
SECTION 600: PLANNING PROCEDURES

600.1 PLANNING PHASES

Each funded Project goes through a planning process delineated by the Bureau and stipulated in the Professional's Contract as basic services.

The following guidelines have been developed to achieve the planning process.

Planning Phases

- * Program Phase
- * Schematic Design Phase
- * Design Development Phase
- * Construction Document Phase
- * Bidding Phase

600.2 CONSULTANTS

At the onset of the planning process, the Professional and/or Using Agency may request the services of special Consultants who have expertise in particular fields needed for the Project. Requests for Consultants must be made in writing by the Professional and will include the scope of work and the costs for the consulting service(s) if the service(s) is an additional cost to the Bureau beyond that of basic services.

If a Consultant is retained, the Professional will pay any portion of the Consultant's fee that is considered part of basic services and the Consultants will be listed in the Professional's contract with the Bureau and recorded across the Bureau's *Standard Approval Form - Record of Action*. Any change in Consultant status, will need written approval from the Bureau.

In some instances, the Consultant's fee, or a portion thereof, will be considered as an additional fee or service and the Professional will then be reimbursed separately for these services. In this instance, the Professional will provide the Bureau a copy of the Consultant's proposal clearly stating the scope, schedule of services, and cost of these special services.

Consultant Services

- * Costs which are a part of basic services
- * Costs which are in excess of basic services
- * Travel related expenses

The Bureau will not approve travel costs as an unknown, open-ended reimbursement, but will require an agreed amount supported by the estimated number of visits which includes time and reasonable costs associated with each visit. Special Consultants are, but not limited to *Program, Structural, Mechanical Electrical, Asbestos, Furniture and Equipment, Theatrical, Acoustical, Cost Estimate, Kitchen, Landscape*.

600.3 SCHEDULE/TIME

The Professional needs to perform the required services as expeditiously, skillfully and consistently as possible in order to have the Work progress in a timely manner. A *Schedule of Performance* may be established in one of the following manners:

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1. Upon execution of the *Standard Form of Agreement Between the Owner and the Professional*, the Professional may submit to the Bureau Staff for approval a *Schedule of Performance* which will include time allowances for review and approval of submissions by the Bureau and the Using Agency. When the *Schedule* has been approved, it will not - except for reasonable cause - be exceeded or changed by the Professional unless approved by the Bureau.

2. The Professional may be required to submit a *Schedule of Performance* during the interview process, or prior to the execution of the *Standard Form of Agreement Between the Owner and the Professional*. In this instance, the *Schedule* - upon approval - will become a part of the *Agreement* and may not be exceeded or changed unless approved by the Bureau.

An example of the Professional's *Schedule of Performance* as noted in Paragraph 2.2 of the *Standard Form of Agreement Between the Owner and the Professional* is as follows:

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| <ul style="list-style-type: none">.1 Professional services beginning date:.....(Date)......2 Program Phase:.... <i>Number (XX)</i>days.3 Schematic Phase:.... <i>Number (XX)</i> ..days.4 Design Development Phase:.....<i>Number (XX)</i>..... days.5 Construction Document Phase: ..<i>Number (XX)</i>.. days.6 Total planning: <i>Number (XX)</i>days |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

600.4

SURVEYS/BORINGS/TESTS

Following the procedures for surveys/borings/tests outlined in this Manual [See **Section 400.**], the Professional will be responsible for obtaining all surveys, subsurface reports, miscellaneous tests, engineering data and any other information necessary to develop planning of the Work. The Professional will obtain this information from competent laboratories, licensed engineers and surveyors selected by and responsible to the Professional. The Bureau will approve the cost and selection prior to the work being ordered.

PROGRAM PHASE

600.5 (amended 600.5.7 07/15/08 SOS by 400.11)

THE PROGRAM

From time to time, it is necessary to prepare a written Program of the Using Agency's needs prior to the planning process. When a Program is required, it will be so stated in the *Agreement Between the Owner and the Professional*. The Program phase must have written approval by the Bureau before proceeding with the Schematic Design Phase.

Initially, the Professional will meet with the Bureau Staff to ascertain general requirements for the Project and will meet later with the Using Agency and Bureau Staff to define the Scope, the functional and departmental objectives, relationship of Project to other structures and facilities, and criteria for site selection.

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The Professional will advise the Bureau as to the Project's projected cost and time requirements. The Professional will prepare and submit to the Bureau ten (10) copies of a comprehensive written Program including the following minimum elements:

1. **Goal:** Design objectives, limitations, and criteria
2. **Site:** Site requirements and analysis including location, boundaries, topography, subsurface, vegetation, utilities, climate, flooding, traffic, noise, and adjacent buildings
3. **Space:** Space requirements and relations including narrative description by area (square footage recommendations)
4. **People:** Number and functional responsibility of personnel
5. **Equipment:** Special equipment and systems
6. **Alterations:** Flexibility and ability to expand
7. **Energy:** Energy and sustainability considerations (400.11)
8. **Existing:** Analysis of existing facilities
9. **Concept:** Summary of Project concept, scope and goal
10. **Budget:** Total Project Budget

Minimum Elements
* Goal
* Site
* Space
* People
* Equipment
* Alterations
* Energy
* Existing Facilities
* Concept
* Budget

The Using Agency will be responsible for preparing a Program of furniture and equipment requirements and estimated costs following the procedures outlined in **Section 800**. The Professional and Bureau Staff will assist the Using Agency, if needed.

After the Using Agency and Professional have received written notification that the Program has been approved, the Professional will proceed with the Schematic Design Phase.

600.6 PROGRAM EXAMPLE

The following page gives an excellent *example* of various aspects included in a Program phase:

- 1.0 **DOCUMENT PLANNING SITUATION, PROJECT OBJECTIVES, LOCATION AND SCOPE**
 - 1.1 Describe conditions leading to need for this two-phase capital renovation project; document existing facilities and project sites, in terms of space available and condition.
 - 1.2 Outline project purpose, design objectives, and proposed occupants. Provide overview of affected administrative functions.
 - 1.3 Define project scope inclusive of size (e.g. renovation area, additional floor area, etc.) and anticipated design, construction and occupancy schedule.
 - 1.4 Defined required interim use of other facilities during the primary renovation.
- 2.0 **DEFINE PROJECT RATIONALE, ANALYZE FUNCTIONAL REQUIREMENTS AND DETERMINE SPACE ALLOCATIONS**
 - 2.1 State program and design goals for the proposed project.
 - 2.2 Analyze administrative and functional requirements; define facility and site issues.
 - 2.3 Present staff and other relevant statistical data in support of project need/rationale.
 - 2.4 Determine administrative space requirements for: administrative service areas, open space work areas, group offices, private offices, meetings rooms, and office support facilities, as well as for all other project functions such as ceremonial spaces in the primary building to be renovated.

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- 2.5 Develop listing of spaces to be provided in the renovated facilities.
 - 2.6 Utilize comparative office space standards for the Using Agency, State Government, and other entities.

3.0 **PREPARE DETAILED DESCRIPTIONS OF THE SPACES TO BE PROVIDED**

- 3.1 Provide detailed descriptions of each space:
 - a. Name, function, and type of space
 - b. Approximate size (NASF)
 - c. HEGIS space code designation
 - d. Special design considerations
 - e. Functional relationships between spaces
- 3.2 Provide graphic illustrations of desired relationships among all major spaces of the project.

