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APPENDIX

Sample Forms
1.00 ADMINISTRATION

1.01 General
This Project Administration Reference Manual provides a condensed version of the Construction Phase Manual, which contains the California State University (CSU) construction management policies and procedures that apply to a project. Each construction administrator (CA), project manager, inspector of record, University representative, and design professional shall use this manual as appropriate during construction administration of a project.

Construction Phase Manual (CPM)
All campus and Chancellor’s Office staff involved in construction management use the CPM; it is in loose form and will be routinely updated. The Project Administration Reference Manual describes in summary form some of the policies and procedures for administering a project, and also complies with the State University Administrative Manual (SUAM).

State University Administrative Manual (SUAM)
The SUAM, in part, contains an overview of all the policies and procedures of Capital Planning, Design and Construction associated with the capital outlay process from start to finish. It will receive periodic revisions. All CAs should read and be conversant with Section XII, and especially any article specifically herein referenced. SUAM is available on the CPDC website: www.calstate.edu/tier3/ppd/ under “Executive.”

1.02 Construction Management Authority
SUAM Sections 9711 and 9712

1.03 Construction Management Method
General
These procedures outline the construction management policies and procedures of the Office of the Chancellor, Capital Planning, Design and Construction (CPDC). The project design professional, as part of his/her professional services contract, will provide the technical direction for the project construction, and assist in the administration of the project. Normally personnel assigned through a service agreement will perform on-site project management and construction inspection under the direction of the CA. Testing laboratories and soils engineers will perform materials and soils testing usually under separate service agreements administered by the CA.

Project Design Professional
During the plan generation phases the project team, generally led by the University Architect, works with the design professional commissioned by the Trustees to design and provide construction documents for the construction of the project. From commencement of the bidding phase through the completion of construction, the CA assumes a leadership role for the construction phase. During the construction phase the project design professional makes technical decisions regarding the work, and the CA performs the overall construction administration. The project design professional approves or recommends approval of all required tests, materials, equipment, schedules, substitutions of materials, colors, textures, adequacy of work, payments, change orders to the contract, time extensions and final acceptance of the project.

Project Manager and Construction Inspector
Project managers/construction inspectors are normally employees of a firm that has been selected to provide construction services personnel and are assigned to a particular project or projects. They may be University employees when they possess the specific skills to meet the needs of a specific project or projects (refer to SUAM Sections 9785-9786).

1.04 Project Manager
The Project Manager’s Status
The project manager is the CA’s on-site assistant, and provides on-site coordination and communication. The project manager shall have signature authority for correspondence in administering the project with the
general contractor, the design professional, the University, and the testing laboratories. On projects that do not have a designated project manager, the construction inspector and construction administrator will share these duties as assigned by the construction administrator (refer to SUAM Section 9792).

**Limits of Authority**

The project manager shall NOT have the authority to enter into contracts or agreements or to make changes to any of the contracts or agreements on behalf of the Trustees. Such authority is reserved to the Trustees and requires the specific written approval of the CA.

**Duties of the Project Manager**

Provide on-site construction administration, inspection (if designated); coordinate the construction inspectors; and provide coordination and communication between the University, the CA, the contractor, and the design professional. The project manager shall provide documentation and prepare reports.

**Construction Administration**

a. Review all contract documents and ensure all appropriate CSU procedures are used.

b. Monitor overall budget and schedule, and advise the CA of any trends that affect the timely procedures and cost effective completion of the project.

c. Attend construction meetings to evaluate and report on progress, quality, budget, and other items for which action may be needed.

d. Review and coordinate all services provided by testing and inspection firms for compliance with service agreement requirements. Review and approve all invoices submitted by these testing and inspection firms and then submit recommendations to the CA for final approval. Review and initial the daily diary of the construction inspector.

e. Relay instructions from the CA and the design professional to the contractor, and relay problems from the contractor to the design professional and University for solution. Actively assist in securing decisions and clarification from the design professional in a timely manner.

f. Monitor design professional submittal log to assure all submittals are approved in a timely manner (this includes resubmittals). Request design professional to distribute a final submittal log which demonstrates acceptance of all submittals.

g. Evaluate and make recommendations to the CA regarding proposed contract changes and resolution of all disputes and claims. As directed by the CA, participate in or conduct negotiations to resolve change order costs, claims or disputes.

h. Maintain a change order log that includes a cumulative total of changes to the contract, and reconcile change order costs with contractor payment requests.

i. Coordinate final acceptance, inspection, and scheduling of occupancy.

j. Monitor completion and turnover of operation and maintenance data and record drawings. Monitor required operating texts and training required by contract. Execute the Certification of Completion form. Complete and transmit the Project Closeout Checklist to the CA.

**Inspection**

a. If designated, and in conjunction with the construction inspector, observe, check, and measure items placed in the work for compliance to project documents and directives from the design professional.

b. Review and coordinate the activities of the construction inspector in the performance of the construction inspector's duties as detailed in Duties of the Construction Inspector.

**Documentation**

a. Develop procedures to initiate and maintain document files.

b. Maintain daily diary describing general events, noting problems and unusual events, decisions and directions given to the contractor by the design professional, the University, or the project
manager. The diary should complement the daily diary of the construction inspector and need not duplicate in any area.

c. Submit weekly and monthly written reports to the CA and the design professional to reflect new and unresolved issues, schedule, quality control, submittal review, budget control including contingency balance, and any other pertinent issues. Project progress reports shall reflect completed work versus contract time.

d. Review and initial the construction inspector's daily diary and weekly report (if not combined with the project manager’s weekly report).

Additional Duties
The project manager may assume other responsibilities as directed in writing by the CA and as approved by the Executive Dean (or Chief of Construction Management if administered by CPDC).

1.05 Construction Inspector

The Construction Inspector's Status
The construction inspector is administratively supervised by the project manager, if one has been assigned, otherwise, the CA. The construction inspector is the Inspector of Record for the project and receives technical direction from the design professional. The construction inspector ensures that all inspections and tests required by the contract documents are completed and is required to certify that the project is completed in accordance to the contract documents. The construction inspector must have appropriate credentials: ICBO, OSHPD, DSA or equivalent certifications, or be an architect, engineer, or equivalent. Labor Code Section 1720 requires inspectors to be paid a minimum of prevailing rate wages commencing January 1, 2001.

Limits of Authority
The construction inspector shall NOT have the authority to enter into contracts or agreements or to make changes to any of the contracts or agreements on behalf of the Trustees. Such authority is reserved to the Trustees and requires the specific written approval of the CA.

