

## Attachment—RUS Form 217a

*Project Design, Assistance and Coordination*

## Section 1. Project Design.

A. Design. The Project shall be constructed in accordance with the current Loan Design and Borrower's Environmental Report. Such Loan Design shall be based on the latest applicable criteria as specified by the Owner and the Administrator.

When necessary for the preparation of plans and specifications, the Engineer shall, upon request of the Owner and with the approval of the Administrator: (1) Revise as necessary the Loan Design and Borrower's Environmental Report; (2) prepare or revise as necessary the outside plant design; (3) make measurements and analyses of existing traffic; (4) make tests of existing cable, including the determination of field locations for treatment of existing facilities associated with installation of carrier equipment; and (5) submit the resulting Loan Design and Borrower's Environmental Report to the Owner in a format suitable for approval by the Administrator.

B. Change in Design. If, after the approval of the Loan Design, Borrower's Environmental Report, or plans and specifications by the Owner and the Administrator, it shall be determined by the Owner that any change is required, the Engineer shall prepare such revisions in the Loan Design, Borrower's Environmental Report, and plans and specifications, or any part thereof, as is necessitated by the changes in requirements for service, design criteria, or other reasons arising during the performance of services for the Project.

Section 2. Assistance To Owner. The Engineer, to the extent requested by the Owner, shall assist the Owner with obtaining agreements and authorizations required for the Project, including without limitation the furnishing of engineering information and drawings and participating in obtaining:

A. Toll, EAS, operator assistance, special services and other connecting company commitments;

B. Joint use or joint occupancy agreements with other utilities;

C. Permits for crossing public roads, railroads, navigable streams or bodies of water;

D. Right-of-way authorizations, easements, and other permits necessary for encroachment on public or private lands;

E. Authorizations from regulatory bodies and franchises from public bodies; and

F. Environmental studies and clearances.

Section 3. Coordination. The Engineer, to the extent requested by the Owner, shall coordinate the work of others engaged in the Project, including work performed or supervised by the Owner, architect, and other engineers, to facilitate expeditious and economical completion of the Project. Services pursuant to this section shall be in addition to, and shall not include, services required by other provisions of this Agreement.

Section 4. Plant Records. The Owner shall furnish to the Engineer current and accurate plant records. If such records are not available the Owner may direct the Engineer to update existing records to current status.

This may include conversion of existing records to a new medium.

Section 5. Compensation. The Owner shall pay the Engineer for services performed pursuant to this RUS Form 217a the "time and expense" compensation as defined in Table 2 of this Agreement.

Section 6. Section Reference. Unless otherwise specified or indicated, any reference to "section" shall mean within this attachment (RUS Form 217a - Project Design, Assistance and Coordination).

## Attachment—Form 217b

*Central Office Equipment Engineering Services*

Section 1. Review of Requirements. Prior to the preparation of plans and specifications, the Engineer shall review with the Owner the current and future requirements of the Project, in respect to central office equipment additions, replacements, modifications or complete new offices. The Engineer, to the extent requested by the Owner, shall prepare such studies as the Owner may require to support the selection by the Owner of the final design plan.

## Section 2. Plans and Specifications and Contracts.

A. Preparation of Plans and Specifications. Plans and specifications shall be prepared by the Engineer in accordance with standard RUS specifications and requirements for central office equipment, and shall be submitted to the Owner in a format suitable for approval by the Administrator.

B. Bidders Qualifications. The Engineer shall review with the Owner all Bidder qualifications and shall prepare and furnish to the qualified bidders the plans and specifications upon the conditions provided in the applicable standard RUS contract forms and in accordance with 7 CFR Part 1753.

C. Bid or Proposal. The Engineer shall be available to each prospective bidder for consultation with respect to the details of the plans and specifications and all other matters pertaining to the preparation of the proposals for the supply of equipment or services therefore. All changes to or clarifications of the plans and specifications provided to one prospective bidder shall be provided by the Engineer in writing to all other prospective bidders and to the Owner.

The Engineer shall attend and supervise all technical prebid review meetings and openings of quotes for the furnishing of equipment or services therefor. Where additions to existing equipment are proposed, a quote may be solicited from the original supplier or separate materials and installation contracts may be requested from several suppliers. The Engineer shall carefully check all quotes received and shall render to the Owner assistance in connection with the Owner's consideration of the quotes received so that contracts may be prudently and properly awarded.

The Engineer shall submit in writing to the Owner recommendations of first and second choice of bidders stating the reasons therefor, or, if the analysis of quotes indicates that no quote is satisfactory because of prices or other conditions, the Engineer shall recommend to the Owner that all quotes be

rejected, giving reasons therefor. Unless otherwise directed by the Owner, the Engineer shall proceed in respect to rebidding in the manner provided for herein for the initial bidding.

D. Award of Contract. The Engineer shall prepare and furnish to the Owner three (3) copies of a detailed tabulation of all the bids or quotes and a tabulation showing the bidders' names and totals. The Owner shall submit to the Administrator the bidding information required for approval of the award of the contract by the Administrator. Upon receipt of notice from the Owner of the Administrator's approval of the award of the contract, the Engineer shall prepare contracts in accordance with 7 CFR Part 1753.

E. Contract Amendments. If, after the equipment contract and the installation contract have been approved by the Owner and the Administrator, it shall be determined by the Owner that any change or changes in the plans and specifications are advisable, the Engineer shall prepare and submit a contract amendment in accordance with 7 CFR Part 1753.

F. Customer Information and Engineering Meeting. If necessary, the Engineer shall arrange, at a mutually agreeable time, a Customer Information and Engineering Meeting with the Owner, Contractor and Engineer to review the Contractor's proposal, equipment lists, software, data requirements, translation requirements, etc. prior to beginning of manufacture.

G. Compliance. The Engineer shall review all equipment lists, manufacturer's drawings, and other data submitted by the Contractor, to determine apparent compliance of such lists, drawings and other data with the approved contract. This shall not relieve the Contractor of its obligation to meet the performance specifications of the contract.

H. Pre-Installation Meeting. The Engineer shall arrange at a mutually agreeable time, a pre-installation meeting between the Contractor, Owner and Engineer, after the installer has arrived at the contract site, to clarify areas of responsibility, check scheduling and to determine the Contractor's proposed compliance with the plans and specifications.

I. Progress Reports. A competent representative of the Engineer shall make periodic visits to the equipment installation site to inspect the progress and quality of the executed work and to determine, in general, if the work is proceeding in accordance with the contract. The Engineer shall report at least monthly to the Owner in writing stating the results of Inspections. When the Engineer observes any failure of the executed work or work in progress to comply with the requirements of the contract, this shall be reported to the Owner immediately. These reports shall include suitable recommendations. If the engineer observes an unsafe practice, his only responsibility shall be to consult immediately with the Contractor and if his concerns are not satisfied, to notify the Owner immediately.

Section 3. Tests. The Engineer shall conduct, or cause to be conducted by the installer, such tests of all such equipment as required by the Owner and the Administrator to determine that the equipment meets the