

46.

According to the Article 114, paragraph 6 of the Law on Spatial Development and Construction of Structures ("Official Gazette of Montenegro", No. 51/08) the Ministry of Economic Development provided

THE RULEBOOK

ON THE METHOD AND THE PROCEDURE OF CONDUCTING PROFESSIONAL SUPERVISION

(" Official Gazette of Montenegro ", no. 06 / 09 of 28.01.2009)

Article 1

This Rulebook shall provide the method and the procedure of conducting professional supervision during construction and reconstruction of structures (hereinafter: the professional supervision).

Article 2

The professional supervision shall be conducted from the commencement of construction of structure to its completion and issuance of use permit including all phases of constructing.

Article 3

The professional supervision shall refer to the performance of the following:

- 1) Preparatory works,
- 2) Construction and construction-craft works,
- 3) Installation of installations, plants and equipment, and
- 4) Other works that are performed in construction and reconstruction of structure.

Article 4

The professional supervision shall especially provide the following:

- 1) Control of compliance of works with building permit, or revised main project and timely undertaking of measures in case of deviations of the construction from those documents;
- 2) Regular and timely monitoring of the quality of works that are performed, and testing whether requirements and measures established by law and other regulations, standards and technical norms are applied during all types of works;
- 3) Control of quality of performed works that according to the nature and dynamics of the construction of structures can not be tested in the later stages of construction of the structure (foundation works, reinforcement, sheaths, isolation, etc.);

- 4) Control of quality of materials, installations, machinery, plants and equipment that are built in the structure, or controlling the possession of the attest, certificates and other documentation that proves their quality;
- 5) Timely identification of changes of conditions during construction of structure and undertaking necessary measures in the case that these conditions still affect the performance of works (change of soil types or other parameters established by the Geotechnical Study, etc.);
- 6) Controlling the implementation of the requirements and measures for environmental protection and the protection of adjoining structures, installations, machinery, plants and equipment;
- 7) Regular monitoring of the dynamics of construction of structure and compliance of the construction with agreed deadlines;
- 8) Defining the details of technological and organizational solutions for construction and resolving other issues that are rising during the construction with the approval of designer.

Article 5

A person who shall conduct professional supervision (hereinafter: supervisory engineer) shall be determined by the investor, or it is a business organization to which the investor shall entrust the conducting of professional supervision.

The structure in which several types of works or works with numbered requests are performed, the professional supervision shall be conducted by more supervisory engineers with appropriate qualifications, for different phases of work.

In the case referred to in paragraph 2 of this Article, conducting of professional supervision shall be determined by the chief supervisory engineer.

Chief supervisory engineer can be at the same time the supervisory engineer for particular phase of works.

Article 6

Supervisory engineer shall constantly monitor and control the works performed in the structure, as well as in other locations in which works for the purpose of construction of the structure are performed.

Article 7

Supervisory engineer shall enter in a building log all observations during supervision.

Article 8

Supervisory engineer during professional supervision shall enter in a building log: the works subjected to the professional supervision, observed deficiencies during performance of works, the measures that he/she shall undertake and order to the contractor to undertake, the deadline set by supervisory engineer for their removal,

- Remarks concerning the quality and the dynamics of constructing,
- And other information that are important for monitoring the procedure of construction the structure.

Supervisory engineer shall sign and certify the registry provided by the contractor on the performed works that after its closing or covering cannot be subjected to control, (foundation works, sheaths, isolation, etc.)

Supervisory engineer shall enter in a building log the actions referred to in paragraph 2 of this Article.

Building log shall be signed and sealed on daily basis by the supervisory engineer and the contractor.

Article 9

If the supervisory engineer shall determine during professional supervision that the contractor deviates from the projected details, the appropriate quality of materials, which are built in or other elements that may affect the quality of works or prolong the period of construction, or reconstruction of structures, with an entry in a building log he/she shall order to the contractor to remove irregularities and inform the investor.

Article 10

If the supervisory engineer shall determine that performance of works deviates from the technical documentation, and that specific deviations can be of influence on the bearing, usability, durability, cost and achieving the projected concept of the structure, or may cause material damage and casualties, i.e. if she/he shall determine the irregularities whose removal does not suffer delay, with an entry in building log he/ she shall order the cessation of works and order to contractor to undertake measures necessary for prevention and removal of harmful consequences.

The supervisory engineer shall inform competent inspection authority and investors about the actions referred to in paragraph 1 of this Article.

Article 11

On the day of coming into force of this Rulebook, The Rulebook on the Content and Method of Conducting Professional Supervision during Design and Construction of Structure ("Official Gazette of Republic of Montenegro, No. 54/01) shall cease to apply.

Article 12

This Rulebook shall come into force on the eighth day from the day of its publishing in the "Official Gazette of Montenegro".

Number: 01-339/2
Podgorica, January 22, 2009.

The Minister,

Branimir Gvozdenovic, signer