



## **DIVISION OF PUBLIC WORKS**

### **Instructions for Design Professionals**

Department of Administration  
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## **CHAPTER 1**

### **General Information**

#### **1.0 Manual's Purpose**

These Instructions with appendices are for Design Professional consultants having design Agreements with the Department of Administration, Division of Public Works (DPW) for work at various state agencies.

These Instructions and appendices are considered to be part of the Owner's project guidelines. They are not intended to modify or eliminate any of the terms or provisions of the Agreement. If conflicts occur between the Agreement and these Instructions, the Agreement shall govern.

Guidelines for design, commissioning, energy and environmental, energy life cycle cost, indoor air quality, and value engineering will be provided as needed. The Design Professional, Client Agency, and DPW Project Manager will determine which guidelines are applicable for individual projects. Abbreviations and definitions used in this manual are contained in Appendix I.

#### **1.1 Authority**

##### **1.10 Department of Administration**

The Department of Administration, Division of Public Works is authorized by statute to design or to contract for the design and construction of public works projects for state owned facilities for numerous State agencies.

##### **1.11 Administrator**

The Administrator of the Division of Public Works is the legal contracting authority for the state.

##### **1.12 DPW Deputy Administrator**

The Deputy Administrator oversees the design and construction operations of the Division of Public Works.

##### **1.13 DPW Project Manager**

The DPW Project Manager (PM) is an architect, engineer or specialist assigned by the Senior Project Manager to manage a specific project.

##### **1.14 DPW Senior Project Manager**

The Senior Project Manager (SPM) is the supervisor of the DPW Project Managers.

##### **1.15 DPW Field Representative**

The DPW Field Representative (FR) assists the PM during the construction period and reports on construction activities. The FR is also a certified building inspector and may assist the Division of Building Safety in performing the code inspections at the project site.

##### **1.16 DPW Senior Field Representative**

The DPW Senior Field Representative (SFR) is the supervisor of the DPW Field Representatives.

##### **1.17 Design/Construction Statutes & Codes**

Various Sections of Idaho Code apply to the design and construction of State-owned facilities. See Appendix II for a list of most applicable sections. The Design Professional is required to conform to all

applicable statutes and codes. Building codes adopted by the State of Idaho are listed on the website for the Division of Building Safety; <http://dbs.idaho.gov> .

## **1.2 Participants & Responsibilities**

### **1.20 Principal Participants**

DPW PM  
DPW SPM  
DPW FR  
DPW SFR  
Client Agency  
Design Professional

### **1.21 Typical Responsibilities**

(A specific project may require additional or differing responsibilities.)

#### **DPW PM:**

Provide a project scope, schedule and budget, determine which guidelines are applicable to the project and incorporate them into the scope of services.

Conduct Design Professional selection process.

Negotiate and prepare the Design Professional Agreement for execution and issue an Authorization to Proceed (ATP) to the Design Professional, signed by the DPW Administrator.

Conduct pre-design meeting.

Review and approve applications for payment.

Approve changes in scope of services, schedules, budget, fees, and amend the Design Professional Agreement.

Review and approve progress documents submitted by the Design Professional.

Arrange for the advertising, receipt and opening of bids.

Facilitate resolution of project issues, disputes, or claims.

#### **DPW FR:**

Set up a Pre-Construction Meeting with the Contractor, Design Professional, and Client Agency. On larger projects, the PM may also participate in the pre-construction meeting.

Visit the project site and observe and report activities.

Report non-conforming conditions to the A/E, PM and SFR.

Receive, in writing, and maintain file of construction activities and documents.

Attend construction meetings.

Review contractor applications for payments.

Within limits of authority review and either approve or recommend CCD's and Change Orders.

Participate in Substantial Completion inspections.

May assist in performing the code inspections at the project site if requested by the Division of Building Safety.

**DPW SFR:**

Provide technical support and counseling when needed, to the PM and FR.

Monitor FR activities to assure unity in project procedures.

Monitor projects relating to cost overruns and excessive time extensions.

Assist in avoiding, evaluating and processing construction period disputes.

**Client Agency:**

Review and concur with the project scope, schedule and budget, provide recommendations to the PM on which guidelines are applicable for incorporation into the project scope of services.

Participate in the Design Professional selection process.

Provide detailed functional requirements, site constraints, existing record drawings and specifications, and other pertinent information to the DPW PM and Design Professional.

Have a representative authorized to make decisions at all scheduled meetings.

Provide agency personnel, who have appropriate project knowledge, to attend project design and construction meetings.

Review work and recommend approval to the PM.

Submit written requests for any changes in scope of services, schedule, or budget to PM for review, approval, and incorporation into the legal documents.

**Design Professional:**

Be fully knowledgeable of the state's Agreement, Instructions for Design Professionals, and Fixed Price Construction Contract. Understand and provide the services specifically included or required by the project scope and the applicable guidelines.

Prepare application for payment of Design Professional services. See Appendix III for instructions for preparation of application form.

Attend the initial design meeting.

Have a representative authorized to make decisions at all scheduled meetings.

Provide updated project cost estimates and schedules at the end of the Schematic Design, Design Development, and Construction Document phases.

May participate in the bid opening process. See Chapter 4 of these instructions.