4.0 **DEFINE DESIGN CRITERIA AND SPECIFIC PROJECT CONSIDERATIONS**

- 4.1 Prepare listing of general architectural design considerations for the project, including standard items specified by the Using Agency.
- 4.2 Prepare statement of special design considerations, including site issues that are unique to this project:
 - a. Project sequencing and schedule constraints
 - b. Required demolition
 - c. Project limits
 - d. Energy goals
 - e. Landscaping or site development requirements
 - f. Special utility requirements/interfaces

5.0 **PROVIDE LIMITED STAFF TIME FOR PROJECT REVIEWS AND REVISIONS**

- 5.1 Submit program document to the Bureau of Building, Grounds and Real Property Management and the Using Agency for reviews and revisions prior to general distribution.
- 5.2 Reserve two (2) work days for attendance/participation in review meetings and for accomplishing necessary document revisions at each of the two progress milestones.

SCHEMATIC DESIGN PHASE

600.7

SCOPE DEFINITION

If the Professional has not been provided with a Program, or one has not been developed, the Professional will prepare and submit to the Bureau four (4) copies of a comprehensive written document detailing the Project's Scope which includes the following minimum elements:

1. **General:** General statement of work to be accomplished
2. **Goal:** Design objectives, limitations, and criteria
3. **Space:** Space requirements and relations including narrative description by area (square footage recommendations)
4. **People:** Number and functional responsibility of personnel
5. **Equipment:** Special equipment and systems
6. **Concept:** Summary of Project concept, scope and goal
7. **Budget:** Total Project Budget

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600.8**THE SCHEMATIC DESIGN**

The Schematic Design Documents generated by the Professional consist of a written report as well as preliminary drawings. The following paragraphs outline general requirements for the Schematic Design phase and the submissions of required data.

Although the Schematic Design phase is general and non-specific in nature by comparison to other planning phases, importance should be given to detail and direction from the very beginning in order to utilize time and expend funds wisely.

These phases will be discussed and enumerated individually over the next several pages.

Schematic Design Phase

- * Program or Scope Definition
- * Site Analysis
- * Design Concept
- * Conceptual Drawings
- * Visual Studies
- * Design Concept Approval

600.9**SITE ANALYSIS**

The Professional will develop and provide for the Bureau's review, an analysis of the Project site describing the following basics.

A rough sketch of the site showing the observation of site conditions and environment affecting the Project will be developed. A local land use map, a city or county planning map, or a United States Geological Survey map, together with the survey, will be utilized to prepare the site analysis sketch.

The general topographic survey information such as grades, walks, roads, water features, structures, tree masses, major utility lines, property lines, *set back* requirements or other restrictions will be shown on the site analysis sketch.

Site Analysis

- * Significant features of physical environment
- * Characteristics of the site
- * Climate
- * Topography
- * Soils and their conditions
- * Ecology
- * Utilities
- * Circulation, views and noise
- * Existing structures
- * Statement of the above factors on the design

The site analysis sketch may be drawn directly on a print of the survey if it is inclusive enough to show the character of the site and the immediate surroundings which affect the Project. If site conditions outside the survey are required to adequately present the information, an additional sketch or overlay will be prepared.

600.10**DESIGN CONCEPT**

The site analysis, rough sketches and a brief written description of the design concept will be developed (plans and elevations), as well as photographs (snapshots) of the area contiguous to the site. The sketches may be freehand, but must show enough information to illustrate the architectural character of the proposed Project

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with emphasis on the following characteristics: unity and harmony with the surrounding area and buildings, style of architecture, proportions, exterior facing materials, local zoning requirements, if any, and structural concept of the building.

In general terms, Schematic Design Documents are comprised of single-line drawings translating the space requirements and program requirements into plans, elevations and sections. During this planning phase, the Professional will be furnished topographic and site boundary information on which the proposed building is to be erected, or he will obtain the survey on a reimbursable basis. The Professional will also furnish a cost estimate to remove Hazardous Containing Materials (HCM). Extensive investigation and testing for HCM are not required during the Schematic Document phase. The Professional will comply with those codes set forth in this Manual. [See **Section 400.**]

After the site analysis/design concept has been approved, the Professional will proceed to complete the Schematic Design submission according to the approved schedule of time and instructions issued by the Bureau.

600.11 CONCEPTUAL DRAWINGS

The Professional will develop and provide for the Bureau's review Conceptual Drawings of alternative approaches for translating the Program requirements into conceptual design solutions.

Conceptual Drawings

- * Functional relationships within the Program
- * Consideration of relationships to master plans and environment
- * Consideration of land use
- * Traffic, parking, transportation
- * Utilities
- * Organization of major building functions

600.12 VISUAL STUDIES

The Professional will prepare and provide for the Bureau visual studies related to the concepts listed in the paragraph above including, but not limited to:

1. Massing studies in model and/or diagrammatic form
2. Sketches of design concept showing elevations/exterior appearances
3. Other sketches or visual studies necessary for evaluation of alternative concepts

600.13 DESIGN CONCEPT APPROVAL

Upon approval by the Bureau of the developed Design Concept, the Professional will prepare and submit to the Bureau Schematic Design drawings of the approved Concept which include, but are not limited to:

1. The basic design approach drawn at an agreed upon scale
2. Site location in relationship to the existing environment
3. Relationship to master plans
4. Circulation
5. Organization of building functions
6. Functional/aesthetic aspects of the design concepts under study

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7. Graphic description of critical details
 8. Visual and functional relationship
 9. Compatibility of the surrounding environment

Schematic drawings will clearly show the Project's basic design and need for elaboration beyond the requirements set forth in the text:

1. **Site Plan:** The following note will appear on the site plan: Based on topographic survey dated(Date)...or *Based on site documents furnished by..... (Name)...*
2. **Floor Plan:** The following note will appear on the floor plans: *Based on program requirements dated.... (Date)....* . The square footage *requested* by the program and *provided* in the Schematic Design for each activity (net assignable area) by floors will be shown on a schedule on the Schematic Design floor plans adjacent to each floor plan. The first sheet of the floor plans will included a table of *Grand Totals of Areas* (in square feet) broken down by floors into net assignable areas, custodial, mechanical, electrical, miscellaneous spaces, horizontal and vertical circulation spaces. The gross area of the building will also be shown on the schedules. New areas of rooms, or other spaces, will be indicated only on the schedules and not on the Schematic Design floor plans. The floor which is approximately on the same level as the main entrance is designated as the *first floor*. When the lot slopes downward from the main facade so that one or more secondary entrances lead to a level below the first floor, this level will be designated as the *ground floor*. When the lot slopes upward from the main facade, there is no *ground floor*. A secondary public entrance at the rear of the building may be at the mezzanine or second-story level.
3. **Roof Plan:** Show all levels of the roof, their elevations or slopes.
4. **Elevations:** The elevations will be block outlines and breaks to indicate the various masses and how they coincide with the plans. Typical proposed window arrangement and exterior material indications will be shown only to the extent necessary to suggest possible design in accord with the concept sketches. Floor-to-floor dimensions will be shown. Definitely planned or probable future extensions will be indicated by dotted outlines on the plans and elevations. The words "Future Extension" should be noted to indicate the limits of the extensions.
5. **Transverse and Longitudinal Sections:** In both the longitudinal and transverse sections, the important rooms (indicated by name or abbreviations) will be shown, as well as floor dimensions.