Duties of the Construction Inspector

a. Be familiar with the plans and specifications and the general contractor's operations at all times.

b. Personally observe, check and measure items placed in the construction for compliance to the contract documents and technical instructions from the design professional.

c. Supervise and/or perform on-site testing and ensure that all required tests are performed by the testing laboratory, the contractor or the design professional as specified in the contract documents. Check and report all failed tests to the project manager, the CA, the contractor, and the design professional and request instructions as to further procedure. Assist the project manager in checking billings from the testing laboratories to see that billings reflect only tests actually performed and requested, and that unit rates match personnel used and tests performed.

d. Inspect all materials immediately upon their delivery to the site to ensure that they comply with the specifications and approved submittals and shop drawings, and are in good condition, new, undamaged, etc. Ensure that non-approved materials are marked and segregated.

f. Record the design professional's, or his/her consultant's verbal instructions to the construction inspector, during field supervision trips, in the construction inspector's daily diary for that day and request a field instruction report. Whenever the construction inspector contacts a consultant directly, he shall review the situation with the design professional before issuing instructions. Should there be any question by the construction inspector as to the consultant’s instruction, he shall consult the design professional whose decision shall govern.

g. Assist in relaying instructions from the CA and the design professional to the contractor and in relaying problems from the contractor to the design professional and University for solution. Actively assist in securing decisions and clarification from the design professional in a timely manner.
h. Review the contractor's work on the required record drawings weekly to ensure that they are accurately marked up as required. Report any non-compliance at project meetings.

i. Assist the project manager in checking the contractor's estimate of work completed for partial payments based on the approved cost breakdown.

j. Advise the project manager, the CA, and the design professional of circumstances surrounding requested changes in the work.

k. Maintain a daily diary describing the general work performed, noting problems, rejections and unusual events. The diary should be completed daily, and factually. The diary should reflect the contractor's activities each day, and include weather conditions and personnel working. The diary shall be signed in ink below the last entry; if the diary is electronic in form, print out each day’s diary, sign in ink below last entry, and maintain signed copy in a file (refer to SUAM Section 9800.04). Fill out and transmit to the CA a report of injury whenever there is an accident. Provide a weekly report on the form provided. The weekly report may be combined with the report of the project manager.

l. Assist the CA, the project manager, and the design professional in the final inspection and project acceptance phase.

m. Upon completion of the project, review with the project manager and the design professional any and all guarantees, keying, operating instruction, completion of final punch list items, etc., that are called for in the project documents. The construction inspector must confirm that the above are received before he and the design professional certify the completion of the work in writing.

n. Execute the Certification of Completion form, at completion of construction, that the project was constructed in accordance to the project documents.

o. Enforce the restrictions peculiar to the project.

p. Report to the CA and the project manager poor performance or any acts prejudicial to the Trustees' interests.

q. Assume the duties normally performed by a project manager as assigned by the CA when no project manager is assigned.

**Conduct of the Construction Inspector**

The construction inspector in the conduct of his/her duties, must:

a. Maintain an effective working relationship with the contractor, the design professional, the University, and the project manager, so as to safeguard the interest of the Trustees;

b. Be tactful, firm, and fair in his/her insistence to the adherence of the intent of the contract documents;

c. Review and inspect work and materials in a timely manner so as to avoid, as much as possible, disruption to the schedule or work already in place;

d. Rely on the design professional to solve technical problems that arise during construction;

e. Exert extreme care that communications to the contractor cannot be misinterpreted as changes in the scope of the work, or a change in the contract amount, unless the communication has the written approval of the CA.

**Restrictions on the Construction Inspector's Authority**

The construction inspector in the exercise of his/her authority:

a. Shall rely on the design professional for technical interpretations of the contract documents. This includes approval of shop drawings and samples.

b. Shall not authorize deviations from the project documents;

c. Shall not avoid conducting any tests required;

d. Shall not interfere with the responsibilities of the contractor and its field staff;
e. Shall not advise on, or issue directions relative to any aspect of the building technique or sequence unless a specific technique or sequence is called for in the specifications;

f. Shall not advise the University to occupy the project, in whole or in part, prior to final acceptance of the building without approval from the CA;

2.00 PREBID, BID, AND AWARD PHASE

2.01 Prebid Meeting
Reference: SUAM 9721
Shortly before advertising is to begin (when the construction documents are in plan check), the CA will notify the project team, the University, and the design professional of the prebid meeting. The project team, led by the CA, identifies any constraints or restrictions required by the University, for example, shutdown requirements, phasing requirements, utility interface, access restriction, etc. The CA reviews with the design professional the state laws concerning proprietary products and substitutions. The CA also reviews the following with the design professional: chairing project meetings and producing minutes, response times to shop drawings and requests for information, any special requirements, Division One requirements and language. See Prebid Meeting Agenda. University CAs may call Construction Management in CPDC to review the agenda or invite the assigned Construction Engineer to attend this meeting if they wish assistance. It is recommended that the provisions of SUAM Section 9721 be reviewed and addressed as appropriate at this meeting.

2.02 Prebid Meeting Agenda
a. Review the special requirements of University, such as phasing, deadlines, equipment installations, occupancy, allowances, and temporary utilities from University or utility company, sub-meter, lump sum fee, etc. (project should pay its own way for temporary utilities), and have design professional incorporate them into the Division One specifications.

b. Review the contract time of performance and liquidated damages for contract overrun (refer to SUAM Sections 9721.04 and 9721.05).

c. Discuss the alternatives and/or unit price policies. Determine if any are to be included, and how covered in Division One and on bid proposal form (refer to SUAM Section 9721.07).

d. Plan the coordination of the project construction with other developments underway or proposed during the construction phase of the subject project.

e. Set the bidding date and the amount of the plan deposit, and decide where bidders may secure plans or review them. Complete the Construction Bid Information Form, including contract time and liquidated damages.

f. Discuss the issuance of addenda.

g. Explain the duplication and delivery of contract documents for bidding purposes. Explain the need to get competitive bids for printing or have justification for selection of printer.

h. Explain the procedures and responsibilities for conduct of the project bidding and award of contract.

i. Explain prequalification of bidders and the control for issuing proposal forms by the CA.

j. Outline the testing procedures and explain the project management and construction inspection services. Discuss project management and construction inspection staffing expectations, and temporary facilities. Discuss including temporary facilities in Division One.

k. Discuss federal and other requirements of the project with federal funding, if applicable.

l. Brand or trade names and proprietary specifications (refer to Public Contract Code Section 3400 and SUAM Sections 9721.01 and 9721.02).

m. Discuss other items pertinent to this project, for example, all University-required restrictions shall be discussed and incorporated, if in the best interest of the Trustees.
2.03 General Make-up of Bidding Documents
Reference: SUAM 9731.01
Bidding documents consist of the project plans and specifications, both generated and prepared by the project design professional. The working drawings shall comply with Section 90120 of the Public Contract Code. The Trustees have only limited standard guide specifications for the technical portion of the work. It is preferred that technical specifications are printed on 8-1/2 x 11-inch sheets bound on the left side into book format. Printing on both sides of each sheet is preferred in order to make a thinner volume. The Trustees do have standard general conditions and other legal requirements that must be included in the bidding documents. A copy of these documents is furnished by the CA to the design professional for reproduction and inclusion in the specification book.

