

Building Design and Construction Manual

CHAPTER 16 – CONSTRUCTION ADMINISTRATION

1.0 General Information

- 1.1. When OFPM receives copies of the signed contracts from Procurement and Contracts, OFPM will write the Notice to Proceed for the next day in accordance with the construction contract stipulations.
 - 1.1.1. If the agency intends to have the Notice to Proceed issued sooner, the state agency may request Procurement and Contracts' (galen.greenwood@da.ks.gov) verify insurance approval. When the agency forwards Procurement and Contracts' e-mail to OFPM verifying insurance approval, the contractor's name, address and the number of days (or actual completion date) for the time of completion, OFPM will issue a Notice to Proceed.
- 1.2. The project architect/engineer shall have primary responsibility for the inspection of the project, and shall represent the owner and advise and consult the project team in the administration of the construction contract or contracts. ([K.S.A. 75-1260](#))
- 1.3. The project architect/engineer shall keep the project team informed and aware of all construction activity, requesting assistance when necessary.

2.0 Project Construction Meetings

- 2.1. The project architect/engineer shall coordinate scheduling a pre-construction conference with the contractor, and state agency representatives.
 - 2.1.1 The contractor's subcontractors and suppliers, the project architect/engineer's consultants, and OFPM inspectors shall be invited to the pre-construction conference.
 - 2.1.2 Use the Pre-construction Conference Agenda DCC Form 430, available under "Forms & Documents" at www.da.ks.gov/fp/.
- 2.2. The project architect/engineer shall coordinate and conduct progress meetings to review the status, schedule and quality of work for compliance with contract documents.
 - 2.2.1 The project architect/engineer may delegate the handling of the progress meeting to the contractor when approved by the agency representative.
 - 2.2.2 The project architect/engineer is responsible for preparing and distributing meeting minutes for any meeting held for a project.
- 2.3. The project architect/engineer shall attend other meetings as required by the state agency or OFPM to resolve problems, at no additional cost to the owner.
- 2.4. The project architect/engineer shall coordinate any additional meetings with OFPM representatives prior to scheduling.

3.0 Shop Drawings

- 3.1. The project architect/engineer shall with 10 working days review and **approve** shop drawings of fabricators and manufacturers, and samples of materials for conformance with the drawings and specifications and only submit copies of **approved** shop drawings to the contractor, the state agency and OFPM during construction.

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- 3.2. All **approved** shop drawings for large projects will be delivered to OFPM during construction in .PDF format, unless otherwise directed by OFPM. No single shop drawing submittal shall be greater than 5 MB if e-mailed to OFPM.
- 3.3. Elevator, sprinkler and fire alarm shop drawings shall follow requirements in Chapter 7, and only **approved** shop drawings shall be submitted on bond and in .PDF format on a CD/DVD.
- 3.4. During the shop drawing submittal phase, substitutions for only discontinued products may be submitted for approval. No other substitutions can be submitted for approval after the “request for substitution” period during the bidding phase has passed.
- 3.5. The project architect/engineer shall ensure that all security related shop drawings are returned to the Owner.

4.0 Project Architect/Engineer Inspections

- 4.1. At a minimum, provide the following inspection services:
 - 4.1.1 Conformance with the contract documents.
 - 4.1.1.1. Upon recommendation by the project architect/engineer, the state agency and OFPM, the Secretary of Administration may issue a stop work order to the contractor whenever the Secretary determines that the work does not comply with the contract documents. ([K.S.A. 75-3783 \(a\), \(3\)](#)).
 - 4.1.2 Inspection of site utilities prior to any utility being buried.
 - 4.1.3 Inspection of above ceiling work and in concealed spaces prior to the spaces being covered up.
 - 4.1.4 Inspection of each life safety item or system.
- 4.2. At each payment application, review the contractor's record documents to verify contractor is noting changes made during construction.
- 4.3. Prepare and distribute field reports.
- 4.4. The project architect/engineer may request compensation for additional inspections when required by an adjustment to the completion time of the contract, requested by the state agency or required by unusual project requirements.

5.0 OFPM Inspections

- 5.1. OFPM performs specific code compliance inspections on all projects for the Secretary of Administration. Reference Chapter 7 of this manual for required inspections.
 - 5.1.1 When a code issue is identified, the OFPM inspector will contact the project architect/engineer and the OFPM architect/engineer for resolution. All code issues will be documented on the OFPM inspector's inspection report.
- 5.2. OFPM performs specific code compliance inspections and periodic project inspections on extended service projects.

