

pursuant to this RUS Form 217d, including final documents, for each new building contract included in the Project an amount equal to: _____ percent (____%) of the first fifty thousand dollars (\$50,000.00); plus _____ percent (____%) of the balance of the cost of construction thereof, of which sums ninety percent (90%) shall be due and payable ten (10) days after approval by the Administrator of a contract (or force account proposal) for the construction of the buildings; and the balance of the compensation shall be due and payable ten (10) days after approval by the Owner and the Administrator of a certificate of completion of construction for all such buildings included in the Project (or in a completed section of the Project).

"Cost of construction" shall mean the total cost of labor and materials (including Owner-furnished materials and labor) used in the construction of such buildings as shown on the final documents prepared by the Engineer and approved by the Owner and Administrator.

Section 6. Section Reference. Unless otherwise specified or indicated, any reference to "section" shall mean within this attachment (RUS Form 217d—Building Plans and Specifications and Contracts).

Attachment—RUS Form 217e

Outside Plant Staking Services

Section 1. Review of Requirements. Prior to the commencement of Staking, the Engineer shall review with the Owner the current requirements of the Project with respect to outside plant and service entrance Staking. At this review, decisions shall be reached concerning public and private rights-of-way, nominal width of construction corridors, and design status.

Section 2. Staking Requirements.

A. General.

1. Staking for aerial plant shall include locating the proposed line and marking all new pole and other locations as necessary to construct the facilities.

2. Staking for buried plant shall include locating the proposed facilities indicating all pertinent construction information including details of the construction corridor.

3. Staking for underground plant shall include locating conduit systems, construction corridors, marking manhole sites and detailing all other pertinent information.

4. Staking for service entrances shall include locating protectors on the structure, the routing of aerial or buried entrances and the placement of markers, if required, to indicate construction information.

B. Commencement. The Engineer, with the approval of the Owner, shall determine when Staking of the Project shall begin. The Engineer shall not commence Staking in any area of the Project until the Owner has:

1. Either (a) stated in writing that right-of-way authorizations and easements reasonably required therefor have been procured, or (b) directed the Engineer in writing to perform right-of-way procurement under section 2, paragraph D, of RUS Form 217a—Project Design, Assistance, and Coordination;

2. Identified to the Engineer, by map locations, which line segments shall be

staked on public right-of-way and which line segments shall be staked on privately owned right-of-way; and

3. Provided information to the Engineer pertaining to limitations on width of construction corridors for each such line segment.

The Owner shall review with the Engineer, and shall inform the Engineer, which specific lines are to be staked. The Owner shall furnish to the Engineer a current list of all existing and potential subscribers by map location and grade of service for whom service is to be furnished. When requested by the Engineer, the Owner shall also furnish the telephone numbers of the existing subscribers. In determining when to proceed with Staking, farming operations and other relevant conditions shall be taken into consideration so as to minimize the need for restaking. The Owner, when requested by the Engineer, shall furnish a qualified person to accompany each Staking crew for the purpose of negotiating with landowners or tenants with respect to such right-of-way authorizations and easements, widths of construction corridors, and locations of proposed facilities.

C. Changes.

1. If, during the progress of Staking by the Engineer, the Owner shall change the routing or location of a particular line segment, the Owner shall as early as practicable, notify the Engineer of such changes. Upon such notice the Engineer shall duly note such change and instruct the Staking crews accordingly. The same procedure shall be followed for changes made in type or quantity of facilities during the Staking phase of the Project.

2. If during the process of Staking, the Engineer determines that the routing of facilities along the right-of-way designated by the Owner would result in high costs of placement due to obstacles, inadequate construction corridors, or other circumstances, the Engineer shall notify the Owner and recommend alternative routing. If alternative routing is approved by the Owner and right-of-way can be obtained, the Engineer shall arrange to stake the facilities along the alternate route.

D. Time of Staking.

1. The Engineer shall proceed diligently with Staking and continue therewith in such a manner that, prior to the release of plans and specifications to bidders, the Staking of all outside plant facilities except service entrances shall be complete in order that the plans and specifications shall be complete and accurate.

2. If service entrances are included in the construction contract, Staking of the service entrances shall be completed prior to beginning of construction in a Work Sector. If such Staking is being performed by the Owner, the Engineer shall keep the Owner advised of the status of construction and the Owner shall do the Staking in a timely manner.

3. The Engineer shall perform all restaking made necessary by changes discussed under paragraph C of section 2, above, as necessary to minimize delays in construction.

E. Manner of Staking. The Staking shall be done in a thorough and workmanlike manner such that construction can be completed in

accordance with the latest revision of the National Electrical Safety Code, National Electric Code, local and State laws, rules, regulations and orders of regulatory bodies having jurisdiction; and the Loan Design, Borrower's Environmental Report, and specifications approved by the Owner and the Administrator. The Engineer shall in no case stake lines other than those shown in the approved Loan Design except for minor re-routing and minor changes dictated by field conditions, unless such change shall have been previously approved by the Owner and the Administrator. The Engineer shall replace all markers lost or removed prior to or during construction of the Project. All costs, including costs of markers, equipment, and other materials used in connection with the Staking, shall be borne by the Engineer. All markers and existing poles shall be properly identified with corresponding listing on the construction sheets. Where it is probable that the Contractor or the Owner will have difficulty in locating markers, the Engineer shall provide some other suitable means to identify the location. When Staking service entrances, the Engineer shall give due consideration to the location of the station protector (or network interface device if it incorporates a station protector) in relation to the availability of adequate grounding and the length of the service drop and station wiring.

F. Construction Sheets. The Engineer shall prepare or maintain construction sheets in such standard form as the Owner shall require (and as hereinafter described) to: serve as the means by which directions are given for the construction of the Project; serve as the permanent plant record by the Owner's facilities as built; and identify adequately the geographical location of the facilities, including non-standard construction corridors and cable placement locations. The Engineer shall enter thereon all pertinent and useful design, specifications and data governing the construction of the Project, including, without limitations:

1. Detailed instructions on the point of attachment of the Owner's facilities on existing pole lines employed in joint use with others;

2. Non-standard depths for installing buried and underground facilities;

3. The presence, but not location of, buried facilities of other utilities when known;

4. The presence of rock when known;

5. Vegetation clearing requirements; and

6. Surface type and surface features of terrain if appropriate.

Copies of construction sheets shall be made available for sale to all prospective bidders in advance of the pre-bid conference. For contract construction five counterparts of the construction sheets shall be supplied by the Engineer to the Contractor for construction use and two copies shall be supplied to the Owner. For force account construction three copies of the construction sheets shall be supplied to the Owner. When revisions in Staking are necessary, the Engineer shall issue copies of the revised construction sheets.

G. Resident Engineer. A competent Resident Engineer, with full authority to act for the Engineer per this attachment shall be