The following material must be bound into the volume containing the specifications:

a. Cover and title page, prepared by the design professional;
b. A general index of the volume, prepared by the design professional;
c. The notice to contractors, prepared by the CA;
d. The proposal form, prepared by the CA, with "sample" overlay;
e. The bidder's bond form, furnished by the CA;
f. Contract general conditions, furnished by the CA, including sample forms for contract, bonds, etc.;
g. Supplementary general conditions, furnished by the CA, if any;
h. Special conditions, furnished by the CA, intended to complement the contract general conditions;
i. Prevailing wage rates, furnished by the CA;
j. Federal forms, furnished by the CA, for projects with federal grants, interest subsidies, or loans (if required);
k. Division one general requirements, prepared by the design professional and approved by the CA;
l. Technical specifications, prepared by the design professional.

2.04 Role of the Design Professional During Bidding
The responsibilities of the design professional during bidding phase include:

a. Reproduce the plans and specifications and furnishing them for distribution to bidders;
b. Answer all questions from bidders relative to the project in an appropriate manner;
c. Review submitted “or equals” per Section 3400 of the Public Contract Code (the law and contract reads submit prior to award, but likely will require review prior to bid);
d. Conduct a prebid meeting and job walk when necessary;
e. Issue all addenda after obtaining approval from the CA;
f. Attend at the formal bid opening;
g. Evaluate any bid overrun;
h. Submit a complete listing of all tests required in accordance with the project specifications.

2.05 Role of the University During Bidding Phase
During the bidding phase of the project, the responsibilities of the University include:

a. Coordinate delivery of the project plans and specifications to the designated distribution location, and ensure that both the plans and specifications are numbered consecutively;
b. Ensure that a record is kept of all plans and specifications issued, by number of bid set and name of contractor receiving that bid set, along with contractor’s address, phone and fax numbers;
c. Ensure that deposits from bidders withdrawing plans are obtained;
d. Notify the CA if additional sets of plans are needed for bidders;
e. Periodically throughout the bidding period, furnish the CA and the design professional with the names of all contractors who have withdrawn plans;
f. Ensure that all addenda issued are attached to the plans and specifications on hand and that copies are mailed to all plan holders;
g. If applicable, return deposits to all plan holders who return plans within the time stipulated and then deposit the balance with the project funds in order to defray printing costs;
h. Ensure that copies of the plans and specifications are placed in the plan rooms selected during the prebid meeting;
i. Direct all questions regarding the project and the bidding procedures to the design professional;
j. Issue bid packages to prequalified bidders, unless project is administered by CPDC. The prequalification coordinator in CPDC performs prequalification of prospective bidders, and CA shall verify prequalification status of bidders with the prequalification coordinator.
k. Handle all public information releases concerning the project through appropriate University channels;
l. Apprise the University staff of the project and the conduct required of them during construction;
m. Make all arrangements required to accommodate the construction;
n. Advise the students of their responsibilities during the construction period;
o. Prepare and conduct the formal bid opening at the University; accurately record all bids received on the official Abstract of Bids form.

2.06 Design Professional-Client Relationship
The design professional, under terms of his/her agreement, is obliged to furnish three copies of the plans, specifications, and an estimate of costs to the University. The design professional will be reimbursed at cost for all copies of plans and specifications over the three called for in his/her agreement. The University, after reviewing and approving the plans, specifications and estimate of cost, will submit a copy to the CPDC facility planner who will secure additional approval to proceed to construct the project, if necessary.

2.07 Advertising for Bids
Reference: Public Contract Code, Section 10742, and SUAM Section 9723.
The CA is responsible for placing advertisements soliciting bids in appropriate trade papers and newspapers in accordance with the provisions of the contract laws that apply to the California State University, including an advertisement in a newspaper that reaches disabled veteran business enterprises (DVBE). Advertisements for bids are placed approximately four weeks prior to the bid opening date; the bid openings are normally held either on Tuesday, Wednesday or Thursday, and usually not the day after a holiday. An advertisement is also placed in the California State Contracts Register published by the Office of Small Business Certification and Resources.

At this time the CA directs the design professional to produce project plans and specifications and arrange for delivery of them to the University’s designated distribution location, usually by the day of the first advertisement date. The design professional shall seek bids for the printing and select the most economically responsive bid. One set of project plans and specifications shall be directed to the CA in CPDC (if administered by CPDC), and the design professional shall keep adequate sets for his/her own use. If federal funds are involved, one additional set must be forwarded to the appropriate federal agency.

2.08 Distribution of Project Plans and Specifications
Reference: SUAM Section 9730.
The University shall coordinate the distribution of project plans and specifications. The University shall ensure that the sets of plans and specifications are numbered consecutively and issued as sets, with the
number on the plan agreeing with the number on the specifications book. A written record of the
distribution of plans and specifications shall be kept, and shall include name, address, phone and fax
number of company withdrawing plans; numbers on the plans and specifications issued; amount of deposit;
and date of issue. This information is necessary to maintain throughout the bidding period so that copies of
any addenda issued may be forwarded to all bidders accordingly.

As a service to any contractors that may not be prequalified, the CA will furnish copies of the
prequalification forms to any contractor requesting them. These forms must be submitted by the Contractors
to the Chancellor's Office, Capital Planning, Design and Construction, Attention: Prequalification
Coordinator, for evaluation (see SUAM 9740) to become prequalified to bid.

Standard procedure is to issue plans and specifications for bidding on deposit as follows: general
contractors are allowed refunds for a maximum of two sets of plans and specifications each; subcontractors,
one set each. Plan deposits are refundable upon return of the plans and specifications unmarked and in
good condition, within 30 days of bid opening. Any plan deposits on hand thirty days after the notice of
award of contract must be forwarded to the CA. The funds from these deposits are to be used for defraying
the advertising, printing and distribution costs of the project. The bidder awarded the contract normally is
furnished the available remaining sets of plans and specifications at no cost. The plan deposits of the
successful bidder are also refunded without return of plans. Subcontractors who have withdrawn plans and
who are listed by the general contractor who was awarded the contract must return their plans to secure
their plan deposits unless the general contractor authorizes the listed subcontractor to retain its set as
though from them. Otherwise, all subcontractors must secure any plans they need in their work from the
general contractor.