The drawings must show calculations for circulation areas, entrances, exits, stairways, exit stairways, passenger and freight elevators and escalators. The overall space divisions for each activity corresponding to the program requirements must be shown. Major spaces for mechanical and electrical equipment, public toilet rooms, major stacks and major chases must be indicated.

Partitions of each major room will be indicated on the drawings. At the Professional's option, the following may or may not be shown: door swings, closets, small storage areas, private toilets, recesses and alcoves within a given area.

Diagrammatic drawings will indicate space for mechanical and electrical equipment, toilet rooms and the number and location of elevators or escalators. Location and capacity of electricity, gas, water and sewer lines available for the Project and the approximate location of connections will also be indicated on the site plan.

In addition, diagrammatic drawings will be sufficiently developed with regard to column locations, grades and story heights to determine a sound structural scheme. The Professional will not submit diagrammatic drawings

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which have not been analyzed by the structural consultant and for which a feasible structural system has not been determined. The structural systems may be indicated by drawings or by written descriptions.

Since the building design and arrangement is dependent on the types of mechanical and electrical systems selected, it is necessary that the mechanical and electrical engineers be brought in at the concept stage of the design. The economic analysis description of systems and space requirements for mechanical and electrical systems will be included with the submission. The Professional, along with the structural, mechanical and electrical consultants, will stamp their Professional seal on respective drawings or submittal information.

600.14
SCALE OF DIMENSIONS

The site plan will be a scale of 1"=30' to 1"=50'. Other Schematic drawings will be drawn to 1/8", 1/16" or 1/32" scale and will be noted under the title of each sheet of drawing. The dimensions will be approximately correct but not necessarily final. The preferred sheet size is 24" x 36", including borders. When reducing the original drawings to half-scale, all dimensions and notes will be a minimum of 3/16" or 1/8" in height, or larger in order to permit reduction.

600.15
BUILDING DESCRIPTION

The Professional will prepare and submit to the Bureau a description of building systems and give design criteria for major elements of the basic building systems.

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| <p>Building Systems</p> <ul style="list-style-type: none">* Structure* Foundations* Floor grade and systems* Roof* Exterior/interior walls/partitions* Interior finishes* Sight lines* Stairs and elevators* Specialty Items* Mechanical Systems* Built-in Equipment* Site Construction |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

600.16
PROJECT BUDGET

The Professional will provide in writing a final Total Project Budget which includes all anticipated expenses. The Bureau may authorize the Professional to obtain independent estimated costs on a reimbursable basis, or the Bureau may pay the estimating firm directly. Estimates will be based on adjusted square foot or cubic foot cost of similar construction in the area of the Project or on a system cost study of the Project. Cost estimates will contain escalation factors in six (6) month increments for the subsequent two (2) years.

600.17
SCHEMATIC DESIGN SUBMISSION

The Professional will prepare and submit to the Bureau two (2) sets of Schematic Documents, an Estimated Total Project Budget reflecting the cost estimate based on proposed square footage and/or volume unit costs, furniture and equipment, fees and contingency.

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The Professional will also forward copies of the Schematic Documents to the Using Agency and its Governing Board for review. If the Using Agency or Governing Board has any comments regarding the documents, these comments should be forwarded to the Bureau through written correspondence. The Using Agency, Governing Board and Review by Others (where applicable) will approve each design phase and notify the Bureau in writing of such approval. Upon approval of the Schematic Design phase by the Bureau, the Professional will be notified in writing to proceed with the Design Development phase.

DESIGN DEVELOPMENT PHASE

600.18

THE DESIGN DEVELOPMENT

The Design Development Documents consist of a written report and detailed drawings based on approved Schematic Design documents. The following paragraphs set forth general requirements for the Design Development phase and the submission of required data.

The Design Development Phase is specific and detailed in nature by comparison to the Schematic Design Phase. The project design concept is further developed so most decisions and details regarding the entire facility are resolved. Reviews of the Design Development submission should resolve all questions. In many cases, Design Development Documents are the beginning of the Construction Document Phase because the drawings and specifications submitted are the partially completed Contract Documents.

The Professional will prepare and submit to the Bureau two (2) sets of drawings which shows allocation of space and overall dimensions, adequate explanation of HVAC, electrical and structural systems, miscellaneous equipment, lists and schedules. In addition, site plans including topography, adjacent buildings and utilities will be submitted.

The Professional will prepare two (2) sets of preliminary specifications following the *Construction Specification Institute* [CSI] and give basic descriptions of essential building materials, finishes, components, and systems. Cost estimates reflecting the total budget including construction, furniture and equipment, fees and contingency will be submitted.

The Design Development Documents will also be furnished to the Using Agency and its Governing Board for review. If the Using Agency or Governing Board has any comments regarding the Documents, these comments should be forwarded to the Bureau through written correspondence.

The Using Agency, Governing Board and Review by Others (where applicable) will approve each design Phase and notify the Bureau in writing of such approval. Upon approval of the Design Development phase by the Bureau, the Professional will be notified in writing to proceed with the Construction Document phase.

600.19

DESIGN DEVELOPMENT DRAWINGS

The Design Development drawings will show spaces by name and number, actual net area of each space, structural module, fixed equipment, adequate explanation of mechanical spaces, chases, and circulation areas.

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Drawings will show the overall building dimensions and major lines of dimensions.

Drawings will adequately detail information regarding HVAC, electrical, and structural systems, Information concerning furnishings, miscellaneous equipment, layouts, lists, and schedules necessary to explain the plans are to be indicated on the floor plans.

Site plans showing topography, adjacent buildings, and utilities will be prepared. In addition, the Professional will prepare and submit building elevations, sections and design details permitting the Professional to proceed with the Contract Documents Phase when the Design Development Phase has been approved. These building elevations will show fenestration, proposed exterior materials using shades and shadows adequately depicting the proposed building exteriors.

600.20 SPECIFICATIONS

Preliminary specifications will follow the format of the *Construction Specification Institute [CSI]* and give basic descriptions of essential building materials, finishes, components, and systems.

600.21 COST ANALYSIS

Cost estimates reflecting the total budget including construction, furniture and equipment, fees and contingency will be submitted based on detailed plans and specifications. The basis of the cost estimate will be a preliminary quantity survey showing the escalation projects from the date of the estimate to the projected bid date for the building systems noted on the right.

For a suggested Project Budget Estimate format see **Appendix 600**.

600.22 DESIGN DEVELOPMENT SUBMISSION

The Professional will prepare and submit four (4) sets of Design Development specifications and drawings -two (2) to the Bureau and two (2) sets to the Using Agency and its Governing Board - for review. If the Using Agency or Governing Board has any comments regarding the Design Development Documents, these comments should be forwarded to the Bureau through written correspondence.

The Using Agency, Governing Board, and Review by Others (where applicable) will approve the Design Development phase and notify the Bureau in writing of such approval. After Bureau approval, the Professional will be notified in writing to proceed with the Construction Document Phase.

