

CEMP-CE Regulation No. 415-1-10	Department of the Army U.S. Army Corps of Engineers Washington, DC 20314-1000	ER 415-1-10 15 April 97
	Construction CONTRACTOR SUBMITTAL PROCEDURES CH1	
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Regulation
No. 415-1-10

15 April 1997

Construction
CONTRACTOR SUBMITTAL PROCEDURES

1. Purpose. The purpose of this regulation is to establish a system whereby the contractor can maintain effective scheduling, control and processing of submittals required by the contract in order to regulate the timely flow of materials to be incorporated into the construction.

2. Applicability. This regulation is applicable to all Major Subordinate Commands (MSC) and District Commands (DC) awarding and/or supervising any contracts requiring construction activities and shall be considered in conjunction with, and as a supplement to, ER 1180-1-6 during its implementation.

3. References.

- a. ER 37-2-10
- b. ER 37-345-10
- c. ER 415-1-16
- d. ER 1180-1-6
- e. EP 415-1-260

4. General. The submittals referred to in this regulation include all shop drawings, samples, letters of certification, tests and other engineering information that may be required for quality control and assurance. The contractor is required to furnish a specified quality of construction, including materials and equipment to be incorporated in the work. Control of the quality of materials and equipment requires timely review, testing, or other evaluation. All required submittals must be made in time to allow for evaluation, approval, procurement, and delivery prior to the preparatory control phase and before the item is needed in the construction process.

5. Policy. This regulation prescribes standard procedures which are applicable to all contracts containing construction activities. The primary responsibility for the overall

management and control of contractor submittals, in context with ER 1180-1-6, lies with the prime contractor. Monitoring of the contractor's quality management control to assure that submittals are timely, appropriately certified, and in compliance with the contract is the responsibility of the government.

6. Submittal Classifications. Submittals are classified as "government approved" or "information only." Submittals which will always require government approval are: extensions of design, critical materials, deviations, O&M manuals or those involving equipment that must be checked for compatibility with the entire system. The number of submittals requiring government approval should be kept to a minimum. All submittals not requiring government approval are for information only. Within the terms of the Contract Clause entitled "Specifications and Drawings for Construction", government approved submittals are considered to be "shop drawings" whereas information only submittals are not. Examples of extensions of design are fire alarm and sprinkler protection systems, prefabricated buildings, structural steel drawings, standing seam metal roof drawings, coordination studies such as short circuit analysis of contractor selected electrical equipment, etc. Critical materials are defined as materials which must meet specific quality performance standards required by design parameters, the failure of which will have a major impact on the operation, maintenance, quality of life or life safety of the system. Examples of critical materials are coatings for cathodic protection of storage tanks, high pressure piping and controls, acid and hazardous waste systems, or architectural finishes for customer approval. Deviations are any submittal by the construction contractor which varies from the construction contract specifications. Examples of equipment which must be checked for compatibility with existing systems or the entire new system are equipment for sewage treatment and water purification plants, energy management control systems, intrusion detection systems, power generation and distribution systems, etc. The examples provided here are not all inclusive and are used only for illustration purposes.

7. Contractor Responsibilities. The contractor is responsible for total management of his/her work. This includes the scheduling, control, and certification of all submittals. The contractor's responsibilities will be established by the inclusion of properly edited CEGS-01300 in the contract specifications.

8. Government Responsibilities.

a. The designer will prepare a list of submittals required for each contract. This list must be very specific to allow the construction contractor to know exactly what it is that is required to be submitted. This list will be prepared electronically on ENG Form 4288-R (Submittal Register) (Appendix A) and will be limited to columns "d" thru "o". This list will be provided in hard copy and on computer disc which is compatible with the Resident Management System (RMS) software. Prior to advertisement, construction and engineering elements of the FOA will jointly determine what submittals require government approval and what submittals are for information only. This will be noted in columns "p" and "q" on the ENG Form 4288-R. Column "r" will be used to designate the reviewer in accordance with MSC/DC procedures. The information on ENG Form 4288-R will be incorporated into the specifications prior to advertisement. ENG Form 4288-R is authorized for electronic generation in accordance with existing guidelines on electronic generation of forms. Further guidance on electronic generation of forms is available through the local Forms Management Officer (FMO).

