

SECTION 00 7200 - GENERAL CONDITIONS

FORM OF GENERAL CONDITIONS

AIA Document A201, General Conditions of the Contract for Construction, 2017 Edition.

SECTION 01 2000 - PRICE AND PAYMENT PROCEDURES

1.01 SCHEDULE OF VALUES

- A. Submit a printed schedule on AIA Form G703 - Application and Certificate for Payment Continuation Sheet. Contractor's standard form or electronic media printout will be considered.

1.02 APPLICATIONS FOR PROGRESS PAYMENTS

- A. Form: AIA G702 Application and Certificate for Payment and AIA G703 - Continuation Sheet including additional sheets when required.
- B. When Architect requires substantiating information, submit data justifying dollar amounts in question.

1.03 MODIFICATION PROCEDURES

- A. Contractor may propose a change by submitting a request for change to Architect, describing the proposed change and its full effect on the work, with a statement describing the reason for the change, and the effect on the Contract Sum and Contract Time with full documentation. Document any requested substitutions in accordance with Section 01 6000.

1.04 APPLICATION FOR FINAL PAYMENT

- A. Prepare Application for Final Payment as specified for progress payments, identifying total adjusted Contract Sum, previous payments, and sum remaining due.
- B. Application for Final Payment will not be considered until the following have been accomplished:
 1. Closeout procedures specified in Section 01 7000
 2. Closeout submissions in accordance with Sections 01 3000 and 01 7000.

SECTION 01 2500 - SUBSTITUTION PROCEDURES

1.01 DEFINITIONS

- A. Substitutions: Changes from Contract Documents requirements proposed by Contractor to materials, products, assemblies, and equipment.
 1. Substitutions for Cause: Proposed due to changed Project circumstances beyond Contractor's control.
 2. Substitutions for Convenience: Proposed due to possibility of offering substantial advantage to the Project.
 - a. Substitution requests offering advantages solely to the Contractor will not be considered.

3.01 GENERAL REQUIREMENTS

- A. A Substitution Request for products, assemblies, materials, and equipment constitutes a representation that the submitter:
 1. Has investigated proposed product and determined that it meets or exceeds the quality level of the specified product, equipment, assembly, or system.
 2. Agrees to provide the same warranty for the substitution as for the specified product.
 3. Agrees to coordinate installation and make changes to other work that may be required for the work to be complete, with no additional cost to Owner.
- B. Waives claims for additional costs or time extension that may subsequently become apparent.
- C. Agrees to reimburse Owner and Architect for review or redesign services associated with re-approval by authorities.

- B. Document each request with complete data substantiating compliance of proposed substitution with Contract Documents. Burden of proof is on proposer.
- C. Content: Include information necessary for tracking the status of each Substitution Request, and information necessary to provide an actionable response.

- A. No specific form is required. Contractor's Substitution Request documentation must include the following:

- a. Substitution Request Information:
 1. Indication of whether the substitution is for cause or convenience.
 2. Issue date.
 3. Reference to particular Contract Document(s) specification section number, title, and article/paragraph(s).
 4. Description of Substitution.
 5. Reason why the specified item cannot be provided.
 6. Differences between proposed substitution and specified item.
 7. Description of how proposed substitution affects other parts of work.
 8. Comparative Data: Provide point-by-point, side-by-side comparison addressing essential attributes specified, as appropriate and relevant for the item:

1. Physical characteristics.
2. In-service performance.
3. Expected durability.
4. Visual effect.
5. Warranties.
6. Other salient features and requirements.
7. Include, as appropriate or requested, the following types of documentation:

- (a)Product Data:
- (b)Samples.
- (c)Certificates, test, reports or similar qualification data.

- (d)Drawings, when required to show impact on adjacent construction elements.
- c. Impact of Substitution:
 1. Savings to Owner for accepting substitution.
 2. Change to Contract Time due to accepting substitution.

- D. Limit each request to a single proposed substitution item.
- D. SUBSTITUTION PROCEDURES DURING CONSTRUCTION

- A. Architect will consider requests for substitutions only within 15 days after date of Agreement.
- B. Submit request for Substitution for Cause within 14 days of discovery of need for substitution, but not later than 14 days prior to time required for review and approval by Architect, in order to stay on approved project schedule.

