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| **~~~~ SPECIFIER NOTES ~~~~~**This specification guidelines, its sections, and text included, is intended to be used in the preparation of Contract Documents. It contains **Specifier Notes** which shall guide editing by the A/E consultant for the uniqueness of each project during the preparation of the Project Manual. Where **[Optional]** appears in this document, it indicates requirements which may/may not be relevant to the subject project depending upon the project complexity, scope, and unique conditions. For **DRAFT** specifications prepared during the design process, use Microsoft Word, Track Changes. Set Criteria so that deletion show as strikethrough. Deletions and additions are to be in red text.Notes unique to this section:1. *A/E shall consult with the Owner, the Owner’s Grant Manager, and DES Project Manager for any requirements that need to be incorporated into the Contract Documents.*
2. *The Owner must identify grant requirements and compliance documentation for their files as well as review and confirm that the specifications cover all the requirements. If the requirement can’t be appropriate applied to other section of the Project Manual, they should be covered here. The following is a list of possible special conditions but by no means all-inclusive, as an example. It is the responsibility of the A/E, in consult with the Owner and DES Project Manager to fully integrate any Special Conditions fully into the Contract Documents.*
3. *This section should be used for any special conditions that are administrative in nature. For any special conditions that are related to the Contractors physical use and work on the project site, use the Optional specification section 01 1250 Site Specific Conditions*

***~~~ END OF SPECIFIER NOTES ~~~~*** |

SECTION 00 7400 – SPECIAL CONDITIONS

PART 1 GENERAL

1.01 SECTION INCLUDES

A. This project includes Special Conditions that require defined documentation and participation from the Contractor in order to be in compliance with requirement for the Project.

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| **~~~~ SPECIFIER NOTES ~~~~~***Edit the following to list any special requirements to the project that are not covered elsewhere in the Division 01 sections.****~~~ END OF SPECIFIER NOTES ~~~~*** |

B. Grant Conditions: For any documentation requirement related to Grants received by the Owner as part of the project

C. Military Construction Cooperative Agreement (MCCA): For terms and conditions related to an agreement made between the Federal Governments, National Guard Bureau (NGB) and the State of Washington

D. Background Checks

E Buy American Act – guidance on what they are and how they should document compliance – submittals requirements Section 01, plus individual spec sections

F. Federal Special Conditions and Flow-down compliance

G. Clean Building Bill including Tier 2 Expanded- to lower costs and pollution from fossil fuel consumption for new and existing buildings as a new energy performance standard.

1.03 RELATED REQUIREMENTS

A. Drawings and general provisions of the Contract, including the General Conditions for Washington State Facilities Construction and other Division 01 specification sections, apply to this section.

1.04 GRANT CONDITIONS

A. The project has received a grant from the US Department of Justice (DOJ) for funding associated with this project. Grant specifically identified Special Conditions that apply to any entity that received a procurement contractor or subcontract with any funds under the subject grant.

1.05 MILITARY CONSTRUCTION COOPERATIVE AGREEMENT (MCCA)

A. This Project is partially funded by the United States (federal) government. National Guard Bureau (NGB) and the State of Washington (Grantee) have entered into a Military Construction Cooperative Agreement (MCCA) to:
establish terms and conditions applicable to reimbursement of federal funds or contribution of In-Kind Assistance for design and construction of the Thurston County Readiness Center. Both NGB and the State of Washington desire design and construction of this facility. The design and construction process link the State of Washington's obligation to design with the state's obligation to construct a facility using a single MCCA.

PART 2 PRODUCTS - NOT USED

PART 3 EXECUTION

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| **~~~~ SPECIFIER NOTES ~~~~~***The following is provided as a representative SAMPLE of Special Conditions related to a Grant.****~~~ END OF SPECIFIER NOTES ~~~~*** |

3.01 GRANT CONDITION DETAIL

A. The DOJ grant specifically identified the following Special Conditions that apply to any entity that received a procurement contract or subcontract with any funds under the subject grant. These include the following requirements:

1. Equal Employment Opportunity.

2. Davis-Bacon Act.

3. Copeland Anti-Kickback Act

4. Contract Works Hours and Safety Standards Act

5. Clean Air Act

6. Debarment and Suspension

7. Byrd Anti-Lobbying Amendments.

8. Procurement of Recovered Materials.

B. Special Conditions of Grant Award

1. Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct.

2. Restrictions and certifications regarding non-disclosure agreement and related matters

3. Copyright; Data rights

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| **~~~~ SPECIFIER NOTES ~~~~~***Insert relevant procedures, laws, and regulations that the Contractor must follow in the section below.****~~~ END OF SPECIFIER NOTES ~~~~*** |

C. Contractor shall include the following provisions of these Special Conditions in all Subcontract and purchase orders, included all documentation requirements

1. \_\_\_\_\_\_\_

2. \_\_\_\_\_\_\_

3. \_\_\_\_\_\_\_

3.02 MILITARY CONSTRUCTION COOPERATIVE AGREEMENT (MCCA) DETAIL

A. In accordance with Section 902 - “State Contract Flow-down” of the MCCA, the provisions of the following MCCA Article VIII are in effect for this Contract and apply to the Contractor to the identical extent they apply to the Grantee, unless state laws or regulations offer more protection. Contractor shall provide all documentation of compliance with MCCA Article VIII, both as described in Part B of these Federal Special Conditions and as further required by law. Contractor shall include the provisions of these Federal Special Conditions in all subcontracts and purchase orders, thus obligating flow-down compliance with MCCA Article VIII including all documentation requirements.

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| **~~~~ SPECIFIER NOTES ~~~~~***Insert relevant laws, and regulations that the Contractor must follow in the section below.****~~~ END OF SPECIFIER NOTES ~~~~*** |

1. Laws and Regulations

a. \_\_\_\_\_\_\_

b. \_\_\_\_\_\_\_

c. \_\_\_\_\_\_\_

2. Documentation required to verify Contractor compliance with MCCA

a. \_\_\_\_\_\_\_

b. \_\_\_\_\_\_\_

c. \_\_\_\_\_\_\_

END OF SECTION 00 7400 – SPECIAL CONDITIONS