Regional Engineer.

## **18 CORRESPONDENCE**

1. The Departmental project number must be used on all correspondence, status reports, etc., relating to this project.

## **19 MATERIAL TESTING**

1. The UR's Engineer must provide written verification to the Regional Engineer, that testing specified in the Municipal Water, Sewer and Roads Specifications, particularly the leakage tests, pressure tests and camera inspections, have been successfully completed.
2. The UR's Engineer must submit copies of all test results, for all tests required by the Master Specifications, to the Regional Engineer.

## 20 PROJECT SIGNS

1. Project signs may be required based on funding program. The UR shall ensure that they are aware of the requirements. And when required, the following apply:
  - a) Project signs must be prominently displayed near the works within the community. The signs must conform to the approved design for Canada/NL Infrastructure. Details for the design are available through the Department.
  - b) Signs must be installed before 1 months prior to construction commencing and must be removed when 1 month after the project is completed.
2. The UR must provide a photo to the Regional Office, of the project sign installed per the requirements, prior to any payments being issued by the Department.

## 21 PROJECT COST REIMBURSEMENT

1. The UR must forward on a monthly basis a copy of all invoices, progress claims, payroll sheets and other related documents to their consultant to enable them to prepare proper status reports.
2. In cases where no consultant has been hired the documents must be forwarded to the appropriate MI Regional Engineer.

## 22 ACCESS TO INFORMATION AND PRIVACY

All documents and correspondence related to the project shall be retained and released in accordance with the Access to Information and Protection of Privacy Act. The UR is responsible for the retention and release of all records in their custody or control. Further information including a Quick Tips for Municipal Councilors is available through the Office of the Information and Privacy Commissioner at <https://oipc.nl.ca/guidance/documents>.

CERTIFICATE OF SAFETY TRAINING AND SUPERVISION

November 2012

ULTIMATE RECIPIENT:	PROJECT NUMBER:
NAME AND LOCATION OF WORK:	PROJECT AUTHORIZATION DATE:

I certify that the work under this Contract shall be completed in conformance, where required, to the following procedures and regulations set out either by the Occupational Health and Safety Branch of Service NL the Explosives Division of Energy, Mines and Resources Canada, and other regulatory agencies.

Attached are copies of certificates proving health and safety training of project workers and supervisors (circle the numbers of applicable following procedures and regulations).

- a) Transportation of Dangerous Goods
- b) Workplace Hazardous Materials Information System
- c) First Aid
- d) Construction Worker Safety Training (through NL Construction Safety Association)
- e) Navigation of Overhead Wires,
- f) Working in Confined Spaces,
- g) Working at heights
- h) Lock out / tag out
- i) Scaffolding
- j) Ladder Safety
- k) Working alone
- l) Traffic Control, and Signage
- m) Working with Small Tools
- n) Safety Committee

Date : \_\_\_\_\_

Ultimate Recipient: \_\_\_\_\_