- C. Submit request for Substitution for Convenience immediately upon discovery of its potential advantage to the project, but not later than 14 days prior to time required for review and approval by Architect, in order to stay on approved project schedule.

1. In addition to meeting general documentation requirements, document how the requested substitution benefits the Owner through cost savings, time savings, greater energy conservation, or in other specific ways.
2. Document means of coordinating of substitution item with other portions of the work, including work by affected subcontractors.

3. Bear the costs engendered by proposed substitution of:
 - a. Owner's compensation to the Architect for any required redesign, time spent processing and evaluating the request.

- D. Substitutions will not be considered under one or more of the following circumstances:
 1. When they are indicated or implied on shop drawing or product data submittals, without having received prior approval.
 2. Without a separate written request.

3.02 RESOLUTION

- A. Architect may request additional information and documentation prior to rendering a decision. Provide this data in an expeditious manner.
- B. Architect will notify Contractor in writing of decision to accept or reject request.

3.04 ACCEPTANCE

- A. Accepted substitutions change the work of the Project. They will be documented and incorporated into work of the project by Change Order, Construction Change Directive, Architectural Supplementary Instructions, or similar instruments provided for in the Conditions of the Contract.

SECTION 01 3000 - ADMINISTRATIVE REQUIREMENTS

1.01 GENERAL ADMINISTRATIVE REQUIREMENTS

- A. Comply with requirements of Section 01 7000 - Execution and Closeout Requirements for coordination of execution of administrative tasks with timing of construction activities.
- B. Make the following types of submittals to Architect through the General Contractor:

1. Requests for Information (RFI).
2. Requests for substitution.
3. Shop drawings, product data, and samples.
4. Test and inspection reports.
5. Design data.
6. Manufacturer's instructions and field reports.
7. Applications for payment and change order requests.
8. Progress schedules.
9. Correction Punch List and Final Correction Punch List for Substantial Completion.
10. Closeout submittals.

3.01 PROGRESS MEETINGS

- A. Schedule and administer meetings throughout progress of the Work at regular intervals, appropriate to the stage of Work.
- B. Make arrangements for meetings, prepare agenda with copies for participants, preside at meetings.

- C. Record minutes and distribute copies within two days after meeting to participants, with copies to Architect, Owner, participants, and those affected by decisions made.
- D. CONSTRUCTION PROGRESS SCHEDULE

- A. Within 10 days after date established in Notice to Proceed, submit preliminary schedule defining planned operations for the first 60 days of work, with a general outline for remainder of work.

3.03 PROGRESS PHOTOGRAPHS

- A. Submit photographs with each application for payment, taken not more than 3 days prior to submission of application for payment.
- B. REQUESTS FOR INFORMATION (RFI)

A. Definition:

1. An interpretation, amplification, or clarification of some requirement of Contract Documents arising from inability to determine from them the exact material, process, or system to be installed; or when the elements of construction are required to occupy the same space (interference); or when an item of work is described differently at more than one place in Contract Documents.

2. A resolution to an issue which has arisen due to field conditions and affects design intent.

- B. Whenever possible, request clarifications at the next appropriate project progress meeting, with response entered into meeting minutes, rendering unnecessary the issuance of a formal RFI.

- C. Preparation: Prepare an RFI immediately upon discovery of a need for interpretation of Contract Documents. Failure to submit a RFI in a timely manner is not a legitimate cause for claiming additional costs or delays in execution of the work.

1. Prepare a separate RFI for each specific item:
 - a. Review, coordinate, and comment on requests originating with subcontractors and/or materials suppliers.
 - b. Do not forward requests which solely require internal coordination between subcontractors.

2. The Architect and the architect's consultants will not accept Requests For Information directly from subcontractors and suppliers.

- D. Reason for the RFI: Prior to initiation of an RFI, carefully study all Contract Documents to confirm that information sufficient for their interpretation is definitely not included.
- E. Include in each request information required to provide an actionable response. They will be returned without a response, with an explanatory notation.

2. Unacceptable Uses for RFIs: Do not use RFIs to request the following:
 - a. Approval of substitutions.
 - b. Approval of substitutions.
 - c. Changes that entail change in Contract Time and Contract Sum.
 - d. Different methods of performing work than those indicated in the Contract Drawings and Specifications.

3. Improper RFIs: Requests not prepared in compliance with requirements of this section, and/or missing key information required to render an actionable response. They will be returned without a response, with an explanatory notation.