Initiate and obtain design and plan reviews and approvals from all applicable regulatory agencies, including Division of Building Safety. Submit written requests for any changes in scope of services, schedules, budget, or fees to PM for approval.

Upon notification that a bid has been accepted, prepare the DPW Fixed Price Construction Contract with pertinent project information and transmit to the DPW Project Coordinator electronically.

Attend and participate in the Pre-Construction meeting with Contractor, PM, FR, and Client Agency. Record and distribute meeting minutes.

Schedule and chair design and construction meetings, establish and distribute agendas for meetings, record meeting minutes and distribute to DPW PM, DPW FR, Client Agency, Contractor, and other appropriate parties.

Review contractor payment requests and recommend payment.

Prepare and process change order proposal requests, construction change directives and change orders.  
Provide written interpretations of Contract Documents as required.  
Review and coordinate construction activities with DPW FR.

### **1.3 Communications**

#### **1.30 Communications between Design Professional, Client Agency, and PM**

Correspondence and communication on all issues to or from the Design Professional shall be channeled through the PM. Exceptions may be authorized by the PM for specific projects or situations.

Authorization by the PM for the Design Professional to communicate directly with Client Agency personnel may be given to expedite the design and to avoid communication delays. This action does not authorize additional work, change in scope, or exclude copying all communications between the Design Professional and Client Agency to the PM.

#### **1.31 DPW Project Numbers**

Determining Project Number:

A project number, for example 14335, consists of the fiscal year ('14) and a DPW numerical sequence number (335) identifying the client agency.

Assigning Project Numbers:

DPW shall assign a Project Number to all projects.

Using Project Number:

All written communications regarding the project shall reference the DPW project number.

All drawings, specifications, reports, and project correspondence **MUST** have the DPW project number.

#### **1.32 Review and Approval**

Review and approval shall be conducted in accordance with the schedule of services defined in the Agreement.

Final review and approval authority for Design Professional's work resides with the DPW Administrator.

## **CHAPTER 2**

### **Planning and Design**

#### **2.0 State Expectations**

##### **2.00 Project Design**

State facilities are intended for long-term use. Their design must provide functional facilities requiring low maintenance, must be durable, and provide flexibility for changing uses and low in operating costs. Energy conservation and efficiencies are to meet the requirements of State Statutes, Governor's executive orders (if any) and applicable building codes. The State requires construction documents to be complete, clear, specific, accurate, coordinated between disciplines, and explicit in suitable materials, systems, and workmanship.

Throughout the design phase of a project, the Design Professional shall work closely with the DPW PM and Client Agency staff to ascertain and confirm all project requirements.

In addition to the guidelines contained in the appendices, the Client Agency may have specific design requirements. These requirements will be provided by the PM.

### **2.01 Project Budget**

The budget is fixed and the project must be designed and bid within the Fixed Limit of Construction Cost (FLCC).

### **2.02 Project Scheduling**

The project schedule shall be based on the planning, design, and construction requirements of the project and must consider the state funding cycles, curriculum or school year determinants, weather, etc., and must allow sufficient time for owner mandated review, including value engineering, energy life cycle cost analysis, ADA review, constructability review, building commissioning, and permitting procedures.

## **2.1 Design Professional Additional Services**

The Design Professional shall not proceed with additional service work prior to receiving written authorization from the DPW PM.

For authorization to be provided, the Design Professional shall prepare a written proposal for additional services based on the Conditions of the Design Professional Agreement. Written authorization for additional services must be contained in the Agreement or by amendment to the Agreement.

## **2.2 Initial Design Meeting**

PM shall schedule an initial design meeting with the Design Professional and Client Agency. Agenda will include: introduction of agency personnel, sub consultants, and other participants, reviewing project's scope of work, budget, communications, guideline requirements, Client Agency's design requirements, project schedules, and existing data.

## **2.3 Pre-planning and Design**

### **2.30 Existing Program Data**

The PM and Client Agency will make available to the Design Professional all available program data for functional requirements. If program information is not available, it may be incorporated into the agreement as a basic design service.

### **2.31 Existing Project Data**

The Design Professional will be given or have access to all available existing project data: for example, program, as-builts, studies, surveys, checklist(s), space standards, or other owner requirements.

If a pre-design study was undertaken by DPW or the Client Agency for the project, that data will be made available to the Design Professional.

### **2.32 Existing Conditions**

The Design Professional shall review the as-builts, any pertinent studies, and other data with their sub-consultants to assess the relationship between the existing and proposed project conditions. Following this review, the Design Professional and their sub-consultants will perform a site investigation to verify existing conditions.

After investigation of existing conditions, the Design Professional should recommend to the PM any necessary supplemental surveys or studies. The recommendation shall be in writing and include reason(s), purpose(s), and extent. Site surveys and soil investigations will be contracted for by DPW based on the Design Professional's recommendations.

### **2.33 Permitting Agency Coordination**

The Design Professional shall know the requirements imposed by all permitting agencies having jurisdiction over the work, and shall design the project in accordance with those requirements. The Design Professional shall inform the Client Agency and the PM of those requirements that may affect the project scope, budget or schedule. The Design Professional shall make timely contact with the permitting agencies and shall coordinate any interaction required during the implementation of the project.