Plan rooms in the vicinity of the University are furnished with a set of plans and specifications, at no cost or
without deposit, since it is to the advantage of the Trustees to have plans on file in such places for the use
of subcontractors. All other requests for these documents must be accompanied by a plan deposit.

2.09 Bid Proposal Package
After the first advertisement is placed, the CA’s staff will have bid proposal packages ready to issue to
contractors requesting them. Bid Proposal packages are issued only to prequalified contractors, who have
the appropriate license and prequalification rating for the project. The CA’s staff maintains a bid proposal
registry.

2.10 Addenda During Bidding
Reference: Public Contract Code Section 4104.5 and SUAM Section 9747.
The design professional is the only person who may clarify the contract documents and answer questions
from bidders or other interested parties during the bidding period. The University must direct all questions
concerning the project to the design professional, other than those questions relative to withdrawing plans,
etc., which are not technical. As the result of these questions and design professional review of the plans,
the need for clarification or additional information sometimes becomes necessary. The design professional
will then contact the CA for authorization to prepare and issue an addendum to the plans and specifications.
The design professional will also send to the University sufficient copies of the addendum for mailing to all
plan holders and attachment to any remaining plans and specifications. Faxing addenda may be done to
expedite delivery, but mailing must always also be done.

The CA must first clear addenda changes requested by the University before they will be approved for
issuance. Public Contract Code Section 4104.5 requires a 72 hour time extension for the bid opening if an
addendum of addition, deletion, or material change is issued within 72 hours of bid opening. “Material
change” is defined as a change having substantial cost impact on the total bid. Addenda must be issued in
sufficient time for bidders to react to them, and three days is deemed the minimum time for this.

2.11 Prequalification of Bidders
Prequalification of bidders is done for all projects in excess of $300,000 by the Prequalification Coordinator
in Construction Management, in accordance with a standard means of evaluating bidders’ financial and
experiential abilities to perform the work. It will not be expanded upon here. Reference Public Contract Code Section 10760 and SUAM Sections 9740-9745.

2.12 Bid Opening
Reference: SUAM Sections 9750-9770.02

Location, Time and Date, and Preparation for Bid Opening

The bid opening is held at the University, under the auspices of the University official responsible for Business Affairs. It is recommended that the bid opening be held in the Administration Building or near the room where plans and specifications were issued during the bidding period. A room large enough to hold at least twenty seated persons is required, and should contain a counter or table at one end, a wall clock, and a telephone.

For maximum success, bid openings are usually scheduled for 2:00 p.m. on a Tuesday, Wednesday or Thursday. No bid opening should be scheduled on the day preceding or following a holiday. It is recommended to avoid morning bids and bids held on Monday and Friday.

On the morning of the bid opening, the University should place signs directing bidders to parking as well as to the bid opening room. Approximately ten parking spaces (or at least as many as the number of bid packages distributed) should be made available, and a member of the University security force should be at the parking area to direct last-minute arrivals. The bid opening room should be open to bidders approximately 1-1/2 hours prior to bid opening. It is most desirable to have numerous telephones, public or otherwise, near the room where the bid opening will be held, for the sole use of bidders from 12:30 p.m. until the bids are open. The availability of telephones for the bidders will result in more favorable bids, as subcontractors quote new prices until just before the bids are opened.

Responsibilities and Duties of Personnel Conducting Bid Opening

The bid opening shall be conducted by three staff members who shall act as facilitators and who will not answer questions, officially. They will be required approximately from 1:00 p.m. to 2:30 p.m. The facilitators should have the following supplies available on the table or counter: scissors, letter opener, stapler (with staples), staple extractor, scotch tape, pens, and copies of the Abstract of Bids form for the project. One of the facilitators shall serve as a monitor, one as the bid announcer, and one as the recorder. The recorder need not be present until ten minutes prior to bid opening, the others need to be available as soon as the room is open to bidders.

Bids received by courier, overnight mail service or by mail are brought into the bid room by the monitor, who places them on the bid table but retains custody of them until they are opened. The announcer presides over the bid opening and receives all bids submitted at the bid room and places them in the custody of the monitor until the bid opening. Ten minutes before the bid opening the recorder must make a telephone check on the room clock and adjust it if it is not accurate. It is recommended that the recorder then announce the time at intervals until the scheduled bid opening time is reached. As a clarification, if the time for receiving bids expires at 2:00 p.m., then all bids must be submitted prior. When the clock strikes 2:00, the time is up--no bids may be received after this time. A very effective and accurate way of announcing the exact time is to have a speakerphone with the time announced continually during the final five minutes. When the scheduled bid opening time is reached, the recorder must notify the announcer, who is responsible for signaling the end of the bid acceptance period promptly with a bell or gavel and announcing “The period for accepting proposals by the Board of Trustees of The California State University for the work of Contract Number (state project number and name) is closed in accordance with Section 10766 of the Public Contract Code. Bids will now be publicly opened and read.” It is mandatory that no bids tendered after the audible signal of the bell or gavel be accepted. Acceptance of a bid after this signal could result in a protest by a bidder, which would lead to rejection of all bids submitted.

The actual bid opening shall be as follows: Monitor will open one sealed envelope with the bid and hand it to bid announcer, table center, who will extract the bid from the envelope and read Contractor’s name and state whether or not a bid security is attached, the subcontractors are listed, and small business preference is claimed. Bid announcer will then announce the amount of the bid with any additive or deductive alternatives that are listed. The recorder will record this information on the Abstract of Bids form. Opened bids will be given to the monitor who will stack them separately from unopened and withdrawn bids. This procedure shall be repeated until all the responsive bids are read. Announcer will also state the number of
bids that have withdrawal requests, but nothing else concerning these bids. After all the responsive bids are read and tabulated, announcer will state: “The tabulation will be checked, and the apparent low bidder announced.” Facilitators will then check the tabulation against the bids while at the bid table. If a bidder who is certified as a Small Business by the Small Business Certification and Resources Office requests a 5% bid advantage for small businesses and has enclosed a fully executed copy of Small Business Preference and Certification Request with bid, they will be given a 5% preference up to a total of $50,000 in accordance with Government Code Section 14838. When the bids have been checked, the announcer will make an audible signal and state “The apparent low bidder is (state name, address, bid price). The apparent second low bidder is (state name, address, bid price). These two apparent low bidders need to submit all required DVBE forms and the expanded subcontractor list to the DVBE Coordinator in CPDC within two working days of this bid.” The listed subcontractors for the two lowest base contract bidders are then read. The announcer then closes the bidding procedure with “The receiving of bids for Project No. (state project no.) is closed, and the bids submitted will be taken under advisement by the Trustees, who will either award a contract to the lowest responsive bidder or reject all bids within the time stated in the documents.” The Abstract of Bids shall be carefully reviewed for accuracy, and the recorder shall sign it in ink.