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6.0 Interpretation of the Contract Documents

- 6.1. The project architect/engineer shall determine the meaning and intent of any portion of the contract documents.
- 6.2. The project architect/engineer shall respond with 10 working days to requests from the contractor for information and interpretations, so that the construction schedule is not adversely affected. All requests for information and interpretation from the contractor shall be documented in writing and distributed to the contractor, state agency representatives and OFPM.
- 6.3. The project architect/engineer shall issue field orders to the contractor for adjustments or changes in work. All field orders shall be documented in writing and distributed to the contractor, state agency representatives and OFPM.
- 6.4. The project architect/engineer's interpretations or clarifications of the contract documents are subject to review by the Director of the Office of Facilities and Property Management.
 - 6.4.1 When the contractor notifies the Director within ten (10) days of an unresolved disputed interpretation with the project architect/engineer's written clarification, the Director or his designee will meet with the Contractor and project architect/engineer to hear the positions of both parties.
 - 6.4.2 The director may designate alternative procedures to receive and review the positions of the parties or may delegate the decision-making power to a negotiating committee. The director, his designee or the negotiating committee will render a decision within thirty-days of the hearing.

7.0 Contractor Payment Applications

- 7.1. The project architect/engineer shall review the contractor's application for payment for accuracy of the amount requested and the status of the on-site record documents. Undisputed requests for payment shall be approved and forwarded to the Owner within seven (7) days of receipt.
 - 7.1.1 The schedule of values (similar to AIA Document G703) submitted by the contractor should include a line item for record documents.
 - 7.1.2 When recommending the application for payment, the project architect/engineer shall sign and forward the application to the state agency, and send a copy to OFPM.
 - 7.1.3 The state agency will submit all approved payment applications to A&R for payment.
 - 7.1.4 After verification of funds, A&R will print a warrant for payment to the contractor.
- 7.2. If the project architect/engineer does not approve a payment the contractor shall be notified within seven (7) days of receipt and given a choice of resubmitting the application with correct information, or agreeing to hold the application until work is at the level indicated on the application.

8.0 Construction Contract Change Orders

- 8.1. The project architect/engineer shall prepare and sign change orders with 10 working days from the date of acceptance by the Owner unless otherwise agreed to by the contractor. The Contract Change Order DCC Form 460 and Change Order Continuation Sheet DCC Form 461 are available at <http://da.ks.gov/fp/>.

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- 8.1.1 The project architect/engineer shall *provide one (1) copy* of the change order for routing and signature by the designated parties.
- 8.1.2 All change order items shall be related to the original scope of work (i.e. unforeseen conditions, errors, omissions, etc.) and have prior approval from the state agency.
- 8.1.3 Prior approval from OFPM is required for building code and accessibility issues.
- 8.1.4 Multiple items may be included on each change order.
- 8.2. All change orders greater than \$125,000 shall be reported to the Joint Committee on State Building Construction (JCSBC) by OFPM on behalf of the Secretary of Administration. ([K.S.A. 75-1264](#))
 - 8.2.1 Failure to notify OFPM as soon as possible of a change order over \$125,000 may result in a delay of change order approval.
 - 8.2.2 Such change orders will be signed by OFPM after they have been reviewed by the JCSBC.
 - 8.2.3 Attendance by the agency representatives and the project architect/engineer at the presentation of the change order to JCSBC may be required.
- 9.0 Substantial Completion
 - 9.1. All forms mentioned below are available under “Forms & Documents” at www.da.ks.gov/fp/.
 - 9.2. The project architect/engineer shall determine substantial completion (or partial substantial completion) by conducting a joint inspection with the contractor, state agency representatives and OFPM representatives.
 - 9.3. When found substantially complete the project architect/engineer shall prepare a punch list of incomplete items or deficiencies and shall include a date for each item to be finished.
 - 9.4. Within two working days the project architect/engineer shall distribute the punch list along with one (1) signed copy of the Certificate of Substantial Completion DCC Form 570 to the contractor, state agency representatives and OFPM.
 - 9.4.1 When all signatures are affixed to this document, it will be scanned and distributed to each signee.
 - 9.4.2 Issuance of the Substantial Completion Certificate shall not be construed to permit occupancy. Occupancy is permitted only when OFPM issues the Certificate of Occupancy as noted in Chapter 7.
 - 9.5. It is the project architect's/engineer's responsibility to ensure that punch list items are finished in a timely manner and to conduct an inspection with all parties to verify that all punch list items are finished.
 - 9.6. When agencies request substantial completion for a portion of a construction or renovation project, the same procedures above will apply. When issuing the substantial completion form the project architect/engineer should note and describe on the form, the area being inspected as “partial substantial completion”.

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10.0 Occupancy

- 10.1. Installation, testing, correction, and retesting of all life safety systems included in the project must be approved by OFPM prior to the issuance of the Certificate of Occupancy DCC by the OFPM Senior Architect – Construction & Compliance as outlined in Chapter 7.