### **2.34 Division of Building Safety**

The State of Idaho, Division of Building Safety (DBS) is the Authority Having Jurisdiction (AHJ) for adopted building codes. The Design Professional is encouraged to communicate with DBS directly regarding code questions and interpretations. The Design Professional will officially transmit completed documents to DBS. DPW will pay the DBS plan check fee and coordinate corrective action to the code review issues. DBS will issue the building permit and conduct field inspections for code compliance. DPW building projects are not subject to local building codes or code officials. They are subject to planning and zoning requirements regarding appropriate use.

### **2.35 State Fire Marshal**

The State Fire Marshal of the Department of Insurance has plan review authority for the Uniform Fire Code. The Division of Building Safety will route the submitted final plans to the State Fire Marshal for review. The State Fire Marshal works closely with local fire departments, even though local fire departments do not have jurisdiction for State owned facilities.

### **2.36 Utility Coordination**

The Design Professional shall know of the energy and conservation measures funding programs offered by the utilities serving the project area. The Design Professional shall inform the Client Agency and the PM of the opportunities for participation, and coordinate any interaction required to implement those programs in the project.

Design Professional shall contact the Customer Service Representative of the service utilities early in the design process to determine that adequate size and type of services can be provided.

Utilities contacted may include, electric, gas, fire and police alarm interface, voice, and data, as applicable.

### **2.37 Mandated Review Cooperation**

The Design Professional shall fully cooperate with the Owner initiated process/procedures for Energy Life Cycle Cost Analysis (ELCCA), Value Engineering (VE), commissioning, constructability review, ADA review, etc.

## **2.4 Schematic Design Phase**

### **2.40 Schematic Design**

The Design Professional shall provide Schematic Design Documents as outlined in the Basic Services of the Design Professional Agreement.

### **2.41 Schematic Design Meetings**

The Design Professional shall:  
Schedule and conduct all schematic design meetings with the PM and Client Agency.

Record and distribute minutes of the meetings.

#### **2.42 Schematic Design Approval**

The Design Professional shall schedule a final Schematic Design Meeting. This meeting may serve the dual purpose of a final Schematic Design review and approval meeting.

Final Schematic Design Documents must be accompanied by a project cost estimate and project schedule.

The Design Professional shall obtain the PM's written approval of the Schematic Design phase.

Only the PM can provide the Design Professional with the ATP to the Design Development Phase.

### **2.5 Design Development Phase**

#### **2.50 Design Development**

Based upon the approved Schematic Design Documents the Design Professional shall prepare Design Development drawings, outline specifications, product information, project schedule, and cost estimate as required by the Basic Services of the Design Professional Agreement.

VE and ELCCA shall be included as a part of this phase if applicable, and the approved recommendations of both are to be incorporated into the final Design Development documents.

#### **2.51 Design Development Meetings**

The Design Professional shall:  
Schedule and conduct all design development meetings with the PM and Client Agency.

Record and distribute minutes of the meetings.

#### **2.52 Americans with Disabilities Act (ADA)**

Design Professional and consultants are required to review the applicable requirements of ADA and the International Building Code regarding accessibility and to incorporate them into the Design Development documents.

#### **2.53 Bidder Design**

The Design Professional shall limit the use of contractor design-build services to the traditional areas, such as pre-cast concrete, roof trusses, and pre-engineered buildings. Items such as fire sprinklers and controls may include contractor design, but the Design Professional must clearly define the basic requirements and be responsible for review and acceptance of the contractor's design. All contractor design must be done by professionals who are properly licensed in the state of Idaho. To extend this type of service to other areas the Design Professional shall inform the PM and obtain consent.

#### **2.54 Design Development Approval**

The Design Professional shall schedule a final Design Development Meeting.

Final Design Development Documents must be accompanied by an updated project cost estimate and project schedule. The project cost estimate, including all approved bid alternates, must be within the

FLCC. Any alternates exceeding the FLCC must be approved by the PM.

At the completion of the Design Development phase a "Preliminary" presentation will be made to the Permanent Building Fund Advisory Council. Prior to this presentation, the Design Development Documents are to be reviewed and accepted by the PM and the Client Agency. The presentation is to be made by the Design Professional; smaller projects may be presented by the PM. Presentations are to include a written and graphic supplemented oral review of the major project components and the cost estimate.

The Design Professional shall obtain written approval of the Design Development phase.

Only the PM or, on large projects, the DPW Administrator can provide the Design Professional with the ATP to the Construction Document Phase.

## **CHAPTER 3**

### **Construction Documents**

#### **3.0 Construction Document Phase**

Based on approved Design Development Documents the Design Professional shall prepare the following documents: Project Manual, construction drawings, detailed cost estimate, and project schedule as outlined in the Basic Services of the Design Professional Agreement.

#### **3.1 Project Manual**

##### **3.10 Project Manual Format**

Cover Sheet - The cover sheet shall contain the following minimum information:

DPW project number (e.g., 14335),

Project Title,

Date,

Name of state agency for which the project is being constructed (e.g., For: Idaho Division of Military),

Contracting Agency: Division of Public Works,

Name of Design Professional firm, and

Title Sheet - Title sheet shall contain the following minimum information:

DPW project number (e.g., 14335), Project Title,

Date,

Name of state agency for which the project is being constructed (e.g., For: Idaho Division of Military),

Contracting Agency: Division of Public Works,

Name, telephone number, address and email of Design Professional firm,

Professional stamp with signature and date,

Consultants names, telephone numbers, and addresses, and

Signature block for DPW Administrator and Client Agency representatives to sign. See example in Appendix V.

