

§ 1755.28

(Title)

(Employer's Address)

(c) *Amendment.* Where a borrower has entered into a contract in the form required by 7 CFR part 1753, no change may be made in the terms of the contract, by amendment, waiver or otherwise, without the prior written approval of RUS.

(d) *Waiver.* RUS may waive for good cause, on a case-by-case basis, the requirements imposed on a borrower pursuant to this part. Borrowers seeking an RUS waiver must provide RUS with a written request explaining the need for the waiver.

(e) *Violations.* A failure on the part of the borrower to use listed contracts as prescribed in 7 CFR part 1753 is a violation of the terms of the loan agreement with RUS and RUS may exercise any and all remedies available under the terms of the agreement or otherwise.

[64 FR 6500, Feb. 10, 1999]

§ 1755.28 Notice and publication of listed contract forms.

(a) *Notice.* Upon initially entering a loan agreement with RUS, borrowers will be provided with all listed contract forms. Thereafter, new or revised listed contract forms promulgated by RUS, including RUS approved exceptions and alternatives, will be sent by regular or electronic mail to the borrower's address as identified in its loan agreement with RUS.

(b) *Availability.* Listed contract forms are published by RUS. Interested parties may obtain the forms from the Rural Utilities Service, Program Development and Regulatory Analysis, U.S. Department of Agriculture, Stop 1522, Washington DC 20250-1522, telephone number (202) 720-8674. The list of contract forms can be found in § 1755.30(c).

[64 FR 6500, Feb. 10, 1999]

§ 1755.29 Promulgation of new or revised contract forms.

RUS may, from time to time, promulgate new contract forms or revise or eliminate existing contract forms. In so doing, RUS shall publish a notice of rulemaking in the FEDERAL REGISTER announcing, as appropriate, a re-

vision in, or a proposal to amend § 1755.30(c), List of telecommunications standard contract forms. The amendment may change the existing identification of a listed contract form by, for example, changing the issuance date of the listed contract form or identifying a new required contract form. The notice of rulemaking will describe the new standard contract form or substantive change in the listed contract form, as the case may be, and the issues involved. The standard contract form or relevant portions thereof may be appended to the supplementary information section of the notice of rulemaking. As appropriate, the notice of rulemaking shall provide an opportunity for interested persons to provide comments. RUS shall send, by regular or electronic mail, a copy of each such FEDERAL REGISTER document to all borrowers.

[64 FR 6500, Feb. 10, 1999]

§ 1755.30 List of telecommunications standard contract forms.

(a) *General.* The following is a list of RUS telecommunications program standard contract forms for procurement, construction, engineering services, and architectural services. Borrowers are required to use these contract forms by the terms of their RUS loan agreements implemented by part 1753 and this part.

(b) *Issuance Date.* Where part 1753 requires the use of a standard contract form in connection with RUS financing, the borrower shall use the appropriate form identified in § 1755.30(c), List of Telecommunications Standard Contract Forms, published as of the date the borrower releases the plans and specifications to solicit bids or price quotes.

(c) *List of telecommunications standard contract forms.*

(1) RUS Form 157, issued 10-77, Construction Work Plan and cost Distribution—Telephone.

(2) RUS Form 158, issued 10-77, Certification of Contract or Force Account Approval.

(3) RUS Form 159, issued 10-77, Summary of Completed Construction.

(4) RUS Form 168b, issued 3-62, Contractor's Bond.

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- (5) RUS Form 168c, issued 4-79, Contractor's Bond.
- (6) RUS Form 181, issued 4-72, Certificate of Completion, Contract Construction Buildings.
- (7) RUS Form 181a, issued 3-66, Certificate of Completion (Force Account Construction).
- (8) RUS Form 213, issued 8-52, Certificate (Buy American).
- (9) RUS Form 216, issued 7-67, Construction Change Order.
- (10) RUS Form 217, issued 3-97, Postloan Engineering Services Contract—Telecommunications Systems.
- (11) RUS Form 220, issued 6-98, Architectural Services Contract.
- (12) RUS Form 224, issued 3-55, Waiver and Release of Lien.
- (13) RUS Form 231, issued 4-72, Certificate of Contractor.
- (14) RUS Form 238, issued 4-72, Construction or Equipment Contract Amendment.
- (15) RUS Form 242, issued 11-58, Assignment of Engineering Service Contract.
- (16) RUS Form 245, issued 11-75, Engineering Services Contract, Special Services—Telephone.
- (17) RUS Form 257, issued 3-73, Contract to Construct Buildings.
- (18) RUS Form 257a, issued 10-69, Contractor's Bond.
- (19) RUS Form 274, issued 6-81, Bidder's Qualifications.
- (20) RUS Form 276, issued 5-59, Bidder's Qualifications for Buried Plant Construction.
- (21) RUS Form 281 issued 5-61, Tabulation of Materials Furnished by Borrower.
- (22) RUS Form 282, issued 11-53, Subcontract (Under Construction or Equipment Contracts).
- (23) RUS Form 284, issued 4-72, Final Statement of Cost for Architectural Service and Certificate of Architect.
- (24) RUS Form 307, issued 4-60, Bid Bond.
- (25) RUS Form 396, issued 3-64, Certificate of Completion—Special Equipment Contract (Including Installation).
- (26) RUS Form 396a, issued 3-64, Certificate of Completion—Special Equipment Contract (Not Including Installation).
- (27) RUS Form 397, issued September 25, 2000, Special Equipment Contract (Including Installation).
- (28) RUS Form 397f, issued 2-63, Contractor's Bond (Special Telephone Equipment).
- (29) Addendum No. 1 to RUS Form 397, issued 7-78, Special Equipment Contract (Including Installation).
- (30) RUS Form 398, issued 11-62, Special Equipment Contract (Not Including Installation).
- (31) RUS Form 399, issued 8-82, Supplemental Agreement to Equipment Contract for Field Trial.
- (32) RUS Form 399a, issued 8-82, Supplemental Agreement to Equipment Contract for Field Trial (Secondary-Delivery, Installation, Operation).
- (33) RUS Form 506, issued 3-97, Statement of Engineering Fee—Telecommunications.
- (34) RUS Form 515, issued September 17, 2001, Telecommunications Systems Construction Contract (Labor and Materials).
- (35) RUS Form 517, issued 9-64, Results of Acceptance Tests
- (36) RUS Form 525, issued 7-94, Central Office Equipment Contract (Including Installation).
- (37) Addendum to RUS Form 525, issued 7-94, Central Office Equipment Contract (Including Installation) and RUS Form 545 Central Office Equipment Contract (Not Including Installation).
- (38) RUS Form 525a, issued 10-62, Contractor's Bond (Central Office Equipment).
- (39) RUS Form 526, issued 8-66, Construction Contract Amendment.
- (40) RUS Form 527, issued 3-71, Statement of Construction, Telephone System " Outside Plant.
- (41) RUS Form 545, issued November 4, 1999, Central Office Equipment Contract (Not Including Installation).
- (42) RUS Form 553, issued 5-67, Check List for Review of Plans and Specifications.
- (43) RUS Form 724 issued 10-63, Final Inventory, Telephone Construction Contract.
- (44) RUS Form 724a issued 4-61, Final Inventory, Telephone Construction—Telephone Construction Contract (Labor and Materials), columns 1-8.

