

SECTION 012500 – SUBSTITUTION PROCEDURES

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and other Division 01 Specification Sections, apply to this Section.

1.2 SUMMARY

- A. Section includes administrative and procedural requirements for the acceptance of substitutions.
- B. Related Requirements:
 - 1. See Section 012100 "Allowances" for products selected under an allowance.

1.3 DEFINITIONS

- A. Substitutions: Changes in products, materials, equipment, and methods of construction from those required by the Contract Documents and proposed by Contractor.
 - 1. Substitutions for Cause: Changes proposed by Contractor that are required due to changed Project conditions, such as unavailability of product, regulatory changes, or unavailability of required warranty terms.

1.4 ACTION SUBMITTALS

- A. Substitution Requests: Submit three copies of each request for consideration. Identify product or fabrication or installation method to be replaced. Include Specification Section number and title and Drawing numbers and titles.
 - 1. Substitution Request Form: See below
 - 2. Documentation: Show compliance with all specified requirements for substitutions and the following, as applicable:
 - a. Statement indicating why specified product or fabrication or installation cannot be provided, if applicable.
 - b. Coordination information, including a list of changes or revisions needed to other parts of the Work and to construction performed by contractors that will be necessary to accommodate proposed substitution.
 - c. Detailed comparison of significant qualities of proposed substitution with those of the Work specified. Include annotated copy of applicable Specification Section. 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.
- d. Product Data, including drawings and descriptions of products and fabrication and installation procedures.
 - e. Samples.
 - f. Certificates and qualification data.
 - g. List of similar installations for completed projects with project names and addresses and names and addresses of architects.
 - h. Material test reports from a qualified testing agency indicating and interpreting test results for compliance with requirements indicated.
 - i. Research reports evidencing compliance with IBC 2006.
 - j. Detailed comparison of Contractor's construction schedule using proposed substitution with products specified for the Work, including effect on the overall Contract Time. If specified product or method of construction cannot be provided within the Contract Time, include letter from manufacturer, on manufacturer's letterhead, stating date of receipt of purchase order, lack of availability, or delays in delivery.
 - k. Cost information, including a proposal of change, if any, in the Contract Sum.
 - l. Contractor's certification that proposed substitution complies with requirements in the Contract Documents.
 - m. Contractor's waiver of rights to additional payment or time that may subsequently become necessary because of failure of proposed substitution to produce indicated results.
3. Architect's Action: If necessary, Architect will request additional information or documentation for evaluation within seven days of receipt of a request for substitution. Architect will notify Contractor of acceptance or rejection of proposed substitution within 15 days of receipt of request, or seven days of receipt of additional information or documentation, whichever is later.
 4. Architect or his consultant will evaluate and render only one (1) decision on any Substitution. Re-evaluation of any Substitution will be paid for by the Contractor at a rate of \$155.00 dollars an hour for reimbursement to the Architect.

1.5 QUALITY ASSURANCE

- A. Compatibility of Substitutions: Investigate and document compatibility of proposed substitution with related products and materials. If a product or material requires testing to evidence that it is an equivalent, engage a qualified testing agency to perform compatibility tests recommended by Architect.

1.6 PROCEDURES

- A. Coordination: Revise or adjust affected work as necessary to integrate work of the approved substitutions.

PART 2 - PRODUCTS

2.1 SUBSTITUTIONS

- A. Substitutions for Cause: Submit requests for substitution immediately on discovery of need for change, but not later than 15 days prior to time required for preparation and review of related submittals.
1. Conditions: Architect will consider Contractor's request for substitution when the following conditions are satisfied. If the following conditions are not satisfied, Architect will return requests without action, except to record noncompliance with these requirements:
 - a. Requested substitution is consistent with the Contract Documents and will produce indicated results.
 - b. Substitution request is fully documented and properly submitted.
 - c. Requested substitution will not adversely affect Contractor's construction schedule.
 - d. Requested substitution has received necessary approvals of authorities having jurisdiction.
 - e. Requested substitution is compatible with other portions of the Work.
 - f. Requested substitution has been coordinated with other portions of the Work.
 - g. Requested substitution provides specified warranty.
 - h. If requested substitution involves more than one contractor, requested substitution has been coordinated with other portions of the Work, is uniform and consistent, is compatible with other products, and is acceptable to all contractors involved.
 2. Additional Responsibilities: Contractor shall be responsible to compensate the Owner for Architect redesign and evaluation services, increased cost of other construction by Owner, and similar considerations due to Contractor's requests for substitution.
- B. Substitutions: Architect will consider requests for substitution if received within 21 days after the Notice of Contract Award. Requests received after the 21 days will be rejected by the Architect.
1. Conditions: Architect will consider Contractor's request for substitution when the following conditions are satisfied. If the following conditions are not satisfied, Architect will return requests without action, except to record noncompliance with these requirements:
 - a. Requested substitution is consistent with the Contract Documents and will produce indicated results.
 - b. Substitution request is fully documented and properly submitted. Requested substitution will not adversely affect Contractor's construction schedule.
 - c. Requested substitution has received necessary approvals of authorities having jurisdiction.
 - d. Requested substitution is compatible with other portions of the Work.

- e. Requested substitution has been coordinated with other portions of the Work.
- f. Requested substitution provides specified warranty.
- g. If requested substitution involves more than one contractor, requested substitution has been coordinated with other portions of the Work, is uniform and consistent, is compatible with other products, and is acceptable to all contractors involved.

PART 3 - COMPENSATION (Not used)

END OF SECTION 012500

PROJECT NAME: _____
PROJECT #: _____
CONTRACT NO. _____
SUBSTITUTION NO. _____

REQUEST FOR SUBSTITUTION

Submit a copy of this form for each requested substitution within 21 days after Notice of Contract Award. Fill in all blanks, check all boxes that apply and attach all necessary supporting data.

Specified Item: _____
Specification Section(s)/Paragraph(s): _____
Drawing Number(s): _____
Proposed Substitute: _____
(include, as applicable, manufacturer's name & address, trade name & model number of product and name of fabricator or supplier)

Reason for Proposed Substitution: _____

Net Change to Contract Sum: No Change Deduct \$ _____ Add \$ _____
Change to Contract Time: No Change _____ Days

The following required supporting documents are attached (Check all that apply):

- Complete Product Data
- Detailed Itemized comparison of all properties of proposed product vs. the specified product. All information required is the responsibility of the contractor.
- List of other projects on which proposed has been used, with project name, design professional's name and owner contact.
- List of maintenance services and replacement materials available.
- Statement of effect of substitution on construction schedule.
- Description of change that will be required in other work or products if substitute product is approved.

FOR SUBSTITUTION REQUEST

The undersigned testifies that he/she:

- Is submitting this substitution request within the limits set forth in the Contract Documents. ▪ Has investigated the proposed product and determined that it is equal or better than the specified product.
- Will provide the same warranty for the proposed product as for the specified product.
- Will coordinate installation and make other changes as required for the work to be complete in all respects, including: (a) redesign and (b) additional components and capacity required by other work affected by the change.
- Waives all claims for additional costs for evaluation of the substitution request, redesign if required, and reapproval by authorities having jurisdiction, if required.
- Will reimburse the Architect for additional costs for evaluation of the substitution request, redesign if required, and reapproval by authorities having jurisdiction, if required.

Contractor's Signature: _____

Typed or Printed Name: _____

Title: _____

Company: _____

Address: _____

Phone Number: _____

Owner Approval: _____ Date: _____

Construction Manager Approval: _____ Date: _____

If Applicable

Architects Approval: _____ Date: _____

Consulting Engineer Approval: _____ Date: _____

END OF SECTION 012500