

Instructions to the Architect/Engineer (Limited Scope Project)

State of Ohio Standard Requirements for Public Facility Construction

These instructions are for the Owner and A/E's use only. DO NOT incorporate them into the Project Manual.

A. When to use the Limited Scope Project Standard Requirements

This Limited Scope Project version of the *State of Ohio Standard Requirements for Public Facility Construction* is **intended for small, simple projects** that do not require the formal contract and process language of the General Contracting Project version. **To use these documents, the Project must conform to the following conditions:**

- The estimated value of the proposed Contract is **less than \$1,000,000** since Liquidated Damages are limited to \$500 per day;
- The Contract has **one Milestone date** (Substantial Completion) to which Liquidated Damages apply (Contract Time v. Contract Times);
- The Project disturbs **less than one acre of land** and does not require the NPDES permit from the EPA;
- The Project **constructs or renovates an area of less than 5,000 square feet** and does not require preparation of a Life Cycle Cost Analysis; and
- The proposed Contract is for a **single contractor with a single bid package** for which the contractor is **not a joint venture**.

If any of the above conditions do not apply to the Project, another more appropriate version of the *Standard Requirements* must be used. In addition, the term "Contracting Authority" has been replaced by the term "Owner," making this version well suited to Projects that are locally administered.

This version also eliminates many of the schedule control aspects such as critical path method scheduling (a bar chart schedule is allowed) and Change Directives (Change Order and Minor Change in the Work remain).

B. General Instructions and Supplementary Documents

To use this version, download the Limited Scope Project documents provided along with General Contracting Project documents when a Limited Scope Project document is not provided. The overall project delivery method is General Contracting.

The Architect/Engineer ("A/E") shall incorporate into the Project Manual, in the order listed in the Table of Contents, any Supplementary Instructions or Supplementary Conditions approved by the Commission, the current wage rates for the Project location (if applicable), Project geotechnical or environmental data if any; and the A/E's Specifications.

The A/E shall edit and modify the Table of Contents, Solicitation, Bid Form, Agreement Form, and the

provided Sections of Division 01 to clearly describe the Project-specific requirements and information. The A/E shall copy all other portions of the *Standard Requirements*, modified only by Supplementary Instructions and Supplementary Conditions written by the Owner and approved by the Commission.

The A/E shall not incorporate the Instructions to the Architect/Engineer (this document) into the Project Manual. This document is provided for guidance to the A/E and is not intended for use in Contract Document packages. Consult with your Project Manager if there are any questions regarding which type of standard documents to be used.

Supplementary Instructions that amend the Instructions to Bidders and Supplementary Conditions that amend or modify the General Conditions must be authorized by the Commission prior to submitting documents to the Building Authority. The authorized Supplementary Instruction and Supplementary Conditions for each agency and institution of higher education shall be posted to the Commission's web site as they become available. The A/E shall submit Alternates, single source Specifications, and any other unusual requirements to the Owner for review and approval prior to the submission of the Contract Documents for review. The Commission requires early development and notice of these requirements.

C. Prevailing Wage Rates

The Owner shall access the Ohio Department of Commerce, Wage and Hour Bureau, web site <http://www.com.state.oh.us> and provide the wage rates to the A/E via overnight mail or electronic transmission within 7 business days of the planned first advertisement date. The A/E shall coordinate the timing of issuing wage rates with the Owner. If the wage rates expire on or before the bid date, the Owner shall provide new wage rates to the A/E who shall issue them by Addendum.

E. Approval for Bidding/Public Bid Advertisement

In order to schedule a bid date, the Commission requires:

- One cover sheet of the Drawings bearing evidence of the approval of the Ohio Department of Commerce, Division of Industrial Compliance or other certified building department;
- One cover sheet of the Project Manual bearing evidence of the approval of the Ohio Department of

Commerce, Division of Industrial Compliance or other certified building department;

- The first plumbing sheet in the sequence bearing evidence of the approval of the Ohio Department of Health or other certified building department;
- One copy of the final Document 00 10 00 - "Solicitation" and the final Document 00 41 13 - "Bid Form" forwarded to the Owner via electronic mail or OAKS CI just prior to advertising. The Solicitation and Bid Form are documents critical to the proper preparation of the Public Bid Advertisement, and the bidding process. The A/E shall make every effort to avoid modifications to these documents by Addendum;
- One copy of the Detailed Estimate of Construction Cost for each separate bid package (if applicable), and the estimate for each and every Alternate;
- The Owner's written acceptance of the Contract Documents; and
- The A/E's written response to the Owner's review comments and its constructability consultant's review comments, if any.