Table of Contents - A table of contents shall list the entire contents of the Project Manual.

Bid Advertisement as used for publication.

State "Boilerplate" - Available online at <http://dpw.idaho.gov>

Documents for editing may be downloaded from the DPW web page. These documents are to be included in the Project Manual in the order listed:

- Advertisement for Bids
- Instructions to Bidders
  - Manufacturer's Certification
  - Roofing Materials Substitution Request Form
- Bid Proposal
  - Contractor's Affidavit Concerning Alcohol & Drug-Free Workplace
  - Bidder's Acknowledgment Statement
- Fixed Price Construction Contract
  - Exhibit A – Owner's Project Identification Information
  - Exhibit B – Addresses and Authorized Representatives
  - Exhibit C – List of Drawings and Specifications
  - Exhibit D - Contractor's Affidavit Concerning Taxes
  - Exhibit E – Named Subcontractors
  - Exhibit F – Notice to Proceed
  - Exhibit G – Contractor's Request for Tax Release
  - Exhibit H – Release of Claims

Followed by the Technical Specifications

These documents, including formatting, shall not be modified or amended without the explicit approval of DPW. However, specific areas are high-lighted requiring input of information for each specific project.

### **3.11 Division I - General Requirements**

The Design Professional shall prepare General Requirements to specifically address project issues. They may supplement or add to General Condition or Supplementary Condition issues contained in the Agreement, but are not to duplicate or alter their content. Careful editing of pre drafted text is mandatory to assure applicability.

### **3.12 Project Manual Information**

With the exception of the "Bid Proposal," the Boilerplate items shall not be revised, amended, or incorporated into any other section of the bid documents, except as directed or approved by DPW.

On the Bid Proposal the Design Professional shall fill in the project number and title, bid alternates, time of completion and liquidated damages. Bid alternates are to be carefully described in Division I and shown on the construction documents.

Design Professional shall consult with the PM and Client Agency in determining liquidated damages amount.

Design Professional shall prepare technical specifications using standard "CSI" 16 Division format, unless an alternate format is explicitly approved by DPW.

Sole source material specifications and pre-qualification of contractors requires DPW approval.

The Design Professional shall not add general disclaimer statements to the bidding documents without prior approval from DPW.

The Design Professional is required to make judgments and recommendations regarding “equal” products.

## **3.2 Drawings**

### **3.20 Cover Sheet**

Cover sheet shall contain the following minimum information:

DPW project number (e.g., 14335),

Project Title,

Date (date of issue for bid),

Name of state agency for which the project is being constructed (e.g., For: Idaho Division of Military),

Contracting Agency: Division of Public Works,

Name, telephone number, address and email of Design Professional firm,

Names, telephone numbers, and addresses of consultants,

Signature block for DPW Administrator and Client Agency representatives to sign. See example in Appendix V, and

Space in upper right-hand corner for DBS approval stamp.

Additional information such as vicinity map, symbols, notes, schedules, etc.

Professional stamp with signature and date of responsible Design Professional and consultants, if applicable.

### **3.21 Typical Sheets**

All sheets shall include a title block with the following information:

DPW project number,

Project Title,

Sheet contents,

Sheet number,

Date,

Professional stamp with signature, and date of responsible Design Professional or consultant.

## **3.3 Meetings**

The Design Professional shall:

Schedule and conduct all Construction Document phase meetings with the PM and Client Agency.

Record and distribute minutes of the meetings to all participants.

## **3.4 Document Review**

Design Professional and consultants shall conduct a thorough review of the construction documents to ensure that all previous comments have been incorporated, that the documents are 100% complete, that the documents have been fully coordinated between disciplines, and that they are ready for DPW and DBS review and approval.

### **3.40 Constructability Review**

Design Professional and consultants may be required to participate and provide support for project Constructability Review. Design Professional shall review Constructability Review report and prepare written response for Owner’s consideration. Final Constructability Review comments may be incorporated into the Construction Documents as part of the Owner’s review process.

### **3.41 Permit/Plan Reviews and Fees**

Design Professional shall determine the applicable permitting and plan review agencies and permitting requirements for the project, including a schedule for those reviews.

Design Professional shall submit the necessary documents to the Health District, the Department of Environmental Quality (DEQ), and other required design approval agencies. Design Professional shall respond to comments and modify the construction documents as required.

Design Professional shall submit final documents to DBS as outlined in the Professional Services Agreement. DPW will arrange for payment of plan check fees.

Submittals to local authorities for conditional use permits and other applicable planning and zoning requirements will usually be done by the Client Agency or DPW. Preparation of submittal documents may be required of the Design Professional and should be outlined in the Professional Services Agreement.

All State of Idaho construction projects are required to have a building permit issued by DBS. It is the contractor's responsibility to obtain this permit. This requirement shall be noted in the project manual.