**Question Period**
A question period may follow the formal close of the bid opening procedure. Only the announcer may receive or answer questions. However, the announcer may consult with others conducting the bid opening, or the CA, if present. The announcer may only answer questions on the following subjects: bid amount of any proposal opened, list of subcontractors submitted by any bidder whose bid was opened, form of surety offered by any bidder whose bid was opened, or the announced bidders who have certified as a small business on Small Business Preference and Certification Request. Questions beyond these subjects should be parried with a statement that the question is irrelevant to the bid opening and should be submitted in writing to the CA.

**Disposition of Bids**
The bid room should be cleared as quickly as possible at the close of the question period, and the bids delivered to the CA.

If the project is administered by CPDC, the University should keep a copy of the apparent low bidder’s bid package, since subcontractors will call for information on who was named for various items of work. If the CA is not present, fax a copy of the abstract of bids, and transmit all bids by an overnight mail service, on the same day.

2.13 **Withdrawal of Bids**
Reference: Public Contract Code 10767 and SUAM 9856
A bid may be withdrawn prior to bid opening by submittal of a letter of withdrawal to the bid announcer. The announcer must make sure, by direct question, that it is a bid withdrawal letter, and the monitor must confirm this. The monitor must then open the letter, read it, and staple it to the bid that is to be withdrawn. This bid must be set aside, to be returned to the bidder unopened.

2.14 **Rejection of Bids**
Projects for which all bids are rejected may not be rebid until the plans and specifications have been re-evaluated and modified. The modification must be such that the scope is preserved, but the estimated construction cost is brought within the available funds or any ambiguity has been corrected.

2.15 **Acceptance of Bid Proposal**
Upon the signing of the Approval to Award a Contract by the appropriate contract administrator, a notice of acceptance of a bid proposal may be faxed to the bidder by the CA. In any case, a written notice of acceptance, known as “award of contract,” shall be sent to the contractor, and this notice transmits the agreement, bonds and other contract forms for execution. A copy of the notice is furnished to the University (when administered by CPDC), the design professional, CPDC Architect (when administered by CPDC), facility planner (when administered by CPDC), and Financing and Risk Management (if non state funded).
The proposal tendered is valid for sixty days (unless changed in the documents) after the bid date. If a bid is to be accepted, the lowest responsible bidder's proposal must be accepted and a contract offered within that period. The CA is responsible for preparing and processing execution of the contract package in five counterparts, including bonds. Powers of attorney and attestations are provided by the contractor. Copies of the executed contract are distributed to the CA, the Contractor, the design professional, the accounting department, and the Office of General Counsel in the Chancellor's Office.

2.16 Testing Companies
The CA shall arrange for testing by soils, materials and asbestos/lead testing laboratories for construction projects. These services are provided under a service agreement with the testing laboratories. During the bidding period, the CA requests the design professional to submit a list of the anticipated types of tests that will be required, with an estimate of the number of each type. The design professional is advised that requests for type and number of tests should be made judiciously, in accordance with accepted code requirements and project specification. Using this estimate of required testing, the CA then reviews the proposals submitted. Selection of a laboratory is based upon the qualifications of the laboratory and its personnel to perform the anticipated tests, estimated costs, and previous performance. The Trustees' policies in awarding a testing contract are to utilize at least three proposals from firms in the project area, keep testing costs at a level consistent with current industry practice, distribute the work among qualified firms as widely as is practical, and seek firms complying with DVBE goals (if possible). After approval of the construction contract, the selected testing laboratories are notified and offered service agreement(s). The CA is responsible for preparing the service agreement(s) and transmitting them to those laboratories.

2.17 Project Manager/Construction Inspector
Trustees' policy is to utilize an independent firm in the hiring of project managers and construction inspectors, based upon budget and the need of special expertise. The CA produces and maintains a plan for project management and construction inspection versus budget available for each project. This plan will include estimated project duration, required field construction management personnel, and the projected cost of the personnel. The Executive Dean (or the Chief of Construction Management if administered by CPDC) will review this staffing plan. The CA will then interview and select appropriate candidates supplied by those firms selected (short listed). The construction inspector must have appropriate credentials: ICBO, OSHPD, DSA or equivalent certifications, or be an architect, engineer, or equivalent.

3.00 CONSTRUCTION PHASE

3.01 Preconstruction Meeting
The CA is responsible for scheduling a preconstruction meeting at the project campus at the time of execution of the contract with the successful prime contractor (normally prior to the Notice to Proceed). Attendance at this meeting includes the CA, campus representatives responsible for capital improvement, safety and affected facilities, and plant operations; the design professional; the contractor; and the project manager/construction inspector. The main duties and responsibilities of the persons filling these positions are outlined at this meeting. The CA shall chair this meeting, which will be based on the preconstruction meeting agenda.

3.02 Progress Schedule and Contract Bid Cost Breakdown
As specified and as required by the contract, the Contractor shall prepare a construction schedule and a contract bid cost breakdown, and submit copies to the project manager/construction inspector, the CA, and the design professional. The design professional, with input from the project manager/construction inspector and the CA or a scheduling consultant, will review and approve both the schedule and the breakdown. Responses shall be compiled by the design professional and returned to the Contractor with copies to the project manager/construction inspector and the CA.

The project manager/construction inspector are responsible for reviewing the progress completion schedule on a monthly basis and alerting the design professional and the CA of any slip in the Contractor's performance of the approved construction schedule.
3.03 Contractor's Payment Request
The approved bid cost breakdown shall be used by the Contractor in the preparation of the regular monthly payment request on standard payment request forms.

The Contractor shall submit five sets of payment requests, all with original signatures. The project manager/construction inspector and design professional shall sign the payment request certifying that the completed percentage of work is accurate. The certified payment request shall then be forwarded (all five sets) to the CA for approval, processing, and distribution.

