

SECTION 016310 – SUBSTITUTIONS

Latest Update: 08-09-2020 See Underlined Text for Edits.

(A/E shall edit specifications and blue text in header to meet project requirements. This includes but is not limited to updating Equipment and/or Material Model Numbers indicated in the specifications and adding any additional specifications that may be required by the project. Also turn off all “Under Lines”)

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. This Section includes administrative and procedural requirements for handling requests for substitutions made after award of the Contract.
- B. Contractor’s submittal and University’s acceptance of Shop Drawings, Product Data, or Samples not complying with Contract Documents do not constitute an acceptable or valid request for substitution, nor do they constitute approval. Substitutions not properly authorized may be considered defective.

1.3 DEFINITIONS

- A. Definitions in this Article do not change or modify the meaning of other terms used in the Contract Documents.
- B. Substitutions: Changes in products, materials, equipment, and methods of construction required by the Contract Documents proposed by the Contractor after award of the Contract are considered to be requests for substitutions. The following are not considered to be requests for substitutions:
 - 1. Substitutions requested during the bidding period, and accepted by Addendum prior to award of the Contract, are included in the Contract Documents and are not subject to requirements specified in this Section for substitutions.
 - 2. Revisions to the Contract Documents requested by the University or University.
 - 3. Specified options of products and construction methods included in the Contract Documents.
 - 4. The Contractor's determination of and compliance with governing regulations and orders issued by governing authorities.

1.4 SUBMITTALS

- A. Substitution Request Submittal: The University will consider requests for substitution if received within sixty (60) **<EDIT FOR PARTICULAR PROJECT>** days after issuance of Notice to Proceed. Requests received more than sixty (60) **<EDIT FOR**

PARTICULAR PROJECT> days after issuance of Notice to Proceed may be considered or rejected at the discretion of the University.

1. Submit three (3) copies of each request for substitution for consideration. Submit requests in the form and according to procedures required for change-order proposals.
2. Identify the product or the fabrication or installation method to be replaced in each request. Include related Specification Section and Drawing numbers.
3. Provide complete documentation showing compliance with the requirements for substitutions, and the following information, as appropriate:
 - a. Coordination information, including a list of changes or modifications needed to other parts of the Work and to construction performed by the University and separate contractors that will be necessary to accommodate the proposed substitution.
 - b. A detailed comparison of significant qualities of the proposed substitution with those of the Work specified. Significant qualities may include elements, such as performance, weight, size, durability, and visual effect.
 - c. Product Data, including Drawings and descriptions of products and fabrication and installation procedures.
 - d. Samples, where applicable or requested.
 - e. A statement indicating the substitution's effect on the Contractor's CPM Construction Schedule compared to the schedule without approval of the substitution. Indicate the effect of the proposed substitution on overall Contract Time.
 - f. Cost information, including a proposal of the net change, if any in the Contract Sum.
 - g. The Contractor's certification that the proposed substitution has been fully investigated and determined to be equal or superior in all respects to specified product.
 - h. The Contractor's waiver of rights to additional payment or time that may subsequently become necessary because of the failure of the substitution to perform adequately.
 - i. Confirmation that the same warranty will be furnished for substitute product as for specified product.

1.5 UNIVERSITY'S ACTION

- A. University will review and take appropriate action upon Contractor's request for substitutions.
 1. University's action will be taken with reasonable promptness, while allowing sufficient time in University's professional judgement to permit adequate review.
 2. University shall be entitled to rely upon adequacy, accuracy, and completeness of data, and certifications prepared by Contractor.
 3. If necessary, University will request additional information or documentation for evaluation after initial review of receipt of request for substitution.

PART 2 – PRODUCTS (Not Used)

PART 3 – EXECUTION (Not Used)

END OF SECTION 016310