### **3.5 Bid Alternates**

Alternates are limited to a maximum of six (6) unless otherwise approved. Alternates must be approved by the PM and Client Agency. The base bid and all alternates shall be designed within the FLCC. Any alternates not included in the FLCC must have prior written authorization by the PM. Deductive alternates are only to be used with approval by the PM. Alternates are to be listed in order of preference. Coordinate with Client Agency and PM.

### **3.6 Unit Prices**

Unit prices will only be utilized with approval of the PM. If used, they are typically to be for adjusting predetermined quantities up or down and not for doing additional work. The same unit price is to be used for adding to or deducting from the predetermined quantities. Other use of unit prices must be approved by the SPM.

### **3.7 Document Approval**

Final Construction Documents must be accompanied by a detailed project cost estimate and project schedule as required by the Basic Services of the Design Professional Agreement. The project cost estimate, including all approved bid alternates, must be within the FLCC, unless otherwise approved by the PM.

The DPW Administrator is the State's final approval authority for Construction Documents.

The PM will provide Design Professional with the Authorization to Proceed into the Bid Phase.

## **CHAPTER 4**

### **Bidding, Printing and Permits**

The discussion in this chapter pertains to standard public bidding of state projects. Other options include: Informal Bidding for projects under \$100,000, construction by Client Agency staff, construction by inmates, construction by Service Contractors and Emergency projects. The PM will determine the appropriate method and obtain approval if applicable.

#### **4.0 Pre-bid Meeting**

The Design Professional shall schedule and conduct a pre-bid review meeting with the PM, and Client Agency for agreement on:

- Bidding strategy, including base bid and alternates;
  - Construction schedule;
  - Document printing and distribution methodology;
  - Permit review process;
  - Determination of Liquidated Damages,
  - Bid date and location;
  - Bid Advertisement;
  - Verify approval signatures are on drawings and project manual; and,
  - Special inspections/testing and other services required for the construction phase.
- Any pre-qualification of contractors or subcontractors must be approved by DPW.

#### **4.1 Bid Date and Location**

##### Bid Date and Time

When the Bid Documents are ready for bidding, the PM will work with the Design Professional to establish a bid date and time. Projects outside of the Treasure Valley should also be coordinated with the FR. The bid date for major projects should be a minimum of four (4) weeks from the date plans are available to Contractors. The bid period for other projects may vary depending on scope, location, number and types of contractors required.

##### Bid Location

The PM, will determine the bid location. The PM will coordinate with the FR for projects outside the Treasure Valley.

For projects located in Ada or Canyon counties the bid openings will normally be held at DPW unless another location is approved by the PM. Projects in other areas will normally be held at DPW regional offices, or at the offices of the Client Agency.

#### **4.2 Advertisements**

The Design Professional and PM shall develop a preliminary bid advertisement.

Any mandatory pre-bid meetings or mandatory site visits require approval by DPW.

Arrangements for advertisements will be made by DPW.

#### **4.3 Bid Document Distribution**

The Design Professional shall issue bid documents to all plan centers listed in the advertisement, issue bid documents to prospective prime bidders, maintain an accurate plan-holders list, and receive and refund bid document deposits.

The Design Professional shall not issue bid documents to additional plan centers without approval by the PM.

The PM will approve reimbursement of printing and distribution costs. The Design Professional shall notify PM of non-refunded bid deposits which shall be deducted from the Design Professional's bid document printing cost reimbursement.

Bid documents, either partial or full sets, may be distributed to other interested parties, as well as additional sets to prime bidders at cost, non-refundable.

Bid documents shall be made available electronically, via the Internet. The current boilerplate identifies locations where they can be posted at no cost to the State. The Design Professional shall arrange to post the documents at one of the identified sites, or an alternate location as approved by DPW.

#### **4.4 Site Visits, Questions, and Addenda**

The Design Professional is to coordinate bidders' site visits with the Client Agency, answer bidders' questions, review/approve substitution requests, and issue addenda to all plan-holders.

All addenda require PM approval prior to issuing.

All addenda shall be issued under the Design Professional's name or letterhead, contain the date issued, and shall have the prime Design Professional's professional seal.

The last addendum shall be issued to bidders at least four (4) calendar days before bid opening, the exception being an addendum to delay or cancel the bid.

#### **4.5 Pre-Bid Conference**

A pre-bid conference may be held for prospective bidders when deemed appropriate.

Pre-bid conferences shall NOT be made mandatory for bidders without prior written approval from DPW.

The minutes of any pre-bid meeting and all items discussed or observed shall be included in an addendum.

#### **4.6 Bid Openings**

##### **4.60 Bid Opening Procedures for Boise**

Participants:

The bid opening shall be conducted by the PM or FR. Attendance by the Design Professional and Client Agency is encouraged.

Opening/Recording Bids:

DPW will complete a standard DPW bid summary sheet, which lists those bidders who submitted their bid prior to the bid time. DPW may provide copies of this summary sheet to those attending the bid opening.

Bid Notification:

Immediately following the bid opening, DPW will electronically transmit the bid results to the Design Professional and the Client Agency, if not in attendance.

#### **4.61 Bid Opening Procedures for Alternate Locations**

Participants:

The bid opening shall be conducted by the Design Professional or FR. Attendance by the Client Agency is encouraged.

Opening/Recording Bids:

DPW will complete a standard DPW bid summary sheet, which lists those bidders who submitted their bid prior to the bid time. DPW may provide copies of this summary sheet to those attending the bid opening.