3.04 Daily Diary
The project manager/construction inspector shall keep separate daily diaries in Trustee-furnished form. At the end of each day they shall sign and date the page directly under the last written line to prevent postdate entries. Diaries may also be maintained electronically. If the diary is maintained electronically, it is advised that at the end of each day the project manager/construction inspector print out that day’s entry, and then sign and date the page directly under the last line of text to prevent postdate entries, and keep that signed page in a file. The daily diary is extremely important and must be properly kept. The project manager/construction inspector shall attach a copy of their daily diaries to the weekly report submitted to the CA only. At the end of the project, the project manager/construction inspector shall submit the wet signature original of their daily diaries to the CA.

3.05 Structural Drawings and Log
The construction inspector shall keep a set of "working drawings" on which to indicate that the structural features of the contract work have been inspected. The method of indication that this inspection has been performed is left to the discretion of the construction inspector. The design professional shall review these structural check drawings to assure that adequate attention is given to inspection of structural features.

3.06 Record Drawings
The project manager/construction inspector and the design professional shall see that the contractor maintains "as-built drawings" during the course of construction as required by the contract. The contractor will transmit record drawings to the design professional as part of the completion documents. The design professional will correct his/her tracings at the completion of the contract in accordance with his/her design agreement.

These drawings shall show actual as-built conditions including changes of dimensions or locations of items from the plans. Each change order to the contract shall be shown by reference or sketch drawing on the "record drawings." Supplementary drawings and change order drawings shall become a part of the record package. Every sheet of the contract drawings that differs from the record condition shall be marked to reflect the actual conditions, and sheets so changed shall be noted on the drawing title sheet.

"Record drawings" shall be sufficiently exact and detailed so that any future work to the structure and adjacent areas may proceed with a minimum of difficulty.

3.07 University-furnished Items
The project manager/construction inspector shall be responsible for coordinating the delivery of project items to be furnished by the University under a supply contract, if any.

3.08 Testing
At the beginning of each contract, the design professional will list the materials and the types of testing required by the contract. The CA will furnish the name of the testing laboratory that will perform the tests. All field samples of materials to be tested shall be taken by the construction inspector or by the laboratory in his/her presence. Complete records shall be kept of all samples taken and tested as well as the results of the tests. Testing laboratories shall have their on-site services verified by the project manager/construction inspector. Field tickets signed by the project manager/construction inspector shall be attached to laboratory
payment requests or invoices as a services source document. Labor Code Section 1720 requires that contracted inspectors and related services be paid a minimum of prevailing rate wages (Operating Engineers) commencing January 1, 2001.

3.09 Safety
Safety shall be a prime consideration in every operation on a construction project. The project manager/construction inspector shall review the appropriate safety measures to be used by the contractor. A clean and safe job is a requirement of the contract, and adequate means are provided in the contract to enforce these conditions. Liability for safety shall be solely the responsibility of the contractor.

3.10 Field Instructions
Field instructions are the official written communication between the project manager/construction inspector and the contractor. Copies of all field instructions shall be sent to the design professional and CA.

Field instructions may be served or addressed to the contractor for:

a. Emergency work including safety violations
b. Outlining deficiencies and/or inspection corrections
c. Design professional directions or clarification
d. Directions to proceed with a change per Article 6.01 and 6.02 of the Contract General Conditions with the CA’s authorization
e. Directions to proceed with disputed work per Article 5.02 of the Contract General Conditions with the CA’s authorization
f. Other reasons requiring written communications.

3.11 Submittals
The project manager/construction inspector shall assist in timeliness by regular follow-up on all Requests for Information (RFIs) and all submittals of required materials and shop drawings to avoid delay in securing answers and approvals thereof. Materials shall be approved by the design professional before they are allowed to be placed, otherwise notification should be given to the Contractor that he is proceeding at his/her own risk. If the contractor claims that an RFI or submittal response is a change to the contract, the project manager/construction inspector and the design professional shall review the contractor's claim and make recommendations to the CA; if a change is intended or direction to proceed under protest is required, a field instruction signed by the CA shall then be produced and transmitted to the contractor.

4.00 CONTRACT CHANGE ORDER PROCEDURES

4.01 General
Reference: SUAM Section 9820
When the proposed need for a change order is first known by the design professional, a change proposal shall be prepared. It is the conceptual approval form and should be prepared for each change as early as possible.

All proposed or requested changes to the contract shall be discussed with the CA prior or concurrent to a change proposal being prepared. The CA shall determine whether or not to proceed with the proposed or requested change. When so notified by the CA, the design professional shall proceed with the change proposal. No extra services are to be used by the design professional prior to the approval.

A partial purpose of the change proposal is to eliminate unnecessary cost proposal requests to the contractor and to control additional construction and design costs.
4.02 Normal Change Orders

a. The need for a change order usually arises from one of the following reasons:

1. Error in or omission from the contract documents;
2. Unforeseeable job site conditions such as rock, expansive soil, unrecorded utility lines or similar circumstances;
3. Change in the requirements of a regulatory agency, such as revisions in building codes, fire, safety or health regulations;
4. A change originated by the University (University is cautioned not to exceed the scope of the project or to add a project, refer to SUAM Section 9820.02);
5. Changes in specified work or materials due to the unavailability of specified materials.

b. Design professional shall prepare a change proposal, in accordance with the following instructions, that are keyed to the numbers on the form, and submit it to CA.

4.03 Change Proposal Procedures

a. The design professional shall complete the heading block and Items 1 through 6 on the change proposal form.

1. Description of Proposed Change. The design professional shall describe completely and definitively the change or changes proposed.

2. Necessity for Proposed Change. The design professional shall state on the change proposal the condition, circumstance or occasion that makes the change proposal necessary. Be precise and specific. Indicate precisely what code change has been made, what condition was encountered, or what error or omission exists.

3. Origin and Originator of Proposed Change. The design professional shall name the originator of the proposed change and identify the original proposer, i.e. design professional, contractor, inspector, University representative.

4. Classification of Proposed Change. Circle the appropriate classification. If '4.6' or 'Other' is selected, it should clearly not fit any of the other classes, or it may be a composite of other classes, and must be described.
   - 4.1 Error in or omission from the contract documents.
   - 4.2 Unforeseeable job site condition such as rock, expansive soil, unrecorded utility lines or similar circumstances.
   - 4.3 Change in the requirements of a regulatory agency, such as revisions in building codes, safety or health regulations.
   - 4.4 A change originated by the University.
   - 4.5 Changes in specified work due to the unavailability of specified materials.
   - 4.6 Other, describe when applicable. This classification is not allowed on annual reports transmitted to the Board of Trustees; therefore, it is best to classify using 4.1 through 4.5, whichever is primary.