Building Systems

- * Structure
- * Foundation
- * Floor grade and systems
- * Roof
- * Exterior/interior walls/partitions
- * Interior finishes
- * Sight lines
- * Stairs and elevators
- * Specialty items
- * Mechanical systems
- * Electrical systems
- * Built-in equipment
- * Site construction

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CONSTRUCTION DOCUMENT PHASE

600.23

THE CONSTRUCTION DOCUMENTS

Once the Bureau has approved the Design Development Phase, the Professional will prepare working Drawings and a Project Manual detailing specifications regarding the Work.

600.24

CONSTRUCTION DOCUMENT DRAWINGS

The Drawings are graphic and pictorial portions of the Construction Documents showing the design, location and dimensions of the Work including plans, elevations, sections, details, schedules and diagrams. Every sheet should be stamped and signed by the Professional of record himself, or the Principal of the firm. All structural, mechanical, electrical and civil drawings will be stamped and signed by the Consultant of record.

The Work

- * Materials
- * Workmanship
- * Finishes
- * Mechanical and electrical systems
- * Asbestos abatement
- * Special equipment
- * Site work
- * Utility connections and services
- * Bidding information
- * Proposals
- * Contract and bond forms
- * General, special and supplementary conditions of the Contract
- * Other information required for receiving bids on the Project

The site plan will be a scale of 1"=30' to 1"=50'. Plan drawings will be drawn to 1/4", 1/8" or 1/16" scale and will be noted under the title of each sheet of drawings. Other detailed drawings shall be at an appropriate scale so when reduced, the drawings are readable. The dimensions will be approximately correct, but not necessarily final. The preferred sheet size is 24" x 36", including borders.

When reducing the original drawings to half-scale, all dimensions and notes will be a minimum of 3/16" or 1/8" in height, or larger to permit readability.

The Construction Specifications and Drawings are owned by the Bureau.

600.25

PROJECT MANUAL (modified August 2016; see Div 1 Substitutions/Product Options; Inst to Bidders Substitutions)

The Project Manual will be prepared based on the Construction Specification Institute format.

Division 00 and 01 of the CSI entitled *Procurement and Contracting Requirements* and *General Requirements* respectively, are furnished by the Bureau for Bureau administered projects and are to be reproduced *as is* into the Project Manual. Any additions made by the Professional will be included in the section entitled *Division One Supplement*. Any modifications other than these made by the Professional, shall be subject to approval of the Bureau, and will be included in the *Division One Supplement* or by Addendum only. For projects not administered by the Bureau, use of Bureau Division 00 and 01 template documents is strongly encouraged, but not required. All other sections of the specifications shall be as provided by the Professional and shall be written so as not to exclude comparable equipment of domestic manufacture. Products shall generally be specified in one of five methods:

1. Specification by reference standards or technical performance requirements only. Contractor shall have the option to select any product meeting product standards by any Manufacturer. Professional shall identify critical performance and/or technical details

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necessary to meet project requirements, but shall not do so in a hyper-technical manner so as to place unnecessary or inconsequential restrictions on providers of otherwise comparable equipment. Further, when utilizing specifications of this nature, Professionals are expected to be certain that such specifications can reasonably be met by more than one product.

2. Specification by naming a minimum of two (2) or three (3) products or Manufacturers or equal. Contractor shall have the option to select any product and Manufacturer named. Additionally, Contractor may always submit any product and Manufacturer meeting all product standards as an equal.

3. Specification by “basis of design”. Contractor may select any equivalent product meeting specified reference standards or technical performance requirements as represented by the named products and/or Manufacturers. Professional shall identify critical performance and/or technical details necessary to meet project requirements, but shall not do so in a hyper-technical manner so as to place unnecessary or inconsequential restrictions on providers of otherwise comparable equipment. Further, when utilizing specifications of this nature, Professionals are expected to be certain that such specifications can reasonably be met by more than one product.

4. Specification as “brand specific”. Contractor may only utilize specified product. Prior approval by the Director of the Bureau of Building, Grounds and Real Property Management is required. Professional may only utilize this method when justified due to the nature of specific project requirements. Professional shall furnish written justification for review and approval including the following:

- a. Description of the product for which approval is being sought
- b. Explanation of why the product is the only one that can meet project requirements
- c. Estimate of cost for such product
- d. Estimate of cost for overall procurement
- e. Availability of the product to bidders and/or subcontractors

5. Specification as “sole source”. Contractor may only utilize specified product, which is available from only one source. Professional may only utilize this method when justified due to the nature of specific project requirements. Such specification may only be utilized in sole-source procurements and shall not be embedded within request for quotation, allowance, request for bid, or request for proposal solicitations. Professional shall furnish written justification for review and approval including the following:

- a. Description of the product for which approval is being sought
- b. Explanation of why the product is the only one that can meet project requirements
- c. Explanation of why the source is the only person or entity that can provide the required product
- d. Explanation of why the amount to be expended for the product is reasonable
- e. The efforts expended to obtain the best possible price for the product

6. Products proposed to be procured via sole source shall be advertised in the same manner provided in Section 31-7-13(c), Mississippi Code, Annotated. Such advertisement shall direct vendors to the procurement portal website where Bureau shall publish for a minimum of fourteen (14) days the terms of the proposed sole source procurement including the above items as well as procedures for any person or entity that objects and proposes that the product published on the procurement portal is not sole source and can be provided by another person or entity. If no objection is received, Bureau will obtain approval from the Public Procurement Review Board and document compliance with process via General Standard Approval Form.

7. Where sole source procurement is objected to, the Bureau will follow the following steps:

- a. If the Bureau determines after review that the product in the proposed sole source request can be provided by another person or entity, the sole source request will be terminated and such product procured in a competitive procurement process.
- b. If the Bureau determines after review that there is only one (1) source for the required product, then the Bureau may appeal to the Public Procurement Review Board. The Bureau shall have the burden of proving that the product is only provided by one (1) source. If appeal is successful, Bureau will proceed with procurement and document compliance with process via General Standard Approval Form.
- c. If the Public Procurement Review Board has any reasonable doubt as to whether the product can only be provided by one (1) source, then the Bureau will procure the product in a competitive procurement process.

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8. Prior approval of brand specific specifications for projects not administered by the Bureau shall be the same as hereinbefore stated with the exception of such prior approval may be granted by the board of a governing authority and where such justification is placed on the minutes of the governing authority.

9. Procedure for use of sole source specifications for projects not administered by the Bureau shall be the same as hereinbefore stated. An exception of such approval may be granted by the board of a governing authority where such authorization is placed on the minutes of the body at the next regular meeting thereafter. Following such purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase as noted in 5a thru 5e above.

600.26

CODES & REGULATIONS

Applicable Codes and Regulations are set forth in this Manual. [See **Section 400.**] When submitting the completed Documents, the Professional will forward a letter stating that the Construction Documents submitted conform to those codes required listed in this Manual.