4. Frivolous RFIs: Requests regarding information that is clearly indicated on, or reasonably inferable from, Contract Documents, with no additional input required to clarify the question. They will be returned without a response, with an explanatory notation.

- a. The Owner reserves the right to assess the Contractor for the costs (on time-and-materials basis) incurred by the Architect, and any of its consultants, due to 2. or 3. of this section.

5. Certificates may be recent or previous test results on material or product, but must be acceptable to Architect.

3. QUALITY ASSURANCE

- A. Testing Agency Qualifications:
 1. Prior to start of work, submit agency name, address, and telephone number, and names of full time registered Engineer and responsible officer.
 2. Submit copy of report of laboratory facilities inspection made by NIST Construction Materials Reference Laboratory during most recent inspection, with memorandum of remedies of any deficiencies noted by the inspection.
 3. Qualification Statement: Provide documentation showing testing laboratory is accredited under IAS AC89.

- 1.04 REFERENCES AND STANDARDS

- A. Documents for Information: Submit one copy electronically in .pdf format.
- B. Documents for Project Closeout: Make one reproduction of submittal originally reviewed. Submit one extra of submittals for information.

- C. Samples: Submit the number specified in individual specification sections, but not less than 3; one of which will be retained by Architect.

- 3.08 SUBMITTAL PROCEDURES

- A. General Requirements:
 1. Use a separate transmittal for each item.
 2. Apply Contractor's stamp, signed or initialed certifying that review, approval, verification of products required, field dimensions, adjacent construction work, and coordination of information is in accordance with the requirements of the work and Contract Documents.

- a. Submittals from sources other than the Contractor, or without Contractor's stamp will not be acknowledged, reviewed, or returned to the Contractor.

- b. Submittals not bearing the Contractor's approval will be returned with no action taken.

- c. Send submittals in electronic format via email to Architect.

- d. Schedule submittals to expedite the Project, and coordinate submission of related items.

- a. For each submittal for review, allow 10 days excluding delivery time to and from the Contractor.

- b. For sequential reviews involving Architect's consultants, Owner, or another affected party, allow an additional 7 days.

5. Identify variations from Contract Documents and product or system limitations that may be detrimental to successful performance of the completed work.

6. Provide space for Contractor and Architect review stamps.

7. When revised for resubmission, identify all changes made since previous submission.

8. Distribute reviewed submittals. Instruct parties to promptly report inability to comply with requirements.

9. Incomplete submittals will not be reviewed, unless they are partial submittals for distinct portions(s) of the work, and have received prior approval for their use.

10. Submittals not requested will not be recognized or processed.

11. The Architect and the architect's consultants will not accept submittals from subcontractors and suppliers.

12. Architect will return copies of submittals for review to the Contractor by e-mail.

13. Architect will place copies of submittals for information into the project's electronic record.

14. Make submittals that require field verification or field measurements only when progress of the work is complete to the point where verification and measurements can be performed and such information is included on the submittal.

- B. Product Data Procedures:
 1. Submit only information required by individual specification sections.
 2. Collect required information into a single submittal.
 3. Do not submit (Material) Safety Data Sheets for materials or products.

- C. Shop Drawing Procedures:
 1. Prepare accurate, drawn-to-scale, original shop drawing documentation by interpreting Contract Documents and coordinating related work.
 2. Do not reproduce Contract Documents to create shop drawings.
 3. Generic, non-project-specific information submitted as shop drawings do not meet the requirements for shop drawings.

- D. Samples Procedures:
 1. Transmittal related items together as single package.
 2. Transmit each item to allow review for applicability in relation to shop drawings showing installation locations.

- E. Transmittal Procedures:
 1. Transmittal electronic submittals via e-mail. Include in the e-mail identification of the attachments as a submittal for review or for information. Do not include questions, comments, information or attachments pertaining to other than the submittal being sent in any submittal e-mail.

- a. Scans are to be of suitable resolution so as to be legible in all respects, but not less than 200 x 200 DPI.

- b. Information originally in color is to be scanned and submitted in color.

- c. Email to the Architect's designated Project Architect.

2. Transmittal samples and other submittals that cannot be converted to electronic format with the Contractor's standard transmittal form.

- a. Deliver to the Architect at architect's business address.