5. Estimated Cost of Proposed Change

(a) Construction Cost (A/E Estimate). The design professional must provide an estimate of the additional cost or credit for the proposed change. If the design professional estimates a change proposal to be a no-cost change, the estimated cost should be indicated as $0.

When the proposed change is originating from other than the contractor, the cost estimate should be made by the design professional. The construction cost estimate should be of the "order of magnitude" or "probable cost" type. The design professional should obtain assistance in obtaining the estimated
construction costs from the design professional’s consultants and/or the project manager/construction inspector, when appropriate. The Architect should not discuss his/her estimate of the construction cost with the contractor. At this stage there is no assurance a change will be approved.

When the proposed change originates from the contractor, and the contractor submits a cost, the design professional shall review the contractor’s cost, using, where appropriate, the design professional’s consultants and/or project manager/construction inspector, and shall recommend that the contractor’s cost is or is not an appropriate cost for the work done.

(b) A/E Extra Service Compensation. The design professional must also provide an estimate of the extra A&E compensation required to make changes in the contract documents, or produce additional drawings and/or specifications necessary to execute the proposed change. If the proposed change is Item 4.1 (error in or omission from contract documents), the estimated design cost shall always be indicated as $0. The extra compensation requested by the design professional may be allowed if it is in accordance with the design professional’s agreement and is approved by University contract administrator.

Failure to include extra compensation in the change proposal may preclude the design professional from claiming such extra compensation at a later date. Incorrectly quoted compensation may be revised upon submittal by the design professional of a complete description and substantiation for the additional compensation prior to approval of the proposed change order. A delay in this submission may result in a rejection of the amended compensation request.

If approved, a letter authorizing the extra services compensation will be sent to the design professional from the University contract administrator administering the design contract.

6. Preparation and Recommendation. The design professional must include his/her signature and date in the space provided, and then submit the change proposal to the CA. The CA will then secure the following reviews/approvals. Again, the numbers are keyed to the numbers in the form.

7. Funding. The CA shall complete this item with consultation with the University Fiscal Manager, if necessary.

8. Recommendations. Before recommending and/or authorizing the proposed changes, the CA shall review the contingency balance and shall ensure that funds are available to pay for the proposed changes. The contingency balance should take into account all approved changes, change proposals, all known possible claim costs and an allowance for future unknown costs. It is the CA’s responsibility to ensure that the contingency balance is not exceeded nor excessively depleted. Any nonessential change should not be approved, if in the CA’s opinion, the contingency balance is not sufficient to complete the project. The CA shall keep the Executive Dean (Chief of Construction Management, if the project is administered by CPDC) and the Project Team aware of the contingency balance on at least a monthly basis and shall immediately consult with the Executive Dean (Chief of Construction Management, if the project is administered by CPDC) and Project Team, if the contingency balance is to be subjected to any large change order or claim costs.

A structure of tiered approvals is normal and appropriate depending upon cost and scope of a proposed change. The structure of CPDC is not duplicated here.

9. Approval of Change Proposal. The CA shall indicate whether the change proposal is approved or rejected.

10. Request for design professional to prepare a Cost Request Bulletin or Change Order. Once all recommendations have been received, it is incumbent upon the CA to resolve any differences in the recommendations. The signature of the CA will be the authorization for the design professional to prepare a cost request bulletin, or if the final cost is known, to prepare a change order.
b. The CA then distributes copies of the change proposal form to the design professional and the
project manager/construction inspector.

4.04 Cost Request Bulletin Instructions
a. Design professional, upon receiving an approved change proposal from CA, shall prepare a cost
request bulletin describing work to be performed and submit it to the contractor requesting the
contractor's cost for the work described. The cost of the change may already have been
established by a change order request or other means. In this case, a cost request bulletin is not
required. Often the cost request bulletin is achieved by a field instruction issued by the project
manager/construction inspector with input from the design professional.

b. Contractor shall submit completed change order request with complete back-up material to design
professional for his/her review, with copies to project manager/construction inspector and CA.

c. Design professional, with consultation of the project manager/construction inspector, shall review
the change order request and the back-up material for conformance to the contract. For any
changes that have approval options that cost greater than $5,000, if the cost is within twenty
percent (20%) of the approved estimated cost, design professional may prepare the formal contract
change order. If the cost is more than twenty percent (20%) over the approved cost, a suggested
guideline is that a revised change proposal shall be submitted to the CA for reconsideration.

4.05 Contract Change Order Procedure
a. Design professional shall complete the contract change order form in a minimum of two
counterparts, both copies with original signatures (including the design professional's signature),
attach a copy of all back-up materials (field instructions, change proposals, change order requests,
requests for information, costs request bulletins, as applicable), and send both copies to the
contractor for signature. It is optional to produce this package in quadruplicate so that all entities,
contractor, CA, design professional and project manager/construction inspector receive complete,
wet signature copies.

b. Contractor shall review and sign contract change order and send both copies with back-up
materials to the CA for signature.

c. CA shall review contract change order for conformance to the approved change proposal and
review all attached back-up for completeness and conformance to the contract specifications. CA
shall sign or initial all change orders depending upon signature authority. Authority is customized
in CPDC and at each campus. Counterparts with original signatures shall be distributed to
contractor and to CA, with copies to project manager/construction inspector, accounting and the
design professional.

Project manager shall maintain a change order log, which shall detail a continuing change order
amount, the cumulative value of all executed change orders, and the new cumulative contract
amount. These values shall be compared with contractor billings and other change order summaries
to reconcile entry errors. Refer to Form 703.04L.

4.06 Emergency Change Orders
a. Emergency change orders, as defined in the Contract General Conditions, Section 6.02, are those
requiring immediate action to avoid a serious work stoppage, delay and/or extra costs.

b. Design professional and/or the project manager/construction inspector shall advise the CA of the
emergency situations and, if possible, estimate the cost of the change. University Facility Planner
shall give verbal approval to all changes involving a change in scope that would require
Department of Finance approval, including a change originated by the University. A lump sum cost
shall be agreed with the contractor. If the agreement on cost is not reached, contractor shall
proceed on a time and material basis, with an "authorization limit", if required, and utilizing a field
instruction with signature approval of the CA.
c. CA shall direct project manager/construction inspector to issue contractor a field instruction on which CA has authorized by signature the contractor to proceed on the agreed lump sum cost or on a time and material basis, or on other agreed cost basis.

d. Design professional shall immediately prepare a change proposal, including an estimate of the cost, as normal, and submit it to CA for approvals. When work is completed or when the cost has been approved, the design professional shall prepare a formal contract change order. The design professional shall attach necessary documentation, including copies of time and material logs, if required, to the contract change order. Cost of the change may be according to an agreed lump sum, based on certified time and material costs, or a combination as appropriate.

