

**SECTION 01630**

**SUBSTITUTIONS AND PRODUCT OPTIONS**

**PART 1 -GENERAL**

**1.01 REQUIREMENTS INCLUDED**

Furnish and install products specified, under options and conditions for substitutions stated in this section. All products must be preapproved by the Engineer and the City.

**1.02 RELATED REQUIREMENTS**

- A. Information for bidders, general and special conditions.
- B. Section 01010: Summary of Work
- C. Forms Section

**1.03 PRODUCTS LIST**

- A. Coincident with return of the signed contract and the submission of required bonds (subsequent to Commission Award), the contractor shall submit to Engineer five copies of complete list of major products which are proposed for installation.
- B. Tabulate products by specification section number and title.
- C. For products specified only by reference standards, list for each such product:
  - 1. Name and address of manufacturer
  - 2. Trade name
  - 3. Model or catalog designation
  - 4. Manufacturer's data:
    - a. Reference standards
    - b. Performance test data

**1.04 CONTRACTOR'S OPTIONS**

- A. For products specified only by reference standard, select product meeting that standard, by any manufacturer.
- B. For products specified by naming several products or manufacturers, select any one of products and manufacturers named which complies with specifications.

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- C. For products specified by naming only one or more products or manufacturers and stating "or equal", submit a request as for substitutions, for any product or manufacturer which is not specifically named.
- D. For products specified by naming only one or two product(s) and manufacturer(s) and where it states that this is a Sole Source or No Substitution item, there is no option and no substitution will be allowed without prebid qualification.

### **1.05 SUBSTITUTIONS AND PREQUALIFICATION OF SIMILAR METHODS**

- A. Within a period of 10 days after Notice to Proceed with the contract, Engineer will consider formal requests from the Contractor for substitution of products in place of those specified.
  - 1. After end of that period, request will be considered only in case of product unavailability or other conditions beyond the control of Contractor.
- B. Submit separate request for each substitution. Support each request with:
  - 1. Complete data substantiating compliance of proposed substitution with requirements stated in contract documents:
    - a. Product identification, including manufacturer's name and address.
    - b. Manufacturer's literature; identify:
      - 1) Product description
      - 2) Reference standards
      - 3) Performance and test data
    - c. Samples, as applicable
    - d. Name, phone number of contact persons and address of two or more similar projects on which product has been used. Date of each installation with contact references and quantities installed. Indicate scope and size of reference projects.
  - 2. Itemized comparison of the proposed substitution with product specified; list significant variations.
  - 3. Data relating to changes in construction schedule.
  - 4. Any effect of substitution on separate contracts.
  - 5. List of changes required in other work or products.
  - 6. Accurate cost data comparing proposed substitution with product specified.
  - 7. Designation of required license fees or royalties.

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8. Designation of availability of maintenance services, sources of replacement materials.
- C. Substitutions will not be considered for acceptance when:
1. They are indicated or implied on shop drawings or product data submittals without a formal request from Contractor.
  2. They are requested directly by a subcontractor or supplier.
  3. Data relating to changes in construction schedule.
  4. Any effect of substitution on separate contracts.
  5. List of changes required in other work or products.
  6. Acceptance will require substantial revision of contract documents or drawings.
- D. Substitute products shall not be ordered or installed without written acceptance of Engineer.
- E. Engineer and City will determine acceptability of proposed substitutions.

### **1.06 CONTRACTOR'S REPRESENTATION**

- A. In making formal request for substitution Contractor represents that:
1. Contractor has investigated proposed product and has determined that it is equal to or superior in all respects to that specified.
  2. Contractor will provide same warranties or bonds for substitution as for product specified.
  3. Contractor will coordinate installation of accepted substitution into the work, and will make such changes as may be required for the work to be complete in all respects.
  4. Contractor waives claims for additional costs caused by substitution which may subsequently become apparent.
  5. Cost data is complete and includes related costs under his contract, but not:
    - a. Costs under separate contracts.
    - b. Engineer's costs of redesign or revision of contract documents.

### **1.07 ENGINEER DUTIES**

## SUBSTITUTIONS AND PRODUCT OPTIONS

- A. Review Contractor's requests for substitutions with reasonable promptness.
- B. Notify Contractor, in writing, of decision to accept or reject requested substitution.

### **PART 2 - PRODUCTS**

Not Used

### **PART 3 - EXECUTION**

Not Used

**END OF SECTION**