(45) RUS Form 724b issued 3-61, Final Inventory, Telephone Construction Contract (Labor and Materials), columns 9-14.

(46) RUS Form 744, issued 2-62, Certificate of Contractor and Indemnity Agreement.

(47) RUS Form 752a, issued 5-66, Certificate of Completion Central Office Equipment-Not Including Installation.

(48) RUS Form 754, issued 6-66, Certificate of Completion and Certificate of Contractor and Indemnity Agreement.

(49) RUS Form 771, Issued 10-75, Summary of Work Orders (Inspected by RUS Field Engineer).

(50) RUS Form 771a, issued 10-75, Summary of Work Orders (Inspected by Licensed Engineer or Borrower's Staff Engineer).

(51) RUS Form 773, issued 12-90, Miscellaneous Construction Work and Maintenance Services Contract.

(52) RUS Form 787, issued 8-63, Supplement A to Construction Contract.

(53) RUS Form 817, issued 6-60, Final Inventory, Telephone Force Account Construction.

(54) RUS Form 817a, issued 6-60, Final Inventory, Telephone Force Account Construction, columns 1-8.

(55) RUS Form 817b, issued 6-60, Final Inventory, Telephone Force Account Construction, Columns 9-14.

(56) RUS Form 835, issued 3-66, Preloan Engineering Service Contract, Telephone System Design.

[64 FR 6501, Feb. 10, 1999, as amended at 64 FR 53887, Oct. 5, 1999; 65 FR 51750, Aug. 25, 2000]

§§ 1755.31-1755.96 [Reserved]

§ 1755.97 Incorporation by reference of telecommunications standards and specifications.

The following telecommunications bulletins have been approved for incorporation by reference by the Director of the Office of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These bulletins contain construction standards and specifications for materials and equipment and may be obtained from the Rural Utilities Service, Program Development and Regulatory Analysis, 1400 Independence Ave., SW, Stop 1522, Room 4028 South Building, Washington, DC 20250-1522. The bulletins are available for inspection at RUS, at the address above, and the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC. These materials are incorporated as they exist on the date of the approval and notice of any change in these materials will be published in the FEDERAL REGISTER. The terms "RUS form", "RUS standard form", "RUS specification", and "RUS bulletin" have the same meaning as the terms "REA form", "REA standards form", "REA specification", and "REA bulletin", respectively, unless otherwise indicated. The table of bulletins follows:

RUS Bulletin No.	Specification No.	Date last issued	Title of standard or specification
345-22	PE-26	Jan. 1989	RUS specification for voice frequency loading coils.
345-39		Aug. 19, 1985	RUS specification for telephone station protectors.
345-50	PE-60	Sept. 1979	RUS specification for trunk carrier systems.
345-54	PE-52	Dec. 1971	RUS specification for telephone cable splicing connectors.
345-55	PE-61	Dec. 1973	RUS specification for central office loop extenders and loop extender voice frequency repeater combinations.
345-65	PE-65	Mar. 22, 1985	Specification for shield bonding connectors.
345-66	PE-64	Sept. 1979	RUS specification for subscriber carrier systems.
345-69	PE-29	Jan. 1978	RUS specification for two-wire voice frequency repeater equipment.
345-72	PE-74	Oct. 1985	RUS specification for filled splice closures.
345-78	PE-78	Feb. 1980	RUS specification for carbon arrester assemblies for use in protectors.
345-180	Form 397a	Jan. 1963	RUS specifications for voice frequency repeaters and voice frequency repeatered trunks.
345-183	Form 397d	June 1970	RUS design specifications for point-to-point microwave radio systems.
345-184	Form 397e	May 1971	RUS design specifications for mobile and fixed dial radio telephone equipment.
1728F-700		9-2-93	RUS Specification for Wood Poles, Stubs and Anchor Logs