**WASHINGTON STATE DEPARTMENT OF ECOLOGY**

**WATER QUALITY FINANCIAL ASSISTANCE**

**STANDARD CONTRACT CLAUSES**

*Revised 8/11/11*

**ECOLOGY grant/loan acknowledgment clause**

The following acknowledgment should be included on the cover sheet of both the construction plans and the contract documents/specifications:

"Funded in part by the Washington State Department of Ecology”

**State interest exclusion clause**

The following clause is to be included in the bid advertisement:

"It is anticipated that this project will be funded in part by the Washington State Department of Ecology. Neither the State of Washington nor any of its departments or employees are, or shall be, a party to any contract or any subcontract resulting from this solicitation for bids."

The following clause is to be included in the instructions to bidders and the special conditions or provisions of the contract documents/specifications:

"It is anticipated that this project will be funded in part by the Washington State Department of Ecology. Neither the State Of Washington nor any of its departments or employees are, or shall be, a party to this contract or any subcontract."

**Third-party beneficiary clause**

The following clause is to be included in the special conditions or provisions of the contract documents/specifications and it is further suggested that this clause also be included in the contract agreement between the RECIPIENT and the contractor:

“**Third-Party Beneficiary:** All parties agree that the State of Washington shall be, and is hereby, named as an express third-party beneficiary of this contract, with full rights as such."

**Environment protection clause**

The following clause is to be included in the special conditions or provisions of the contract documents/specifications and also in the general notes on the construction drawings:

"**Protection of the Environment**: No construction related activity shall contribute to the degradation of the environment, allow material to enter surface or ground waters, or allow particulate emissions to the atmosphere, which exceed state or federal standards. Any actions that potentially allow a discharge to state waters must have prior approval of the Washington State Department of Ecology."

**Davis Bacon clause**

The following clause is to be included in the bid advertisement and in the special conditions or provisions of the contract

"The Successful bidder will be required to conform to the wage requirements prescribed by the federal Davis-Bacon and Relate Acts which requires that all laborers and mechanics employed by contractors and subcontractors performing on contracts funded in whole or in part by SRF appropriations in excess of $2000 pay their laborers and mechanics not less than the prevailing wage rates and fringe benefits, and determined by the Secretary of Labor, for corresponding classes of laborers and mechanics employed on similar projects in the area.”