As part of distributing the Contract Documents to prospective Bidders, the A/E shall provide to the Owner a complete set of Contract Documents, and Addenda when issued.

The Owner shall prepare the final Public Bid Advertisement and advertise for Bids for construction for three consecutive weeks in a newspaper of general circulation in the county where the Project is located and in such other newspapers as determined by the Owner. The last publication shall be at least 8 days before the bid opening. Each of the three dates of publication must be on the same day of the week, with a full calendar week between publications. For example, if the advertisement appears on day 1, for the shortest possible schedule, it must also appear on days 8 and 15, with bids then opened on day 23.

The advertisement shall state that the Contract Documents are on file at the office of the Owner and other designated locations. The advertisement shall also include date, time, and location Bids shall be received.

If any or all Bids are rejected by the Owner, and the Work is re-bid, the Public Bid Advertisement shall be published one additional time, not less than 5 days before the bid opening.

F. Specification Provisions

Whenever any building product, equipment, or service is specified by brand name, e.g., by manufacturer, supplier, or trade name, the intent is to establish a standard of quality. The component listed first is the "Basis of Design" and the remaining listed components are "Acceptable."

Specifications listing manufacturers, suppliers or trade names are known as proprietary specifications. The A/E must provide a minimum of 3 manufacturers or trade names (sources) and include the listing of model or series numbers of the proposed product, equipment, or service for each manufacturer or trade name listed. The A/E may make provisions for "Substitutions" in proprietary specifications; however, other products shall only be considered as provided in Section 2.5 of Document 00 21 13 - "Instructions to Bidders."

Performance Specifications are also acceptable. This type of Specifications shall be written by the A/E describing requirements that a minimum of 3 sources are capable of bidding. Performance Specifications that only a single manufacturer, supplier, or trade name 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 Substitutions, the A/E shall submit written justification for such Specification sections and products for Owner approval. A proposal for a single source Specification shall be made to the Owner not later than the time when Construction Documents are 50 percent complete. The A/E shall not incorporate single source Specifications into the Contract Documents without the Owner's prior written approval.

Construction Schedule

The Commission has provided, on its web site, a Division 01 specification named Section 01 32 16 - "Construction Progress Schedule," which is required for use on projects if the estimated Construction Budget is greater than \$500,000.

Allowances

The Standard Requirements define an Allowance as a sum stipulated in the Contract Documents, included in the Base Bid, for a defined scope of the Work that may not be completely defined at the time of bidding.

Use of Allowances may be considered for certain situations where Project conditions do not allow for a specific scope of Work to be adequately described without causing a delay in the Project Schedule. The A/E shall develop a Division 01 Specification named Allowances, which shall explain in sufficient detail the basis of the Allowance and intended scope of Work.

Unit Prices

The Standard Requirements define Unit Price as the cost of providing a unit of Work including labor, materials, services, and associated expenses, which is included in the Base Bid.

The use of Unit Price bidding may be considered 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 Contracting Authority shall only approve use of Unit Prices if they are competitively bid and are included in the Base Bid. If Unit Prices are approved by the Contracting Authority, the A/E shall use the format described on the Bid Form and insert it directly above the Base Bid Item in which the Unit Price Work occurs. The A/E shall develop a table of Unit Price Work, a Subtotal of All Unit Price Extensions, and instruct the Bidder to include the Subtotal of All Unit Price Extensions to establish the Base Bid and the Contract amount. The A/E shall also develop a Division 01 Specification named Unit Prices, which shall explain in sufficient detail the basis of the Unit Price items and the intended scope of Work.

Unit pricing shall not be allowed from a quantity of one (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 A/E is required 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 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 A/E plans Unit Price Work, they are to bring it to the attention of the Contracting Authority early, coordinate with the Project Manager, and establish the provisions on the Bid Form and in the Specifications for Contracting Authority review by the time that the Construction Documents are 50 percent complete.