The Construction Document Drawings should include a page dedicated to Code Analysis. This page may also include gross square footage information for each floor. See the following example:

LEGEND

1 HOUR FIRE RATED
CONSTRUCTION

2 HOUR FIRE RATED
CONSTRUCTION

CODE ANALYSIS

Occupancy Type: Mixed Occupancy

Group B: Business

Group A: Small Assembly

Construction Type: Type 11

Concrete Frame & Floor Slab

Single Tenant

Sprinkled Throughout

Special Occupancy Requirements:

Physically Handicapped Accessibility:

In accordance w/ANSI A117.1 & ADA

Atriums:

Smoke exhaust system at the ceiling

One (1) hour fire separation

Smoke detectors are to be provided

Stand-by power is to be provided

Smoke control in adjoining areas

Class B interior finish Classification

Sprinkler System:

Fully sprinkled

Wet standpipe system

Automatic fire alarm system

with automatic smoke detectors

Occupancy Load:

First Floor: 425 persons

Second Floor: 195 persons

Third Floor: 150 persons

GROSS SQ. FOOTAGE

First Floor: 20822

Second Floor: 21116

Third Floor: 19753

Total Gross: 61691 sq. ft.

The Bureau will pay all fees prescribed by law to the Health Department for review of Contract Documents.
[Mississippi Code 1972, Annotated, Section 43-6-123]

600.27

DAVIS-BACON ACT

The Bureau will inform the Professional if funding for the Project requires reference to the Davis-Bacon Act and wage rate determinations should be incorporated into the Construction Documents. If such is required, the Professional will apply to the Department of Labor for a wage rate determination which will then be included in the Project Manual.

600.28

ALLOWANCES

The Bureau discourages allowances unless absolutely necessary. Any allowance (i.e., brick, signage, special equipment, contingency, wall covering, carpet, etc.) should have **prior approval** from Bureau Staff before being incorporated in the Construction Documents:

1. **Contingency:** Not allowed.
2. **Brick:** An amount per thousand for purchase and delivery only is a normal, acceptable practice.
3. **Hardware:** A hardware schedule will be included in the Contract Documents. If for some reason, a hardware schedule is not included in the Bid Documents, after the award of contract, the Professional must prepare a hardware schedule and secure a minimum of three (3) proposals and award a subcontract to the lowest and best bidder.
4. **Carpet:** A lump sum amount which includes carpet pad and installation, is acceptable. Unit cost per square yard is discouraged. After the contract award, the Bureau will select the carpet. The Professional will secure a minimum of three (3) proposals and award a subcontract to the lowest and best bidder.
5. **Wall Covering:** A lump sum amount including delivery and installation is acceptable. Unit cost per roll or square yard is discouraged. After the contract award, the Bureau will select the wall covering. The Professional will secure a minimum of three (3) proposals and award a subcontract to the lowest and best bidder.
6. **Signage:** Not allowed unless approved by Bureau Staff.
7. **Special Equipment:** Not allowed unless approved by Bureau Staff.

600.29

ALTERNATES

From time to time, Projects require the inclusion of alternates which decrease or increase the Base Bid, depending upon the funds available. The Construction Contract sum will be determined by the Base Bid and the number of alternates taken.

Base Bid			\$ _____
Modifications	() Adds	() Deducts	\$ _____
Negotiations			\$ _____
Alternate #1	() Adds	() Deducts	\$ _____
Alternate #2	() Adds	() Deducts	\$ _____
Alternate #3	() Adds	() Deducts	\$ _____
Alternate #4	() Adds	() Deducts	\$ _____
Alternate #5	() Adds	() Deducts	\$ _____

The Professional should give careful consideration in preparing cost estimates for a project and their relationship to the funds available. The Base Bid should contain the Work which may be accomplished within the funds allowed. If this is not possible, and the Professional anticipates a shortage of funds, then sufficient *deduct* alternates should be prepared which will insure an awardable Contract.

If the Base Bid contains all the Work to be accomplished and a surplus of funds remain, the Professional may consider *add* alternates provided all phases of the original Scope are accomplished and the intent of the appropriation is met and not abused.

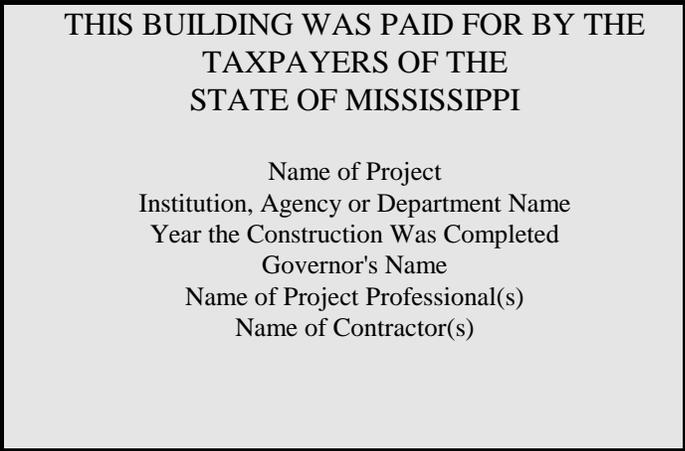
The Professional should prepare and submit to Bureau Staff cost estimates for the base bid and each of the alternates and should be listed in the order of preference. A maximum of five (5) **deductive** alternates (i.e.: paving, fencing, roofing, etc.) is allowed. Add alternates will be considered with Bureau Staff approval. However, a combination of additive alternates and deductive alternates will not be permitted.

600.30 (amended April/May 2009 “facilities” to “buildings”; modified Dec 2013 SoS)

PLAQUES

New buildings and major building renovation projects paid for wholly, or partially, with State funds and have a construction Contracts of \$1,000,000, or more, will require a plaque.

The plaque size, materials, layout and wording should be specified by the Professional in the Construction Documents. The Bureau reserves the right to establish standards/templates and to approve the Professional's work.



SPECIAL NOTE: No lettering is to be larger than that reading *THIS BUILDING WAS PAID FOR BY THE TAXPAYERS OF THE STATE OF MISSISSIPPI*. . [Mississippi Code 1972 Annotated, Section 29-5-151.]

NOTE: The name of the Governor appearing on the plaque should be the individual holding office at the time the construction contract was awarded.

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ADDITIONAL DETAILS: Section 600.30 of the BOB Procedure Manual applies in whole but is explained below with additional details (previously in Addendum 1)

It is more appropriate to list on one plaque all the information required instead of having two plaques side by side in a building. It is appropriate to list the members of a Board (i.e. IHL or CC/JC); however, some institutions/agencies have Commissions that may have so many members that it would not be feasible to list all of them. These, if necessary, can be handled as an exception. The listing of Board Members and/or Commissions requires approval by the Bureau of Building, Grounds and Real Property Management.

There may be other parties helping pay for the facility and it is appropriate to list these parties if it is done appropriately. (i.e. "This Building was paid for by the Taxpayers of the State of Mississippi and Friends of the University.")

The Governor's name shall be larger than any other individual listed on the plaque. The proper name of a building is not normally known when the building is designed; however, if possible, the proper name should be placed on the plaque instead of the generic project name, if the proper name is determined in time.

600.31

SIGNAGE (see also Division 1, Section 01500.J and Ex B at end of 01900)

All signage, including handicapped, will be specified in the Construction Documents.

1. The Contractor will erect on adequate supports and maintain one (1) neatly constructed and painted 3/4" thick plywood sign of size, color, layout, and location as indicated in the Contract Documents. (example attached as Exhibit "B" at the end of Division 1 Section 01900)
2. No other signs will be displayed on the job site without permission of the Professional. The displaying of sign advertisements is strictly prohibited.

