

DOCUMENT 002600 - PROCUREMENT SUBSTITUTION PROCEDURES

1.1 DEFINITIONS

- A. Procurement Substitution Requests: Requests for changes in products, materials, equipment, and methods of construction from those indicated in the Procurement and Contracting Documents, submitted prior to receipt of bids in accordance with Instructions to Bidders.
- B. Procurement Prior Approval Requests: Requests for approval of products or manufacturers from those required by the Contract Documents as defined by product selection procedures in Section 016000 "Product Requirements."
 - 1. Procurement prior approval is required when products or manufacturers are listed in specifications under "Sole Product," "Sole Manufacturer," "Limited List of Products," or "Limited List of Manufacturers" introductory paragraphs.
 - 2. Procurement prior approval is not required when products or manufacturers are listed in specifications under "Non-Limited List of Products" or "Non-Limited List of Manufacturers" introductory paragraphs.
 - 3. Where use of "Sole Product," "Sole Manufacturer," "Limited List of Products," or "Limited List of Manufacturers" introductory paragraphs is not allowed by statute, procurement prior approval request is not required.
- C. Substitution Requests: Requests for changes in products, materials, equipment, and methods of construction from those indicated in the Contract Documents, submitted following Contract award. See the General Conditions and Section 012500 "Substitution Procedures" for conditions under which Substitution requests will be considered following Contract award.

1.2 QUALITY ASSURANCE

- A. Compatibility of Substitutions: Investigate and document compatibility of proposed substitution with related products and materials. Engage a qualified testing agency to perform compatibility tests recommended by manufacturers.

1.3 PROCUREMENT SUBSTITUTIONS

- A. Procurement Substitutions, General: By submitting a bid, the Bidder represents that its bid is based on materials and equipment described in the Procurement and Contracting Documents, including Addenda. Bidders are encouraged to request approval of qualifying substitute materials and equipment when the Specifications Sections list materials and equipment by product or manufacturer name.
- B. Procurement Substitution Requests will be received and considered by Owner when the following conditions are satisfied, as determined by Architect; otherwise requests will be returned without action:
 - 1. Extensive revisions to the Contract Documents are not required.

2. Proposed changes are in keeping with general intent of the Contract Documents, including level of quality of the Work represented by requirements therein.
3. Request is fully documented and properly submitted.

1.4 SUBMITTALS

- A. Procurement Substitution Request: Submit to Architect. Procurement Substitution Request must be made in writing by prime Vendor preparing quotation only in compliance with the following requirements:

1. Requests for substitution of materials and equipment will be considered if received no later than 10 days prior to date of bid opening.
2. Submittal Format, Electronic: Submit Procurement Substitution Request, using format provided on Project web-based bidding management software site.
 - a. Identify the product or the fabrication or installation method to be replaced in each request. Include related Specifications Sections and Drawing numbers.
 - b. Provide complete documentation on both the product specified and the proposed substitute, including the following information as appropriate:
 - 1) List of similar installations for completed projects, with project names and addresses as well as names and addresses of architects and owners.
 - 2) Product data, including drawings and descriptions of products and fabrication and installation procedures.
 - 3) Point-by-point comparison of specified and proposed substitute product data, fabrication drawings, and installation procedures.
 - 4) Copies of current, independent third-party test data of salient product or system characteristics.
 - 5) Samples where applicable or when requested by Architect.
 - 6) Detailed comparison of significant qualities of proposed substitute with those of the Work specified. Significant qualities may include attributes such as performance, weight, size, durability, visual effect, sustainable design characteristics, warranties, and specific features and requirements indicated. Indicate deviations, if any, from the Work specified.
 - 7) Material test reports from a qualified testing agency indicating and interpreting test results for compliance with requirements indicated.
 - 8) Research reports, where applicable, evidencing compliance with building code in effect for Project, from ICC-ES.
 - 9) Coordination information, including a list of changes or modifications needed to other parts of the Work and to construction performed by Owner and separate contractors, which will become necessary to accommodate proposed substitute.
 - c. Provide certification by manufacturer that proposed substitute is equal to or superior to that required by the Procurement and Contracting Documents, and that its in-place performance will be equal to or superior to product or equipment specified in the application indicated.

- d. Bidder, in submitting the Procurement Substitution Request, waives the right to additional payment or an extension of Contract Time because of the failure of substitute to perform as represented in the Procurement Substitution Request.

B. Architect's Action:

1. Architect may request additional information or documentation necessary for evaluation of the Procurement Substitution Request. Architect will notify all Bidders of acceptance of proposed substitute by means of an Addendum to the Procurement and Contracting Documents.

- C. Architect's approval of substitute during bidding does not relieve Contractor of the responsibility to submit required Shop Drawings and to comply with all other requirements of the Contract Documents.

END OF DOCUMENT 002600