INSTRUCTION SHEETS FOR ASSOCIATES

This information serves as instructions for the Associate’s use in preparing the Project Specifications. Do not incorporate the Instruction Sheets For Associates into the Contract Documents.

A. General Instructions and Special Conditions

The Associate shall incorporate into the Project Specifications, in the order listed in the Table of Contents of the Standard Conditions of Contract for Construction, any Special Conditions, the wage rates, Project geotechnical or environmental data, if any; and Associate technical specifications. The Associate shall edit and modify the Table of Contents, Notice to Bidders, RBI Form and Bid Form to clearly describe the Project specific requirements and information. All other portions of the Standard Conditions are to be copied by the Associate, without exception, and only modified by Special Conditions approved by the University.

The Associate shall develop appropriate Special Conditions, on a Project by Project basis, to modify the Standard Conditions to satisfy the requirements for the Project. The Associate shall clarify its intent for the Project wherever a provision of the Standard Conditions provides, “Unless otherwise specified in the Contract Documents.” The following list identifies, for the Associate’s convenience, the subparagraphs which may be appropriate for Special Conditions:

IB 2.1.4, and IB 2.8.2
GC 1.5.1.6, GC 2.1.2, GC 2.1.4.1, GC 2.7.1, GC 2.7.2, GC 2.7.3, GC 2.7.4
GC 2.7.5.2, GC 2.7.6, GC 2.7.6.1, GC 2.7.7, GC 2.8.2.1, GC 2.9.1, GC 4.3.4
GC 4.3.5, GC 4.3.6, GC 4.6.1, GC 4.6.1.2, GC 4.6.2, GC 7.3.1, GC 9.1.2.6
GC 11.4.3, GC 12.2.1, GC 12.2.2, GC 14.2.1.1, and GC 20.6.1.

Special Conditions are amendments to the Standard Conditions, which describe conditions unique to a particular Project, and may include pending updates provided by the University. Special Conditions may include without limitation, provisions regarding the assignment of responsibility for refuse removal, hoisting, safety and security precautions and programs, temporary Project facilities and utilities, weather protection and fire protection, and scaffolding or equipment. Materials and services to be used jointly by multiple Contractors including utilization of any applicable equipment system, preparation of operation and maintenance manuals, and training of Owner personnel regarding operation and maintenance are also specified.

All Special Conditions are subject to approval by the University. The Associate shall submit any Special Conditions, Unit Prices, Alternates, allowances, single source
Specifications and any other unusual requirements to the University for review prior to the submission of the Contract Documents for review. The University requires early development and notice of these types of requirements.

B. Prevailing Wage Rates

The University will contact their Department of Contract Compliance and provide the wage rates to the Associate. The Associate will coordinate the timing of issuing wage rates with the University. If the wage rates expire on or before the bid date, the University will provide new wage rates to the Associate who will issue them by Addendum to all Plan holders.

C. Lead Contractor

For all Projects without a Construction Manager, the Associate shall determine which Contractor shall be responsible for scheduling the Project, coordinating the Contractors, and providing other services identified in the Contract Documents (the “Lead Contractor”). The Associate shall identify the Lead Contractor in the Notice to Bidders and on the Bid Form.

D. University Approval for Bidding/Public Bid Advertisement

In order to schedule a bid date, the University requires:
- One cover sheet of the Drawings bearing evidence of the approval of the Ohio Department of Commerce, Division of Industrial Compliance;
- One cover sheet of the Specifications bearing evidence of the approval of the Ohio Department of Commerce, Division of Industrial Compliance;
- The first plumbing sheet in the sequence bearing evidence of the approval of the Ohio Department of Health;
- One (1) copy of the final Notice To Bidders and the final Bid Form. The Notice To Bidders and Bid Form are documents critical to the proper preparation of the Public Bid Advertisement, and the bidding process. The Associate will make every effort to avoid modifications to these documents by Addendum
- One (1) copy of the Detailed Estimate of Construction Cost for each separate Contract or bid item, and for each and every alternate;
- The Associate’s written response to the University’s review comments, and the University consultant’s constructability review comments, if any.

The University will prepare the Public Bid Advertisement and advertise for bids for construction for three (3) consecutive weeks in a newspaper of general circulation in the county where the Project is located and in such others newspapers as determined by the University. The last publication shall be at least eight (8) days preceding the day for opening bids.

Such advertisement shall state the locations that the Contract Documents for the Project are on file. The advertisement shall also include the time and place, and when and where bids will be received.
If any or all bids are rejected by the University, and the Work is re-bid, the Public Bid Advertisement shall be published one additional time, not less than five (5) days preceding the date of the bid opening.