600.32

SINGLE PRIME CONTRACT

The Bureau's policy is to bid and award Contracts for construction on a single prime general contract basis.

600.33

MULTIPLE PRIME CONTRACTS

When it is to the advantage of the State of Mississippi, Projects may be bid and awarded on a multiple prime contract basis. Multiple prime Contracts are permissible only with the Bureau's approval. When preliminary documents are submitted to the Bureau, should the Professional be of the opinion that multiple prime contracts are in the best interest of the State rather than a single prime contract, he may recommend the multiple prime contract method be employed. The Bureau will give consideration to the Professional's recommendation; and, if approved, the Professional will be notified to prepare the bid documents for multiple contract bidding.

600.34

LIQUIDATED DAMAGES

Projects having total funds *less than* \$1,000,000 may not require liquidated damages; however, the Professional should consult with Bureau Staff prior to preparing the Construction Documents. All Projects *more than* \$1,000,000 will require liquidated damages and the amount to be stipulated.

600.35

CONSTRUCTION DOCUMENT REVIEW

The Professional, upon completion of the Construction Documents, will submit two (2) sets of drawings, two

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(2) Project Manuals and an updated estimate of cost to the Bureau. Note, the cost estimate should reflect the total budget including construction, furniture and equipment, fees and contingency. This same information will be furnished to the Using Agency, its Governing Board and for Review By Others (where applicable).

600.36

CONSTRUCTION DOCUMENT APPROVAL

The Professional will be notified in writing of Construction Document approval. If the Documents are disapproved, the Professional will revise the Documents according to the Bureau Staff's comments and will resubmit the Construction Documents for approval. Upon further review from the Bureau, the Professional will revise the Construction Documents to conform with all the review comments and furnish final copies to the Bureau prior to release of Documents for bids.

The Professional will furnish complete sets of plans, specifications and other Bidding Documents, as are necessary for bidding. The actual cost of printing and mailing of these documents will be paid by the Professional and reimbursed by the Bureau. Costs for printing and mailing plans and specifications required during the design process will be the expense of the Professional.

600.37

ADVERTISEMENT FOR BIDS (modified Dec, 2013 SoS)

Once the Construction Documents have been approved, the Bureau will prepare and issue an *Advertisement for Bids* published in the legal section of a newspaper having general circulation in a regular newspaper published in the county or municipality in which such [procuring] agency or governing authority is located. The Advertisement will run once a week for two (2) consecutive weeks with bids being opened not less than fifteen (15) working days after the last publication by the Bureau. [Mississippi Code 1972, Annotated, Section 31-7-13(c)] A sample *Advertisement* is included in **Documents Division 0**, page 00000-1. The Professional will be forwarded a copy of the *Advertisement for Bids* for incorporation into the Construction Documents. The Mississippi Procurement Center will also be notified. [Mississippi Code 1972, Annotated, Section 31-7-13(c)]

600.38

EXAMINATION & DISTRIBUTION OF DOCUMENTS (modified August 2016)

In addition to newspaper advertisement, the Professional will furnish Contract Documents without charge to appropriate trade organizations, plan rooms and web-based distribution networks upon request for the use of material suppliers, subcontractors and others interested in the Project. In order for a trade organization, plan room and/or web-based distribution network to receive all such documents by default and not upon request per project, such entity shall submit written correspondence to the Bureau indicating such request, along with justification of benefit to the State for such default distribution. Any entity that is not approved for default distribution shall still be eligible for distribution without charge upon request per project at the discretion of the project Professional. All contractors properly licensed to do business in Mississippi who desire to bid will be furnished Contract Documents and all other pertinent information to permit them to make adequate estimates in ample time for bidding purpose upon request to Professional.

The Professional will submit to the Bureau one (1) set of Construction Documents as the record copy of the Construction Documents issued to Bidders along with one (1) copy of any addenda issued during the bidding period.

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600.39**INTERPRETATIONS**

Should a Bidder find discrepancies, the Professional should be contacted immediately for interpretation and clarification. Neither the Bureau Staff, nor the Professional, will be responsible for any oral instructions or interpretations. The Professional will respond in writing to all Construction Document holders.

600.40**ADDENDA**

Should Addendum be necessary, the Professional will issue them as expeditiously as possible to all parties concerned prior to the time for receiving bids. However, no addendum should be issued within two (2) working days of the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum. Bidders should acknowledge any Addendum on the *Proposal Form*. All Addenda will be incorporated into the Construction Documents and become a part of the Construction Contract.

600.41**BIDDER'S RESPONSIBILITY**

Bidders will fully inform themselves of the conditions regarding the Project and the related site. Failure to do so will not relieve the successful Bidder of obligations to fulfill material and labor requirements, or performing any work required without additional cost to the Bureau.

600.42**BID PREPARATION**

SUBMITTAL: A bid must be delivered to the address indicated on the Advertisement for Bids prior to the time and date stated. Only one original of Bid Proposal shall be submitted which should be sealed in an opaque envelope, marked, mailed or hand-delivered, as follows. (beginning 1/1/09 and for a reasonable time period, a duplicate copy will not disqualify your bid, but the second copy, without comparison, will be destroyed in the bid opening, not read aloud nor used thereafter, in order to prevent inadvertent differences in the duplicate forms). If the Bidder desires a copy of the bid, a copy should be made and retained by the Bidder before turning in the bid. The outside of the envelope should contain: (also see 3.01 and 5.01 of Instructions to Bidders)

(In upper left hand corner)

Name of Firm

(As it appears in the current Mississippi
State Board of Contractors Roster)

Bid shall be addressed and delivered to)

Bureau of Building, Grounds and Real Property Management
501 North West Street, Suite 1401B [Woolfolk Building]
Jackson, Mississippi 39201

(In lower left hand corner)

Bid for Project # _____

Title _____

Using Agency _____

Certificate of Responsibility # _____ (over \$50,000.00)

(If under \$50,000.00 - get statement)

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The sealed envelope should contain: (modified Dec, 2013 SoS)

1. Bid Proposal Form:
2. Bid Security: (modified Dec 2013 SoS) (see also 600.57.9 700.14, 00100, 00600, 00650)
 - a. Bid Security in an amount not less than five percent (5%)
 - b. Bid Security can be in the form of a certified check made payable to the Bureau of Building, Grounds and Real Property Management
 - c. Bid Bond by a Surety licensed in Mississippi in the amount of five percent (5%) of the base bid. The Bid Bond shall be duly executed by the Bidder, a Mississippi Licensed Agent for said Surety approved by the Mississippi Insurance Department OR signed by the Surety AND countersigned by a Mississippi Licensed Agent for said Surety approved by the Mississippi Insurance Department. http://www.mid.state.ms.us/licapp/search_main.aspx (No standard form is required for the Bid Bond.)
 - d. Power of Attorney dated same as Bond (No Power of Attorney is needed with a certified check.)
3. Non-Resident Bidder's Preference Law (if applicable).