Transmitting and Transporting Bid Results:

Immediately following the bid opening, the FR will electronically transmit the bid results to the DPW Boise Office, and the Design Professional and Client Agency, if not in attendance. The PM or FR will hand carry all bids, bid bonds, and envelopes back to DPW or will transmit them to DPW via commercial carrier.

### **4.7 Bid Results**

#### **4.70 Disclosing Bid Results**

DPW will post bid results on the Internet following the bid opening. DPW will endeavor to post this information within one hour after the bids have been read. The Design Professional shall provide the results of bidding to those inquiring and state that "all bids are taken under advisement" until the contract award is made. The Design Professional may refer inquiring parties to the DPW website for bid results. The Design Professional is to give no indication of the potentially successful bidder without DPW approval/confirmation. The Design Professional shall not initiate any contact with the bidders unless directed to do so by the PM.

#### **4.71 Formal Acceptance of the Bid**

The PM, and Client Agency will make a preliminary determination of the acceptance or rejection of base bid and alternates. Bids identified as non-conforming shall be reviewed by the DPW Deputy Administrator, who will issue formal bid rejection letters. The Client Agency shall send a letter of request to DPW to award the bid, identifying which alternates will be taken. DPW will provide a copy of the Client Agency request to the Design Professional.

#### **4.72 Public Review & Protests**

Bid protests or requests to review the bids are to be made in writing to DPW.

### **4.8 Construction Contract and Notice of Intent to Award**

Design Professional will prepare the Fixed Price Construction Contract (FPCC) and transmit to the DPW Project Coordinator. DPW will print the contract and issue a Notice of Intent to Award when all signatures, contractor's licenses, bonds, subcontractor listing, and funding have been checked and are in order.

#### **4.9 Permits and Fees**

The Contractor shall, without additional expense to the state, be responsible for obtaining all necessary licenses and permits. Specific costs for utility hook-up fees may be specified to be paid directly by the state. All other costs, including those associated with working on an Indian Reservation, are to be made a part of the total base bid.

All State of Idaho construction projects are required to have a building permit issued by DBS. It is the contractor's responsibility to obtain this permit. This requirement shall be noted in the project manual.

## **CHAPTER 5**

### **Construction Administration**

#### **5.0 Pre-Construction Conference**

##### **5.00 Scheduling the Conference**

The FR is responsible for scheduling the pre-construction conference with the PM, Design Professional, Contractor and Client Agency.

The pre-construction conference should occur after the written Notice to Proceed (NTP) from DPW.

##### **5.01 Participants**

Those attending will include the Design Professional and consultants, PM, FR, Client Agency, Contractor and major sub-contractors. The SFR may attend for large projects. The PM may delegate to the FR for small projects.

##### **5.02 Meeting Chair and Agenda**

The FR will chair the pre-construction conference. The agenda for this meeting will be based on the standard DPW Pre-Construction Conference Checklist. See Appendix V.

The Design Professional will record and distribute the minutes.

#### **5.1 Construction Progress Meetings**

##### **5.10 Scheduling the Meetings**

The general schedule for construction progress meetings shall be established at the pre-construction conference.

##### **5.11 Participants**

These regular meetings should be attended by the FR, Client Agency and Facility Representatives, Design Professional, Contractor, major sub-contractors, and specialty sub-contractors including major suppliers and others when applicable. On larger projects and as needed, the PM and the SFR may participate in these meetings.

##### **5.12 Meeting Chair**

The Design Professional will chair the meetings, record and distribute the minutes.

##### **5.13 Agenda**

The minimum agenda for construction progress meetings shall include:

- Project Number
- Date
- Attendees
- Previous Minutes
- Construction Progress Schedule Update
- CCD/PR/CO Status
- Shop Drawing/Submittal Update
- Material Delivery Status
- Pending Questions
- As-built Updates
- Field Observations

Payment Request  
Discussion/Action Items  
Next Meeting Date & Time  
The minutes shall include action to be taken, by whom, and when.

#### **5.14 Contractor Inquiries**

Any questions raised by the contractor during construction meetings shall be documented by the Design Professional. The Design Professional shall expeditiously provide written answers to contractor questions or requests for information (RFI). Each question or request should be assigned a number and tracked. Any impact to construction cost or schedule must be noted. All changes to the construction contract should be initiated through a Construction Change Directive or Change Order Proposal Request and must be finalized in a Change Order.

### **5.2 Change Orders**

Change Orders document the modifications to an existing contract. The change order procedure can be initiated by the Owner, Contractor, or the Design Professional. The Design Professional will generally start the process using the Change Order Proposal Request form. See Appendix V.

#### **5.20 Change Order Proposal Request (PR)**

Change Order Proposal Requests are issued to the contractor by the Design Professional. The contractor shall respond to the Design Professional and include the required cost information including labor, material, equipment, subcontract and allowable overhead and profit breakdown. The response must be accepted by the DPW PM or DPW FR prior to its conversion into a Change Order (CO). The contractor cannot proceed with the work until the signed Change Order is issued and signed by the FR (up to \$10,000), PM (\$10,000-\$20,000), SFR (\$20,000-\$40,000) or DPW Administrator (any change order).