b. The appropriate elements of the MSC/DC will review the contractor's submittal control document in accordance with procedures established by the MSC/DC. The review will be coordinated within the MSC/DC to assure that all required submittal schedules, review time, and procurement lead times are reasonable. In addition, the document shall be checked against the Network Analysis System or other approved construction schedule. The master copy of the control document shall be maintained in the Area/Resident Office. Control at this level is necessary to ensure effective management of the contractor and timely response by the government. It is essential that a complete record of all action dates be maintained and that the document reflect current information for each contract. It is important that certifications required after completion of construction, like roofing systems and underground heat distribution systems, be monitored and obtained at the appropriate times. The Area/Resident Engineer should monitor progress at all times and take appropriate action for any delay. Examples of appropriate actions for contractor caused delays include letters advising of delinquency, retainage for unsatisfactory progress, and nonpayment for unapproved materials.

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c. Submittals will be received from the contractor as directed by the specifications. ENG Form 4025 (Transmittal of Shop Drawings, Equipment Data, Material Samples, or Manufacturer's Certificates of Compliance) will be used as the transmittal document. Review will be as previously determined. The cost for reviewing shop drawings will be charged in accordance with ER 415-1-16, ER 37-2-10 and ER 37-345-10. Approval actions and correspondence with the contractor shall be made by the Area/Resident Engineer Office (ACO/COR) . Government personnel shall perform quality assurance reviews of information only submittals to assure that the contractor's quality control program is properly handling submittals. The number of reviews will be at the DC discretion, however, a minimum of 10 percent of all information only submittals will be reviewed.

9. Implementation. The contract documents will include a section based on CEGS 01300 which will establish contractual procedures for submittals. MSC/DC will establish necessary internal procedures to carry out the intent of this regulation.

FOR THE COMMANDER:

2 Appendices
APP A - ENG Form 4288-R
APP B - ENG Form 4025



OTIS WILLIAMS
Colonel, Corps of Engineers
Chief of Staff

INSTRUCTIONS

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1. Section I will be initiated by the Contractor in the required number of copies.
2. Each transmittal shall be numbered consecutively in the space provided for "Transmittal No.". This number, in addition to the contract number, will form a serial number for identifying each submittal. For new submittals or resubmittals mark the appropriate box: on resubmittals, insert transmittal number of last submission well as the new submittal number.
3. The "Item No." will be the same "Item No." as indicated on ENG FORM 4288-R for each entry on this form.
4. Submittals requiring expeditious handling will be submitted on I separate form.
- 5s. Separate transmittal form will be used for submittals under separate sections of the specifications.
6. A check shall be placed in the "Variation" column when a submittal Is not in accordance with the plans and specifications-also, a written statement to that effect shall be included in tea space provided for "Remarks".
7. Form is self-transmittal, letter of transmittal is not required.
8. When a sample of material or Manufacturer's Certificate of Compliance is transmitted, Indicate "Sample" or "Certificate" In column c, Section L
9. U.S. Army Corps of Engineers approving authority will assign action codes as indicated below In space provided In Section 1, column 1 to each item submitted. In addition they will ensure enclosures are indicated and attached to the form prior to return to the contractor. The Contractor will assign action codes as Indicated below in Section 1, column g, to each item submitted.

B
2

THE FOLLOWING ACTION CODES ARE GIVEN TO ITEMS SUBMITTED

- | | | | |
|------|--|------|---|
| A -- | Approved as submitted. | E - | Diaapproved [See I ttached]. |
| B ∴ | Approved, except as noted on drawings. | F - | Receipt acknowledged. |
| c ∴ | Approved, except as noted on drawings.
Refer to attached sheet resubmission required. | FX - | Receipt acknowledged, does not comply
as noted with contract requirements. |
| D -- | Will be returned by separate correspondence. | G - | Other (Specify) |

10. Approval of items does not relieve the contractor from complying with all the requirements of the contract plans and specifications.

(Reverse of ENG Form 4025-R)