- 3.09 SUBMITTAL REVIEW

- A. Architect will place copies of submittals for information into the project's electronic record.

- B. Submittals for Review: Architect will review each submittal, and approve, or take other appropriate action.

- C. Submittals for Information: Architect will acknowledge receipt and review. See below for actions to be taken.

- D. Architect's actions will be reflected by marking each returned submittal using vital stamp on electronic submittals.

1. Notations may be made directly on submitted items and/or listed on appended Submittal Review cover sheet.

- E. Architect's and consultants' actions on items submitted for review:
 1. Authorizing purchasing, fabrication, delivery, and installation:

- a. "NO EXCEPTIONS TAKEN", or language with same legal meaning: Submittal is in compliance with project requirements.

- b. "EXCEPTIONS NOTED", or language with same legal meaning: Relatively minor changes and corrections are needed.

- 1) At Contractor's option, submit corrected item, with review notations acknowledged and incorporated.

- c. "REVISE & RESUBMIT", or language with same legal meaning: Comments and corrections are so extensive as to require significant changes, and further review, in order to show the submittal is in compliance with project requirements.

2. Not Authorizing fabrication, delivery, and installation:

- a. "REJECTED": Submittal is not in compliance with project requirements. In the Architect's opinion, the only reasonable course of action is a new submittal.

- 1) Submit item complying with requirements of Contract Documents.

- F. Architect's and consultants' actions on items submitted for information:
 1. Items for which no action was taken:

- a. "Received": to notify the Contractor that the submittal has been received for record only.

2. Items for which action was taken:

- a. "Reviewed": no further action is required from Contractor.

SECTION 01 4000 - QUALITY REQUIREMENTS

1.01 SECTION INCLUDES

- A. Submittals.
- B. Quality assurance.
- C. References and standards.
- D. Testing and inspection agencies and services.
- E. Control of installation.
- F. Tolerances.
- G. Manufacturers' field services.

1.02 SUBMITTALS

- A. Design Data: Submit for project record, for the limited purpose of assessing conformance with information given and the design concept expressed in the contract documents.

- B. Certificates: When specified in individual specification sections, submit certification by the manufacturer and Contractor's approval or installation/application subcontractor to Architect, in quantities specified for Product Data.

1. Indicate material or product complies with or exceeds specified requirements. Submit supporting reference data, affidavits, and certifications as appropriate.

2. Certificates may be recent or previous test results on material or product, but must be acceptable to Architect.

3. QUALITY ASSURANCE

- A. Testing Agency Qualifications:
 1. Prior to start of work, submit agency name, address, and telephone number, and names of full time registered Engineer and responsible officer.
 2. Submit copy of report of laboratory facilities inspection made by NIST Construction Materials Reference Laboratory during most recent inspection, with memorandum of remedies of any deficiencies noted by the inspection.
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1.07 INTERIOR ENCLOSURES

- A. Provide temporary partitions and ceilings as indicated to separate work areas from Owner-occupied areas, to prevent penetration of dust and moisture into Owner-occupied areas, and to prevent damage to existing materials and equipment.

- B. Construction: Framing and gypsum board sheet materials with closed joints and sealed edges at intersections with existing surfaces, unless otherwise indicated on the drawings:
 1. Maximum frame spread rating of 25 in accordance with ASTM E84.

1.08 SECURITY

- A. Provide security and facilities to protect Work, existing facilities, and Owner's operations from unauthorized entry, vandalism, or theft.

1.09 VEHICULAR ACCESS AND PARKING

- A. Comply with regulations relating to use of streets and sidewalks, access to emergency facilities, and access for emergency vehicles.

- B. Coordinate access and haul routes with governing authorities and Owner.

- C. Provide and maintain access to fire hydrants, fire, and gas obstructions.

- D. Provide means of removal of materials and waste from site, including temporary storage.

- E. Provide temporary parking areas to accommodate construction personnel. When site space is not adequate, provide additional off-site parking.

1.10 WASTE REMOVAL

- A. Provide waste removal facilities and services as required to maintain the site in clean and orderly condition.

- B. Provide containers with lids. Remove trash from site periodically.

- C. If materials to be recycled or re-used on the project must be stored on-site, provide suitable non-combustible containers. Locate waste bins holding flammable material outside the structure unless otherwise approved by the authorities having jurisdiction.

- D. Open free-fall chutes are not permitted. Terminate closed