4.07 Time Extensions

a. Contractor may request a time extension when submitting its cost for a change. A time extension may be allowed only upon justification in accordance with the Contract General Conditions. Schedule impact of critical path work that will cause the project to complete later than the official completion date is the base criterion for a time extension.

b. Time extensions should be reviewed by the design professional with consultation of the project manager/construction inspector prior to making recommendations to the CA. Acquire the CA’s concurrence prior to including a time extension on a change order. Time impacts are often critical to academic considerations and must be reviewed seriously with mitigating cost impacts. To allow time may cause extended overhead cost, and to deny it may cause construction acceleration.

5.00 CONTRACT COMPLETION PHASE

5.01 General

When a project is nearing completion in accordance with the Contract General Conditions, the first step for project acceptance shall be a check inspection. This check inspection is held to assure conformance to the contract requirements and to generate a punch list of work to be completed, adjusted, or corrected prior to the final inspection that verifies completion for acceptance. The project manager/construction inspector and the design professional will establish a date for this inspection of the contract work.

5.02 Attendance at Check Inspection

Present at the check inspection shall be the design professional, the project manager/construction inspector, the CA, other University staff if appropriate, and the contractor.

The project manager/construction inspector shall coordinate punch lists of items that must be completed, adjusted or corrected to complete the contract work. The design professional will be responsible for a timely compilation of all consultant punch lists.

The contractor shall witness the inspection to receive information and instructions regarding the work to be done. A draft copy of the punch list may be given to the contractor after the inspection. Inspection should start promptly and continue until completed, and may be more than one day in some projects. If the work has not progressed as contemplated and is not ready for a check inspection, it may be canceled and continued when ready. The punch list should be transmitted to the contractor timely with copies to all parties.

5.03 Punch Lists

The project manager/construction inspector is responsible to assure that the contractor completes the punch list items. The project manager/construction inspector must be sure the contractor is aware of the extent of work required by each item and urge early completion of all items.

The project manager/construction inspector shall keep the design professional and the CA advised as to the status of the punch list items, in order that the earliest possible date for the final inspection of the project...
may be set. The punch list status should be included in the Weekly Report at this stage of the project. Any outstanding items on the Project Closeout Checklist shall be added to the punch list, as appropriate. This includes timely submittal of as-builts. The CA should aggressively remind the Contractor and the design professional of the need to timely submit as-builts. Contract funds will be retained from each until this submittal is satisfactorily complete.

5.04 Final Inspection
When the punch list items have been completed, a final inspection shall be held to inspect the completed work. The final inspection may end the contract time and transfer the project to the University for occupancy and maintenance. The project manager/construction inspector shall coordinate the date and time for the final inspection of the project with the design professional and the CA. After the final inspection, all keys for the facility shall be turned over to the University as well as all supplies and/or data required by this transfer of the facility to their responsibility. Appropriate transmittals shall be used regarding these transfers. The CA will officially notify the University and the contractor of the acceptance of the facility.

5.05 Project Completion Report
The CA will prepare all appropriate documents at completion and execute the legal requirements. Both the project manager/construction inspector and the design professional shall state in writing to the CA that to the best of their knowledge the contractor has complied with the terms of the contract. The Executive Dean or University official acting in that capacity must also certify in writing that the project as completed complies with the scope as approved for construction, and is accepted by the University. The Project Closeout Checklist must be completed by the project manager/construction inspector (as applicable) and submitted to the CA with the recommendation to accept the project and file a Notice of Completion.

5.06 Project Files
The project manager/construction inspector must maintain a project file for the project. This file shall be available for reference at all times by the design professional, and the CA. It shall be neatly kept and adequately protected. At the completion of a project, the project file shall be forwarded to the University, and shall include all equipment brochures and other submittals. The daily diaries shall be sent to the CA. The project manager/construction inspector is responsible for transfers.

5.07 Occupancy Prior to Completion
The contract allows the Trustees to assume partial occupancy of all or a portion of a facility prior to completion. Partial occupancy requires permission from the CA and may require written certificates of occupancy from the appropriate regulatory agencies i.e. the Fire Marshal, the State Elevator Inspector, etc. There must be a written agreement change order between the Trustees and the contractor as to the date and extent of occupancy. If guarantees are to start on any portion of the occupied facility, the occupancy change order is a good vehicle to document such agreement. Documentation of contract milestones and occupancy of milestone portions of work require a change order (refer to SUAM Section 9830.02). The agreement with the contractor must detail the extent of release of his/her responsibilities, and the responsibilities to be assumed by the Trustees. The University shall be advised of the conditions of occupancy.

Immediately prior to occupancy a check inspection shall be made and a detailed punch list prepared to record the conditions of the facility at occupancy in order to later determine to proper responsibility for any work remaining. Partial occupancy of uncompleted facilities is never recommended.

5.08 Work Performed Under Local Jurisdictions
Work performed on property adjacent to State property under local jurisdictions must be acceptable to the Trustees as well as the local authority. Inspection of that portion under other jurisdiction shall be delegated to that authority. Payment of such work under the contract shall be based upon compliance to the conditions of the contract.
5.09  **Contract Time**
The actual completion of the project must be reconciled with the contract time. If acceptance of the project as complete, and filing a Notice of Completion accordingly, does not occur within the contract time, then liquidated damages are due. Liquidated damages may be assessed by credit change order to the contract. Any negotiated settlement of delay claims which provides a time extension and thus waiver of liquidated damages needs adequate justification to be filed as back-up with the settlement change order which extends the contract time.

6.00 ITEMS TO COMPLETE

6.01  **Description**
Items to Complete (ITCs) are defined as work to be accomplished to complete a facility in order that it effectively fulfills its purpose. Items to Complete differ from change orders in that they are usually discovered too late in the construction phase to be accomplished without delaying the completion of the project. Also, modifications may be necessary to satisfy safety requirements.

6.02  **Use of Items to Complete**
If at all possible the work should be done under the construction contract as a change order. However, the contract should not be delayed, and the CA must avoid any action that could possibly form the basis for a delay claim against Trustees.

6.03  **Preparing Items to Complete**
Items to Complete are often performed with University trades, but sometimes they are performed as minor contracts. If the University has a “job order contractor,” it will be a convenient alternative means of achieving the items to complete.

Unexpended project funds may be used for items to complete.