11.0 Project Completion and Final Payment

- 11.1. The project is complete when the project architect/engineer determines the construction is in accordance with the contract documents and the following items are complete.

- 11.1.1 Punchlist items.

- 11.1.2 Final Cleaning has occurred to the satisfaction of the Owner and project architect/engineer.

- 11.1.3 If Commissioning is the responsibility of the contractor, it has been completed and a commissioning report has been delivered to the project architect/engineer.

- 11.1.4 If Testing and Balance is the responsibility of the contractor, reports have been completed and delivered to the project architect/engineer.

- 11.1.5 All warranties and instructions have been delivered to the Owner.

- 11.1.6 O and M manuals have been delivered to the project architect/engineer, have been reviewed for completeness and have been delivered to the Owner.

- 11.1.7 Training and demonstrations as required by the specifications has been completed.

- 11.1.8 All keys have been delivered to the Owner.

- 11.1.9 All maintenance equipment and tools have been delivered to the Owner.

- 11.1.10 All extra materials and spare parts have been delivered to the Owner.

- 11.1.11 Record Documents have been delivered to the project architect/engineer.

- 11.1.12 OFPM has received all final document and paperwork listed below.

- 11.2. The project architect/engineer prepares and forwards one (1) signed copy of the signed Certificate of Project Completion / Affidavit of Contractor DCC Form 571 and Closeout Checklist DCC Form 560 to the contractor.

- 11.3. The contractor shall sign the Certificate / Affidavit and forward it with one (1) signed copy of the final payment application and closeout checklist DCC Form 560 to the project architect/engineer.

- 11.3.1 The Affidavit portion of the form states that all project indebtedness of the contractor or subcontractors has been paid in full and the state of Kansas has been paid in full for all loss, cost damage or other expense caused by the contractor or subcontractors.

- 11.3.2 It is the responsibility of the project architect/engineer to ensure that OFPM receives a signed copy of DCC Form 571 and the final application for payment with the proper project title and OFPM project number.

- 11.4. The project architect/engineer shall review the final payment application.

- 11.4.1 If approved, the project architect/engineer will sign and forward the final payment application it along with Certificate of Project Completion / Affidavit of Contractor DCC Form 571 and Closeout Checklist DCC Form 560 to the state agency for processing.
- 11.4.2 If not approved, the project architect/engineer will notify the contractor to resubmit.
- 11.5. After signing the above documents, the state agency processes the payment electronically and forwards the documents to OFPM for signing and distribution.
 - 11.5.1 The distribution of these documents will be via e-mail to the contractor and the agency contact on file with OFPM. It is up to the contractor and the agency representative to forward the documents to others in their organization that need copies.
- 11.6. When the Certificate of Project Completion is signed by all parties, the state agency assumes responsibility for maintenance, custodial care and utilities for the premises not previously accepted under prior Certificate(s) of Partial Occupancy.
- 12.0 Post-Construction Services
 - 12.1. The project architect/engineer shall complete a contractor evaluation on each project, used by OFPM in the contractor pre-qualification process (See Chapter 15). The form is available at www.da.ks.gov/fp/.
 - 12.2. The project architect/engineer shall submit a complete set of record documents to OFPM within three months of project completion.
 - 12.2.1 The record documents shall be submitted on Mylar® or vellum and shall reflect significant changes in the work made during the construction process.
 - 12.2.2 Each discipline's record documents should be based on their knowledge of revisions to the work, contract change orders and the contractor's marked-up record drawings as required by the General Conditions of the Construction Contract.
 - 12.2.3 Three (3) CD/DVD's, each containing the same set of Record Documents, including but not limited to:
 - 12.2.3.1. Each discipline's record drawings in .PDF format complying with Chapter 17.
 - 12.2.3.2. A complete set of technical specifications revised to reflect significant changes and attached reports in.PDF format.
 - 12.2.3.3. All other documents generated by the project architect/engineer during the bidding and construction phases in.PDF.
 - 12.2.4 OFPM and the agency will have 60 days to review and request changes to the design team's record documents.
 - 12.2.4.1. OFPM will retain the Mylar® / vellum record drawings and one CD/DVD.
 - 12.2.4.2. The state agency will receive two (2) CD/DVDs of electronic record documents.
 - 12.2.4.3. Additional Mylar® / vellum or CD/DVD copies of record drawings should be negotiated by the agency.

- 12.3. The project architect/engineer shall be available during the one-year expressed warranty period to assist the state agency and OFPM should problems develop.
 - 12.3.1 Within nine months of the date on the Certificate of Project Completion the project architect/engineer shall initiate a warranty inspection of the project jointly conducted by the project team.
 - 12.3.2 The project architect/engineer shall notify the contractor of any deficiencies discovered and is responsible to see that all items are completed in a timely manner.

END OF CHAPTER 16