600.43

CERTIFICATE OF RESPONSIBILITY

If a bid is more than \$50,000, a Bidder must have a Certificate of Responsibility Number in order to submit a bid, enter into a Contract, or otherwise engage in or continue in this State in the business of a public Contractor. Any Contractor submitting a bid for construction of public works or public projects without a Certificate of Responsibility Number is guilty of a misdemeanor. [*Mississippi Code 1972, Annotated*, Section 31-3-21(2)]

If the bid is less than \$50,000, a Certificate of Responsibility Number is not required. The bidder must, however, make a *statement* on the outside/ exterior of the envelope to the effect that the bid enclosed does not exceed \$50,000. [**Mississippi Code 1972, Annotated**, Section 31-3-21(2)]

600.44

NONRESIDENT CONTRACTOR

Preference may or may not be given to resident contractors. [**Mississippi Code 1972, Annotated**, Section 31-7-47] A nonresident bidder domiciled in a state having laws granting preference to local Contractors may be awarded Mississippi public contracts only on the same basis as the nonresident bidder's state awards Contracts to Mississippi Contractors bidding under similar circumstances; and resident Contractors actually domiciled in Mississippi, be they corporate, individuals, or partnerships, are to be granted preference over nonresidents in awarding of Contracts in the same manner and to the same extent as provided by the laws of the state of domicile of the nonresident. For the purposes of this section, a foreign corporation which has qualified to do business in the State, in the manner required by law prior to the advertising for bids, shall be considered to be a resident Contractor. [**Mississippi Code 1972, Annotated**, Section 31-3-21.]

In order to clarify that no law exists, the Bidder will include with the Bid Proposal a statement on letterhead and signed by the same person who signs the *Proposal Form* that no preference laws exists in that state.

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600.45**RECEIPT OF BIDS**

The date, time and place of the bid opening are stated in the *Advertisement for Bids*. Generally, the Bureau receives bids until 2:00:00 p.m. and opens bids shortly thereafter on Tuesdays and Thursdays, for construction, in the Bureau's office. Furniture and Equipment bids are usually received until 2:00:00 p.m. and opened shortly thereafter on Wednesdays in the Bureau's office.

When mainly local bidding is anticipated, bids may be opened at the Project location. This change will be indicated in the Advertisement for Bids.

It is the responsibility of the Bidder to deliver his sealed bid to the appointed place prior to the announced time for the opening of bids. Late delivery of a bid for any reason, including late delivery by the U.S. Mail, Federal Express, UPS, etc. will disqualify the bid.

600.46**MODIFICATIONS TO BID**

Bids may be modified prior to the bid opening in writing. A facsimile (fax) will not be acceptable.

Modifications to Bids

* By writing on the outside of the sealed envelope containing the bid

600.47**OPENING BIDS** (added Note for bids after 2:00:00 Dec 2013 SoS; Jan 2015 added Office Closure)

The Professional will attend the bid opening and furnish a detailed tabulation sheet according to the Bureau's format for recording the bids. [See **Appendix 600.**]

At the appropriate hour, a member of the Bureau Staff will declare the bidding closed. All *proposals* meeting the law will be opened and read.

Note: Any bid received after 2:00:00 p.m. will be photocopied and returned unopened.

Bid Agenda

- * Name of Bidder
- * Certificate of Responsibility Number
- * Bid Security
- * Base Bid
- * Alternate(s)
- * Unit prices, if requested
- * Number of days for Contract completion
- * Acknowledge Addenda
- * Subcontracts, if required
- * Nonresident law

Special Note: If only one (1) *Proposal* is received, the *Proposal* may be opened and read.

Office Closure Statement: If the agency is closed for any reason, including, but not limited to: acts of God, strikes, lockouts, riots, acts of war, epidemics, governmental regulations superimposed after the fact, fire, earthquakes, floods, or other natural disasters, (the "Force Majeure Events"), which closure prevents the opening of bids at the advertised date and time, all bids received shall be publicly opened and read aloud on the next business day that the agency shall be open and at the previously advertised time. The new date and time of the bid opening, as determined in accordance with this paragraph, shall not be advertised, and all Vendors/Contractors, upon submission of a bid proposal, shall be deemed

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to have knowledge of, and shall have agreed to, the provisions of this paragraph. Bids shall be received by the agency until the new date and time of the bid opening as set forth herein. The agency shall not be held responsible for the receipt of any bids for which the delivery was attempted and failed due to the closure of the agency as a result of a Force Majeure Event. Each Vendor/Contractor shall be required to ensure the delivery and receipt of its bid by the agency prior to the new date and time of the bid opening.

The Bureau will retain the original *Proposal Form* and the *Bid Bond* on each bid received. One (1) copy of each of these items will be given to the Professional for information purposes only. The Professional will submit to the Bureau a certified tabulation of all *proposals* received, along with a recommendation as to Contract award.

600.48 WITHDRAWAL OF BID

Any *Proposal* may be withdrawn prior to the time specified for receiving bids. If, however, when all *Proposals* have been read and recorded, should a Bidder realize a mistake has been made in the *Proposal* and desires to withdraw the *Proposal*, the Bidder should rise and announce to all present the intention of withdrawing the *Proposal*. All withdrawal requests, after being made verbally, must be made in writing to the Bureau no later than twenty four (24) hours following the bid opening. [**Mississippi Supreme Court** decision, Mississippi State Building Commission et al v. Becknell Construction, Inc. et al, 329 So.2nd 57 (1976)]

The letter of withdrawal should be addressed to the Bureau of Building, Grounds and Real Property Management's Director. It should identify the Project, include the original bid, take-off sheets, and any other supporting documentation to provide proof of error. Failure to include sufficient documentation will be grounds for rejection of the withdrawal request and subsequent loss of the bid security.

600.49 IRREGULARITIES

The Bureau will be the sole judge in determining irregularities, or informalities and render a decision as expeditiously as possible.

600.50 RETURNING BID DOCUMENTS (see Inst to Bidders Bid Document Deposit and Return) (modified Dec 2013; August 2016)

The deposit amount, if any, shall be established as the estimated actual cost of copying and reproduction plus shipping via USPS standard Ground Transportation, ~~is~~ shall be indicated in the Advertisement for Bids. Bidders may request shipping via express carrier or expedited delivery at their own additional cost. Upon returning the documents to the Professional within ten (10) working days of the bid date and in good condition, all document holders will be refunded the full deposit amount. Further, any document holder who is awarded the contract, related subcontracts and/or vendor agreements may elect to retain their documents and request refund of the full deposit amount upon execution of the construction contract and approval of general contractor, however; such documents shall be counted toward the total number of copies furnished free of charge to the general contractor. No partial sets of documents will be issued. Selected trade organizations, plan rooms and web-based distribution networks will be issued one (1) set of documents without charge.

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600.51

BID PROTEST (DFA Deputy Director added Dec 2013 SoS)

When all *Proposals* have been read and recorded, should a Bidder wish to protest, the Bidder should rise and announce to all present the protest. All protest, after being made verbally, must be made in writing to the Bureau no later than twenty-four (24) hours following the bid opening.

The letter of protest should be addressed to the Bureau of Building, Grounds and Real Property Management's Director. Any request for reconsideration after BoB Director's ruling shall be addressed to the DFA Deputy Executive Director. It should identify the Project, include what is being protested, why it is being protested, and be signed by the individual who is protesting.

Protestors may be required to appear at the next PPRB meeting and personally present their protest. The Bureau is under no obligation to consider any protest received after twenty-four (24) hours. This includes a protest made by anyone regardless of whether they attended the bid opening.