Technical Specifications

Whenever any building product, equipment or service is specified by brand name, i.e., manufacturer’s name or supplier’s name or trade name, the intent is to establish a standard of acceptable quality. Specifications listing manufacturers, suppliers or trade names are known as proprietary Specifications. The Specifications shall list a minimum of three (3) manufacturers, suppliers or trade names and also include the listing of model or series numbers of the proposed product, equipment or service for each manufacturer, supplier or trade name listed. The Associate shall make provisions for “Approved Equals” in proprietary Specifications; however, other products may only be considered as provided in Paragraph IB 2.5.

Performance Specifications are also acceptable. It is required that these types of Specifications describe requirements that a minimum of three (3) manufacturers, suppliers or trades are capable of bidding. Performance Specifications that only a single manufacturer, supplier or trade is capable of bidding are considered single source Specifications, see the following.

Prior to specifying single source products, equipment or services without provision for Approved Equals, the Associate shall submit written justification for such Specification sections and products for University approval. Make such submission as soon as consideration is given for a single source Specification and not later than the time when the Contract Documents are fifty (50) percent complete. Do not incorporate single source Specifications into the Contract Documents without the prior written approval of the University.

Construction Schedule and Milestone Dates

The Associate shall provide a complete Specification for a Critical Path Method (CPM) Schedule which is required for use on Projects when the construction budget is greater than $500,000. The SAO has provided on their web site a Division 1 Specification named Section 01350 Construction Critical Path Method (CPM) Schedule which may be used on Projects. On complex Projects the University recommends the development of a Target Construction Schedule which may include the specifying of Milestone dates in the Contract Documents. The University has consultants available to assist in developing a Target Construction Schedule.

The Associate in consultation with the University shall consider developing and listing Milestone completion dates based upon Project specific requirements. The following are examples of Projects in which Milestone dates may be appropriate.
Example 1: a renovation/addition Project which requires the addition to be completed before the renovation can proceed, would likely have a Milestone date for the completion of the addition.

Example 2: a renovation in which only one (1) floor of a building would be renovated at a time would likely have a Milestone date for the completion of each floor.

Example 3: as part of a larger Project a parking lot is being constructed which the Owner needs before the anticipated completion of the total Project, would likely have a Milestone date for the parking lot.

Example 4: large scale new construction Projects may have Milestone dates for the completion of major Project activities such as completion of caissons, completion of structural steel frame erection or cast-in-place concrete frame erection, roofing completion, and temporary and/or permanent building enclosure.

As part of the development of Milestone dates, the Associate should consider whether or not Liquidated Damages (LDs) will be associated with failing to meet the dates. The LDs for the entire Contract can be distributed across Milestone dates and the Contract Completion date on a percentage basis, or by fixed money amounts. If LDs are to be applied to any date other than Contract Completion, the Associate shall indicate the dates to which LDs apply in the Special Conditions, and carefully review this matter with the University.

Bidding Options
The Associate shall review bidding options with the Project Administrator to determine whether Combined bid or Aggregate bid options will be solicited. If the Project is bidding only one (1) item, the Combined Bid option does not exist and will not be listed; if there are only two (2) items being Bid, the Associate will indicate that combination as the only Combined Bid; if there are more than two (2) items being bid the Associate is to list all Items and Titles, and the Bidder is instructed to circle which Items it is bidding in the Combined Bid as described in the Bid Form.

Unit Price Bids
The University generally discourages Associates from the use of Unit Price bidding; however, it will consider its use for certain environmental remediation, site civil and building foundation work where Project conditions do not allow for the scope of Work to be adequately described in the base bid. The University will only approve the use of Unit Prices if they are competitively bid and are added to the Base Bid. If Unit Prices are approved by the University, the Associate shall use the format described on the Bid Form and insert it directly under the Base Bid Item in which the Unit Price Work occurs. The Associate shall develop a table of Unit Price Work, a Subtotal of All Unit Price Extensions, and instruct the Bidder to add the Base Bid Work (if any) to the Subtotal of All Unit Price Extensions to establish a total bid and Contract amount. The Associate shall also develop a Division 1 Specification named Unit Prices which shall explain in sufficient detail the basis of the bid and the intended scope of Work.
Unit pricing will not be allowed from a quantity of one (1) (the first unit of Work required) because it is not practical for a Contractor to reasonably bid the first unit of Work due to mobilization, start-up, overhead, profit and related costs. The University requires the Associate to establish the estimated range and quantity of units required in order to establish a reasonable basis upon which the Bidder can base their Unit Price bid. The Unit Price Specification shall establish a range, recommended twenty (20) percent, above and below the Associate estimated quantity of units. Unit Price Work within that range will be completed for the Bidder’s Unit Price bid. If the scope of Unit Price Work falls outside of this range, then the Work falling outside of the range only will be subject to a renegotiation in the cost of the Unit Price Work. Normally, greater quantities cost less per Unit Price, and lesser quantities cost more per Unit Price.