G. Distribution of Contract and Conformed Documents

A prospective Bidder may purchase the Contract Documents at the locations indicated in the Advertisement for Bids.

The A/E shall distribute an electronic (PDF) set or deliver a printed set of the Contract Documents, without charge, to the plan rooms listed in Document 00 10 00 - "Solicitation" for review by prospective Bidders. Electronic Contract Documents may be distributed via an FTP site. Further instructions on this process are available from the Project Manager.

The A/E, with the cooperation of its printing company, shall maintain a Plan Holder's List that indicates prospective Bidders that have received Contract Documents.

After Bids are opened, the A/E shall incorporate all Addenda and accepted Alternates into the Conformed Documents. The A/E shall provide the Contractor with Conformed Documents as required in the A/E Agreement. The A/E shall also provide one copy of Conformed Documents to the Owner.

H. Bid Tabulation Form

The Owner shall prepare the Bid Tabulation Form which is used to record information at the bid opening. Within 7 business days of the bid opening the A/E shall forward, via email, a current copy of the Plan Holder's list to the Project Coordinator. Plan Holders who may be prospective Prime Bidders shall be listed on the Bid Tabulation Form to save time recording the names during the bid opening.

The A/E may be asked to assist the Owner with this form at the bid opening. Completed copies of this form shall be offered to Bidders in attendance following the bid opening, and the form shall be sent via facsimile to the public plan rooms, and to the Owner if they are not in attendance. For off-site bid openings, the A/E may be requested to assist and coordinate with the Owner for Bid opening, handling, and recording responsibilities.

I. The Ohio Facilities Construction Manual

The A/E shall refer to, and become familiar with, the Commission's *The Ohio Facilities Construction Manual*, which may be revised from time to time, and coordinate with the Project Manager for additional information. *The Ohio Facilities Construction Manual* is written in chronological order of a construction Project, beginning with Concept Development, through construction administration and Project closeout. *The Ohio Facilities Construction Manual*, certain forms, and Commission policies and procedures are available on the Commission's website, see item "K" in these Instructions to the Architect/Engineer.

J. OFCC Construction Bid Announcements

The Commission shall post Project bid information on its website. The site is accessible to all prospective Bidders. On the first day of posting the A/E shall review the posted Project information for accuracy and updates and notify the Project Coordinator if changes are needed during the bid period. This web site is also available for Owners to post their local administration bid information which is strongly encouraged by the Commission.

K. OFCC Web Site

The Commission reserves the right to modify its policy, procedures, and forms at any time. The A/E shall periodically review the Commission web site: <http://ofcc.ohio.gov>.

The Commission requires the use of its forms in their latest, most recent edition, where noted in the Contract Documents. The forms are available at its web site.

For Projects utilizing the OAKS CI web-based project management system, the Commission authorizes the use

of OAKS CI web forms, reports, and custom print documents in lieu of its paper forms.

L. Electronic Bidding

The following instructions must be followed if the Project is bid using the State's electronic bidding application.

All documents must be submitted to and reviewed by the Owner's Project Manager prior to submission for upload to the bidding application.

10 days prior to requested advertisement date:

Email the proposed Public Bid Advertisement, Solicitation to the Project Coordinator. Include the requested bid opening date and time in the email. The Project Coordinator will advise if the requested date conflicts with other bid openings. The Public Bid Advertisement shall not be transmitted to newspapers until dates are verified and approved.

7 days prior to requested advertisement date:

Upload the following documents to the OAKS CI document manager (if applicable):

- Final Public Bid Advertisement (PDF)
- Final Solicitation (PDF)
- Final Bid Form (PDF of the sample electronic Bid Form – remember to include the Contract Time on the Bid Form)
- Project Manual (combined PDF of the final Procurement Requirements, Contracting Requirements, and Specifications)
- Drawings (combined PDF of the final plans, elevations, sections, details, and schedules – may be divided into volumes in a logical manner)

Minimize the number of files uploaded to OAKS CI. The maximum file size is 100 MB. Once the upload is complete, notify the Project Coordinator via email.

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