Design Professional shall review the Contractor's change order proposals and construction change directives for compliance with the General Conditions, and to ensure that the costs and time requested are reasonable in comparison to industry standards.

The DPW PM and Design Professional shall establish an appropriate Design Professional fee for design services for each change order. These Design Professional fees will normally be included as a lump sum fee authorized by amendment.

The Design Professional shall maintain a status list of all project PR's, CCD's and change orders.

#### **5.21 Construction Change Directive (CCD)**

If immediate approval to proceed with a change in the work is necessary, a CCD may be used to authorize that work to maintain project schedule, protect property, or for health or safety reasons.

A CCD should only be used when a Proposal Request and Change Order preparation and execution cannot be done prior to the event imposing on the project schedule or cost.

In an emergency, the Design Professional, PM or FR can obtain verbal authorization to proceed with CCD work. The Contractor, Design Professional, Client Agency and PM or FR must all be in agreement to authorize work by CCD, and that authorization must be confirmed in writing within 24 hours.

The Design Professional or FR must note on the CCD form the name, date and time of each verbal approval.

A CCD Force Account is an authorization to commence the work for a maximum not-to-exceed amount. After the work is completed, the Contractor must produce cost data in compliance with the terms of the FPCC. This cost data must be reviewed and approved by the Design Professional and FR prior to conversion of a CCD into a CO.

### **5.3 Construction Observation**

The Design Professional, in consultation with the FR and Client Agency, shall establish a mutually satisfactory schedule for site visits by the Design Professional and consultant representatives, in accordance with the Professional Services Agreement. The Design Professional shall prepare and distribute written reports of all site visits.

Any construction observed by the Design Professional to be out of conformance with the contract documents shall be documented. The report of non-compliance shall be transmitted to the Contractor, with information copies to the PM, FR, and Client Agency.

If the PM, FR or Client Agency observes construction which appears to be out of conformance, the observation shall be reported to the Design Professional.

Only the Design Professional shall direct the Contractor in matters involving interpretation of the drawings or technical specifications.

Any questions or requests for information submitted by the Contractor shall be documented by the Design Professional. The Design Professional shall expeditiously provide written answers to the Contractor with copies to the PM, FR, and Client Agency.

### **5.4 Submittals**

The Design Professional is required to communicate clearly to the contractor, at the pre-construction conference or shortly thereafter, all the required submittals, i.e., schedule of values, list of subcontractors, progress schedule, materials, equipment, shop drawings, operation and maintenance manuals, and any other submittals required for the project. Design Professional shall inform Contractor and FR if submittals are not being provided as required.

### **5.5 Shop Drawings**

The Design Professional shall check the Contractor's shop drawings and material and equipment submittals for compliance with the contract documents. Substitutions approved by the Design Professional must also be approved by the PM when appearance, performance, maintenance or operation is affected. All substitutions after award of the contract require a CO. One set of approved shop drawings shall be maintained by the contractor and provided to the Client Agency at project close-out with the Operation & Maintenance manuals.

### **5.6 Processing Contractor's Payment Requests**

If the Contractor's payment request is incorrect and a simple correction cannot be made by the Design Professional, the payment request shall be sent back to the Contractor along with written directions identifying the needed corrections. No payment request shall remain in the possession of the Design Professional longer than seven days. To expedite this process the Design Professional should review a draft payment request prior to submittal of the signed payment request by the contractor. The Design

Professional shall date stamp receipt of the contractor's payment request to indicate the initiation of the payment period.

The Design Professional shall check the percent complete on all line items in the schedule of values, verify the pay period dates are accurate, that the total amount due on the payment request reflects the construction progress to date, and that the amount remaining on the contract is adequate to complete the work. The Design Professional shall confirm that the amounts requested are correct, sign, date, and forward to FR.

## **CHAPTER 6**

### **Project Close-out**

#### **6.0 Project Completion and Acceptance**

The Design Professional shall schedule the substantial completion inspection with the FR and the Client Agency. The Design Professional shall establish and issue the "punch list" to the Contractor and monitor the Contractor's performance to ensure the work on the list is completed. Comments and punch list items generated by the FR and Client Agency should be evaluated by the Design Professional for inclusion in the final "punch list".

The Design Professional is to take the lead role in monitoring the project completion and close-out process. The Design Professional shall diligently encourage the Contractor to complete the work in accordance with the contract documents and within the contract time for completion.

##### **6.00 O&M Manuals**

The Design Professional shall review O&M Manuals for compliance with the contract documents. Ensure that the information provided is specific to the equipment and systems installed in the project. Refer to Appendix VII, Commissioning Guidelines, Attachment 2, for a detailed O & M manual guideline.

##### **6.01 Training Plan for Client Agency Personnel**

The Design Professional shall review Contractor's training plan and training material. Oversee the training to ensure compliance with the contract documents. Where possible, documents shall require the Contractor to provide video of the training sessions.

On large or complex projects it may be beneficial to specify extended training sessions that require the Contractor to present follow-up training six months and/or one year after occupancy.

#### **6.1 Special Acceptance Procedures**

The Design Professional shall provide oversight of those special procedures that may be included in the project, such as:

##### **6.10 Testing and Balancing**

Oversee Testing and Balancing process. Spot check results to ensure accuracy. Provide for re-balancing if spot checks turn up discrepancies. Assure that systems such as elevators, electrical, fire alarm, fire sprinkler, telephone and data cabling are properly tested and conform to project requirements.