For example, if one hundred (100) cubic yards (CY) of rock removal are expected to be encountered in the foundations, the Bidder’s Unit Price would only be good for quantities between eighty (80) CY and one hundred twenty (120) CY. If only fifty (50) CY of rock was encountered, the Unit Price bid would not apply other than as an allowance towards the cost of the work which would have to be renegotiated, presumably higher than the Unit Price bid. If one hundred fifty (150) CY of rock were encountered, one hundred twenty (120) CY would be paid for at the Unit Price bid, and the last thirty (30) CY would be paid for at a negotiated price, presumably lower than the Unit Price bid. This additional thirty (30) CY, since it exceeds funds available in the Contract, would have to be covered by a Change Order. Rock removal is a good example of the difficulty of properly specifying Unit Price Work. The Associate would also need to develop in Division 1 of the Specifications under Unit Prices a description of the type of rock expected to be encountered and/or the type of equipment that the Bidder may assume will be capable of dislodging and/or excavating it. Soil borings alone are not enough to accomplish this with rock. The difference in the Unit Price of rock removal between fractured shale and solid granite are substantial in cost and in the type of equipment required. Unit Price Work cannot be reasonably established without addressing these kinds of issues. Without addressing these issues correctly the Associate should expect their Unit Price approach to be unworkable, other than as an allowance. If it only functions as an allowance, use an allowance in lieu of Unit Prices.

The intent of this approach and these instructions is to create a “level playing field” for Bidders on Unit Price Work. Unless properly specified Unit Prices will not achieve the intended goal. If the Associate plans Unit Price Work, they are to bring it to the attention of the University early, coordinate with the Project Administrator, and establish the provisions on the Bid Form and in the Specifications for University review by the time that the Contract Documents are fifty (50) percent complete.

F. Distribution of Bidding Documents

A Bidder shall obtain the Contract Bid Documents direct from the University’s Printing Term Contractor.
The University’s Purchasing Department shall furnish a complete set of the Contract Bid Documents to Dodge Reports, Allied Construction Industries, Reed Construction Data and other appropriate plan rooms for review by Bidders free of charge.

The University’s Printing Term Contractor shall maintain a log of Bidders receiving the Contract Bid Documents.

G. State Architect’s Design and Construction Handbook

The Associate should refer to the SAO Department of Administrative Services Design & Construction Handbook which is revised from time to time. The Handbook is written in chronological order of a construction Project, beginning with the design, through construction administration and Project close-out. The Handbook is available at the Office of the State Architect’s web site, see item “K” in the Instruction Sheets For Associates.

H. Construction Bid Announcements

The University will post Project bid information at the State Architect’s web site for that purpose at the following address: http://www.gsd.das.ohio.gov/constructionbids/

This site is accessible to all Bidders. On the first day of posting the Associate shall review the posted Project information for accuracy and updates and notify the University Project Administrator if changes are needed during the bid period.

I. Subcontractor and Material Supplier Forms

The Associate is advised of significant changes in the forms and in the processing and approval of the forms which will require a coordinated effort between the Associate and the University Project Administrator. The primary change is a new provision which requires that a Subcontractor or Material Supplier be reviewed according to the factors in Subparagraph GC 15.1.2 before they are rejected. The Associate is jointly responsible along with the University for the review of Subcontractors and Material Suppliers.

J. State Architect’s Web Site

The Department of Administrative Services reserves the right to modify its policies, procedures and forms at any time. The Associate shall periodically review the Office of the State Architect’s web site: http://www.ohio.gov/sao

Also see the monthly Ohio Register at the web site: http://www.gsd.das.state.oh.us/sao/orb.html for possible changes to Department policies and procedures.

K. Safety
The Project Administrator is to determine if the “Special Conditions – Safety” (SC-S) or the “Safety Program for Construction Management” (SP) is to be used on the Project.

The “Safety Program for Construction Management” (SP) replaces “Special Conditions – Safety” (SC-P) for Projects with a total cost of $1 million or more.

With either form, the Project Administrator is to make appropriate Project specific edits to the Safety Program or Special Conditions and receive approval from the University’s Safety Representative, prior to inclusion in the Contract Documents.

L. University Policies, Procedures and Forms

The University reserves the right to make modifications to its policies, procedures and forms at any time. The University requires the use of its forms where noted in the Contract Documents. The party responsible for initiating forms shall utilize the latest edition forms obtained from the University’s web site: http://www.uc.edu/architect

M. Allowances

Allowances are often considered useful on a Project where the exact scope cannot be defined. Examples are: hardware, carpet, security devices, floor leveling, unsuitable soil, temporary roads, fencing, etc. In such cases, the Associate (with the approval of the Project Administrator) shall develop a Division 1 section (Allowances) describing the allowance(s) and corresponding dollar amount. Caution is to be exercised to insure that appropriate modifications are made to the Bid Form (BF) to coordinate with the language of the Division 1 section and if the allowance is to be included or added to the base bid.

N. EDGE Program

Project Administrator to fill in the EDGE % in the Special Conditions. Confer with the Director of Construction Management.