600.52

NEGOTIATIONS

Negotiations are at the Owner's option. In accordance with House Bill 1172, Laws of 1996: *If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.*

600.53

DISQUALIFICATION OF BIDDER

All things being equal, a Contract will be awarded to the lowest and best base bid, or lowest and best combination of base bid and alternates, whichever produces a total within the available funds.

The following list of situations may disqualify a low Bidder from being considered:

1. Failure to comply with the bid requirements.
2. Bidder is in arrears on existing Contracts with the Bureau or another state agency.
3. Bidder is, or anticipates being, in litigation or arbitration with the Bureau or another state agency.
4. Bidder has defaulted on a previous Contract.

600.54

INFORMATION ON BID RESULTS

Information pertaining to the results of any bids may be reviewed on the premises at any time during normal working hours subsequent to the time of the bid opening. This authority may be granted only to any business or person who has submitted bids on the particular Project. Businesses or persons not participating in the process may not be permitted access to any Bid Proposal until after an award is made. After the award is

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made, all information and Documents applicable to the awarded Contract shall be available to any business or person; provided, however, that no information specified by a participant and approved by the Bureau Staff as proprietary information will be made available to any business or person.

600.55

SUBCONTRACTOR'S LIST (Rule 13 changed to Rule 12 1/2002, to Rule 30-9-802:1.2(8) about 2011 & changed herein Jan 2015 plus subs prior to award) (see also Div 0-5.2.1; Div 1-01010.1.01.F)

The Contractor will submit to the Bureau a list of any Subcontractors, including disciplines and COR #'s over Fifty Thousand Dollars (\$50,000.00) to be used on the project prior to contract award. Any Sub-Contractor listed must be acceptable to the Bureau. Additionally, include any Mechanical, Plumbing, or Electrical Sub-Contractor listed on the Proposal Form, regardless of amount. [**Mississippi Code 1972, Annotated**, Sections 31-3-1 through 31-3-23.]

In addition, Rule 30-9-802:1.2(8) of the State Contractor's Rules and Regulations states:

....the Prime Contractor on or before the date of being awarded the prime Contract, shall submit to the awarding agency a list of all subcontracts, exceeding Fifty Thousand Dollars (\$50,000.00) with respect to public ... projects....

600.56

AWARD OF CONTRACT

Normally, the Bureau has forty-five (45) days after the bid opening to award a Contract. The exact days will be stated on the *Proposal Form*.

The Professional will prepare and submit a certified *Bid Tabulation* [See **Appendix 600.**] accompanied by a letter recommending an award to the Bureau and Using Agency. The Bureau will proceed as expeditiously as possible to present the award at the next PPRB meeting.

The Using Agency should notify its Governing Board of the award and the Governing Board should forward its confirmation to the Bureau as soon as possible.

The Professional, Using Agency and Governing Board will be informed in writing of the final action concerning the award made by the PPRB.

600.57

CONTRACT PREPARATION (modified Dec 2013; Jan 2015 re embossed) (see also 600.42, 700.14, 00100, 00600, 00650 regarding Bond info) (see also 700.40 and Div 1 01720 for electronic As-Built Documents)

Following notification by the Bureau that a Contract has been awarded, the Professional will:

1. Prepare within ten (10) working days' time the *Standard Form of Agreement Between the Owner and the Contractor*. (2 weeks changed to 10 working days June 2011)
2. Prepare two (2) sets of Official Contracts and two (2) reduced sets of drawings.
3. Label the front cover *OFFICIAL CONTRACT DOCUMENTS*.

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4. The *Contract* should be in the following order and include:
 - a. Index
 - b. List of Drawings
 - c. Advertisement for Bids
 - d. Instructions to Bidders
 - e. Proposal Form
 - f. Standard Form of Agreement Between the Owner and the Contractor
 - g. Contract Bond
 - h. Power of Attorney
 - i. Certificate of Insurance
 - j. General Conditions
 - k. Supplementary Conditions
 - l. Wage Rates, if applicable
 - m. Addenda
 - n. Division 1: General Requirements
 - o. Division 1 Supplements
 - p. Division 2: Site Work
 - q. Division 3: Concrete
 - r. Division 4: Masonry
 - s. Division 5: Metals
 - t. Division 6: Woods and Plastics
 - u. Division 7: Thermal and Moisture Protection
 - v. Division 8: Doors and Windows
 - w. Division 9: Finishes
 - x. Division 10: Specialties
 - y. Division 11: Equipment
 - z. Division 12: Furnishings
 - aa. Division 13: Special Construction
 - bb. Division 14: Conveying Systems
 - cc. Division 15: Mechanical
 - dd. Division 16: Electrical

The following checklist will aid in the Contract preparation;

1. **Copies:** Two (2) copies will be prepared. (And any additional copies requested by the Bureau – request is distributed at Bid Opening)
 - a. Bureau (1)
 - b. Contractor (1)
2. **Index:** The contents of the Contract should be listed in the Index to permit easy reference.
3. **List of Drawings:** All Document drawings should be included in the Index.
4. **Dates:** All Documents, including the Contract, the Contract Bond and the Power of Attorney, cannot be dated prior to an award of Contract by PPRB. The Documents must bear the same date and may be dated the day of the PPRB meeting, or any date thereafter.
5. **Contract Form:** The Bureau's *Standard Form of Agreement between the Owner and Contractor* is the **only** Contract form to be used.
6. **Contract Sum:** The Contract sum must be indicated in both words and figures.
7. **Signatures:** All signatures must be original. Photocopies are not acceptable.
8. **Proposal Form:** Insert the *Proposal Form* the Contractor submitted with the Bid and remove the blank form.

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9. **Contract Bond:** All projects must have a Contract Bond executed on the Bureau's *Standard Contract Bond Form*. The Bond will be equal to 100% of the Contract amount. All Contract Bonds shall be duly executed by the Bidder, a Surety licensed in Mississippi signed by a Mississippi Licensed Agent for said Surety approved by the Mississippi Insurance Department OR signed by the Surety AND countersigned by a Mississippi Licensed Agent for said Surety approved by the Mississippi Insurance Department with the name and address typed, or lettered legibly. (with Surety's Seal, preferably an embossed seal). http://www.mid.state.ms.us/licapp/search_main.aspx
 10. **Power of Attorney:** There must be a certificate indicating that the Power of Attorney is in force at Contract time. (dated the same as the Bond, with Seal, preferably an embossed seal)
 11. **Insurance:** The Contractor will furnish the Professional and the Bureau a *Certificate of Insurance* certifying all insurance coverage required by the Contract Documents is in effect.

Once the *OFFICIAL CONTRACT DOCUMENTS* have been prepared, the Professional will obtain the Contractor's (original) signature on both of the Documents and forward them to the Bureau for the Bureau Director's and Attorney General's representative's signatures. Copies will be distributed as indicated in Item 1 above.

The Professional shall, unless waived by the Owner, also submit one electronic format copy of the updated Contract Documents (plans and specifications) in coordination with said Contract Documents mentioned above. Said electronic submittal to be submitted within thirty (30) days after award by the Owner in .pdf format uploaded to Bricks. The Professional shall also provide electronic format copy to Contractor for preparation of As-Built Construction Documents. (Modified Dec 2013 SoS)

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