**North Carolina Department of Environmental Quality**

**Division of Water Infrastructure**

**Bid and Design Document preparation GuidaNCe Policy**

**for DWI Funded Projects**

Updated October 2025

1. A Completed Submittal package including all items listed in the Submittal Checklist is required prior to review by the Division of Water Infrastructure staff. Failure to submit all the required items may result in an inability to meet funding deadlines and subsequent loss of funding assurance. Please check with your project manager first if you must submit a partial submittal.
2. Submit Plans and Specifications via the new Online Supporting Documentation Submittal Form located at <https://edocs.deq.nc.gov/Forms/DW-Document-Upload-Form>. The link to the online submittal form and a list of frequently asked questions can also be accessed from the Division’s “I Have Funding” page, <https://www.deq.nc.gov/about/divisions/water-infrastructure/i-have-funding>.
3. Do not include Contingency as an allowance in the Bid Form. 5% Contingency will be added to the Contract amount in the Division-issued Authority to Award (ATA) letter. Only costs approved in a change order and eligible for funding can be used to claim the Contingency.
4. Bid Documents should be prepared for Competitive Bidding in accordance with 2 C.F.R. § 200.320(c) and GS §133-3. Owner preferred equipment/services must get prior approval as stated by 2 C.F.R. §200.320(c)(4) from the Division for projects funded by any funding program other than ARPA.
5. For all **ARPA Funded projects** all procurement transactions for property or services must be conducted in a manner providing full and open competition, consistent with standards outlined in 2 C.F.R. § 200.320(c)(1), (2), (3), and (5), which allows for non-competitive procurements only if either (1) the item is below the micro-purchase threshold; (2) the item is only available from a single source; (3) the public exigency or emergency will not permit a delay from publicizing a competitive solicitation; or (5) after solicitation of a number of sources, competition is determined inadequate. **Please note that 2 C.F.R. § 200.320(c)(4) is explicitly prohibited as a procurement circumstance.**
6. Under North Carolina law, units of local government need not engage in a competitive bidding process for either the purchase of “apparatus, supplies, materials, or equipment” or the purchase of “construction or repair work” unless the cost of each such purchase exceeds $30,000 [G.S. 143-131(a)].
7. To prevent potential conflict of interest, an engineering firm (or its affiliates), who is representing the Owner in construction contract management, cannot act at any time after contract execution as a subcontractor to the prime contractor.  Engineering firms wishing to perform functions such as land surveying, geotechnical evaluation, CCTV, GIS document preparation etc., needed during the project must do so under their Engineering Services Agreement.
8. Avoid Lump Sum line items in the Bid Form and opt for Unit Price items as much as possible to enable flexibility and staging (phasing) of the scope upon bid negotiation, if needed.
9. Note that Prevailing Wage requirements for ARPA funded projects are triggered by the estimated project cost, rather than the actual project cost, being more than $10 million. This estimated cost will be determined at the time of application. The Division requires certified payrolls if the estimated project cost at the time of application is over $10 million. Prevailing wage requirements will not be applicable if the estimated project cost increases above $10 million prior to bidding or during construction if the project scope does not change.
10. Pursuant to 2 C.F.R. § 200.216, subrecipients cannot obligate federal funds to: (1) procure or obtain; (2) extend or renew a contract to procure or obtain; or (3) enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment or services (as described in Public Law 115-232, Section 889) as a substantial or essential component of any system, or as a critical technology as part of any system.

Telecommunications or video surveillance services provided by the below entities or using their equipment is prohibited:

* + - Huawei Technologies Company
    - ZTE Corporation
    - Hytera Communications Corporation
    - Hangzhou Hikvision Digital Technology Company
    - Dahua Technology Company
    - or any subsidiary or affiliate of the above