

Association of Communications Engineers



Gateway to the Future

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St. Louis, Missouri

Association of Communications Engineers

515 Task Force Update

Presented by:

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Agenda

- Introduction to the 515 Task Force
- Task Force Goals
- Current Status
- Future Plans

Introduction to the ACE 515 Task Force

- Created in August of 2008
- Charter was to revise the 515 OSP Construction Contract and associated Attachments to address:
 - Changes in contract law
 - OSP construction methods
 - Add units for FTTH construction
- Intended to be a collaborative effort between RUS, ACE, and PCCA (Power and Communications Contractors Association)

Introduction to the ACE 515 Task Force

- Task Force Members:
 - RUS Members:
 - Norberto Esteves, Technical Support Branch Chief
 - Joseph Mafnas, Communications Specialist
 - ACE Members:
 - Tom Harter, P.E. Engineering Associates, Inc.
 - Dean Mischke, P.E. Finley Engineering Company, Inc.
 - PCCA
 - Kevin Mason, President, Electricom, Inc.
 - Gregory Spalj, Attorney, Fabyanske, Westra, Hart & Thomson, P.A

Task Force Goals

- **Role of the Administrator:** Addresses RUS's role as the Contract Administrator for the 515 Contract.
- **Administrator Decisions:** Address the need for simplifying the Change Order Process and Project Continuation clauses of the Contract.

Task Force Goals

- **Contractor Concerns:** Address concerns identified by the Contractors that may be inadvertently driving up the cost to complete an USDA outside plant project. Key items:
 - Variations in estimated quantities
 - Limitations on the use of subcontractors
 - Ability to stop work due to default of the contract by the Owner
 - Owner delays
 - Arbitration, etc.

Task Force Goals

- **General Contract Concerns:**
 - Eliminate the duplication of information in the Contract
 - Adding FTTH units
 - Update existing units to reflect the changes in construction techniques
 - Elimination of value tracking for XZ units

Task Force Goals

- **Key Challenges:**

- ARRA Stimulus Process
- Collaboration on a contract is still a new process within RUS
- A lot of work needs to be accomplished
 - Must be applicable throughout US and Territories
- The original contract language is quite out of step with current contract law
 - Should alternative contract forms be used – Engineers Joint Contract Documents Committee (EJCDC)

Task Force Goals

- **Conclusion:**

- The 515 is still the best option for OSP construction
- In the interest of getting anything accomplished the decision was made to work within the 515

Current Status

- November 2008: First Task Force Meeting with just ACE and PCCA in attendance
- January 2009: Statement of Work created and submitted to RUS
- 1Q 2009: Norberto Esteves and Joe Mafnas from RUS Advanced Services Division assigned to work with the Task Force
- April – August 2009: Task Force begins work on 515 Attachment A Units
- August 2009: Task Force meets in Washington, DC to begin finalizing the 515 Attachment A Units

Current Status

- December 2009: 515 Attachment A Units sent out for first review to ACE and PCCA Members
- End of January 2010: 515 Attachment A Units begins RUS internal Federal Register Process for Public Comments
 - Documents are being reviewed for legal clearance of General Council
 - Once cleared and approved by RUS, the bulletins will be published in the Federal Register with a 60-day comment period
- April 2010: Discussion that it may be possible to address the contractual issues of the 515

Future Plans

- May 2010 Begin the rest of the 515 Attachments
 - 515d Customer Premise Installation
 - 515b Underground Construction
 - 515c Aerial Construction
- RUS is also applying the changes to the associated Bulletins
- Fall of 2010: 515a Buried Construction ready for general use
- 2010: Begin using the updated 515 contract language on new projects??

Thank You