### **6.11 Commissioning**

Assist Commissioning Authority by providing information on design and obtaining needed information from the Contractor.

### **6.2 Substantial Completion**

The Design Professional shall determine the date of substantial completion. That date establishes the completion of the contract for purposes of liquidated damages and begins the one-year period of correction. According to the FPCC: "The term 'Substantial Completion' as used herein, shall mean that point at which, as certified in writing by the Design Professional,...the entire Project is at a level of completion in strict compliance with the Contract Documents, such that the Owner or its designee can enjoy beneficial use or occupancy and can use or operate it in all respects for its intended purpose." Incidental corrective or "punch list" work may still need to be completed. The following are prerequisites to establishing substantial completion:

Completion of all contracted work except incidental punch list items,

Certifications and other permits and approvals such as electrical, plumbing, elevators and fire systems are received,

Testing and Balancing of building systems is complete,

Notice from the Design Professional that the work is substantially complete, and

Building Commissioning is substantially complete.

The FPCC further states, "If, in the reasonable determination of the Owner, receipt of Operation and Maintenance manuals or completion of training is necessary for such beneficial use or occupancy, then there shall be no Substantial Completion until such manuals are provided or such training is completed." The Design Professional shall verify with the Owner if the following must be completed prior to Substantial, or if they may be part of the punch list:

Submittal of complete O&M Manuals,

Completion of Client Agency's operations and maintenance training.

When the above conditions have been met the Design Professional shall issue a Substantial Completion Certification. The time between Substantial Completion and Final Completion should be no more than 30 calendar days, unless authorized by the DPW PM.

### **6.3 Final Completion and Acceptance**

The Design Professional shall manage the final completion process to ensure that the building Owner receives a building that can be operated and maintained in the manner envisioned in the design. Final Completion means that the work is fully and finally completed in accordance with the contract documents and that all other contract requirements have been met. The following are prerequisites to establishing final completion:

Any claim resolved, all CCD and PR items completed and Change Orders processed,

Completion of Punch List work,

Submittal of completed and acceptable "as-built" mark-up documents from the contractor to the

Design Professional,  
Design Professional and Client Agency approval of O&M Manuals,  
Adjustments for liquidated damages,  
Retention identified for any extended or delayed training,  
Building Commissioning completed (when applicable), and  
All final releases and documentation has been submitted and approved.  
Tax Release has been issued to the Contractor by the Idaho State Tax Commission indicating that all sales/use taxes have been paid.

When the above conditions have been met Design Professional shall issue a letter to the Owner indicating recommendation of final acceptance and payment. (See Conditions Precedent to Final Payment in Appendix V)

#### **6.4 Correction Period**

The correction period generally begins on the date of substantial completion and extends for a minimum period of one full year. Warranty periods for individual items may be longer.

Should problems arise the Client Agency may work directly with the Contractor or may relay the problems to the Design Professional through the FR. The Design Professional shall then notify the Contractor in writing.

The Design Professional shall schedule a walk-through prior to expiration of the correction period. The walk-through should be attended by Client Agency, Facility Representative, Design Professional, FR and the Contractor. All deficiencies and highlights should be noted in the minutes by the Design Professional. The Design Professional shall work with the contractor to have all deficiencies corrected.

## APPENDIX I

### ABBREVIATIONS/DEFINITIONS

The following abbreviations and definitions will be used throughout these instructions:

<b>ADM</b>	Department of Administration
<b>A/E</b>	Architect/Engineer Consultant
<b>Agreement</b>	Contract for professional services between the A/E and the State of Idaho, Department of Administration, Division of Public Works
<b>Amendment</b>	Modification to the Agreement
<b>CA</b>	Commissioning Authority
<b>CCD</b>	Construction Change Directive
<b>Client Agency</b>	State Agency for whom DPW is providing services
<b>CO</b>	Change Order
<b>CPM</b>	Critical Path Method
<b>CSI</b>	Construction Specification Institute
<b>DBS</b>	Division of Building Safety
<b>DEQ</b>	Department of Environmental Quality
<b>DHW</b>	Department of Health & Welfare
<b>DOC</b>	Department of Correction
<b>DPW</b>	Division of Public Works
<b>FPCC</b>	Fixed Price Construction Contract
<b>FR</b>	DPW Field Representative
<b>NTP</b>	Notice To Proceed
<b>O&amp;M</b>	Operations and Maintenance
<b>Owner</b>	State of Idaho
<b>PM</b>	DPW Project Manager, authorized representative for DPW
<b>PR</b>	Change Order Proposal Request
<b>VE</b>	Value Engineering

## **APPENDIX III**

### **Instructions for Submittal of Design Professional Request for Payment**

Proper preparation of request is necessary to ensure prompt payment by the State of Idaho. Please refer any questions you may have regarding request preparation to your DPW project manager. The project manager can be reached by calling his or her desk telephone or by calling the office number at (208) 332-1900.

Submit a single original payment request with an itemized statement of reimbursable expenses and a copy of all receipts or payments. Payment request must have original signatures.

The application for payment form is available on the DPW website; [dpw.idaho.gov](http://dpw.idaho.gov).