

## SECTION 01 25 13 - PRODUCT SUBSTITUTION PROCEDURES

### PART 1 - GENERAL:

#### 1.01 SUMMARY

- A. Section Includes: Administrative and procedural requirements for handling requests for substitutions made AFTER award of the Contract.
- B. Related Sections:
  - 1. 00 43 25 - Substitution Request Form During Bidding.
  - 2. 00 72 00 - General Conditions of the Contract
  - 3. 01 25 14 - Substitution Request Form During Construction.
  - 4. 01 33 00 - Submittal Procedures

#### 1.02 DEFINITIONS

- A. Substitutions: Changes in products, materials, equipment, and methods of construction from those required by the Contract Documents and proposed by Contractor.

#### 1.03 SUBMITTALS

- A. Substitution Request Form: Submit all substitution requests using the form provided in this Project Manual. Use Section 01 25 14 - Substitution Request Form During Construction.
  - 1. Product substitutions will NOT be considered after award of the Contract unless the above substitution form is used.
  - 2. Architect will reject incomplete forms.
- B. Substitution Requests: Submit three (3) copies of each request for consideration. Identify product or fabrication or installation method to be replaced. Include Specification Section number(s), Specification Section title(s), Drawing number(s), and Drawing title(s).
  - 1. Documentation: Show compliance with requirements for substitutions and the following, as applicable:
    - a. Statement indicating why specified material or product cannot be provided.
    - b. 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 that will be necessary to accommodate proposed substitution.
    - c. Detailed comparison of significant qualities of proposed substitution with those of the Work specified. Significant qualities may include attributes such as performance, weight, size, durability, visual effect, and specific features and requirements indicated.
    - d. Product Data, including drawings and descriptions of products and fabrication and installation procedures.
    - e. Samples, where applicable or requested.
    - f. List of similar installations for completed projects with project names and addresses and names and addresses of architects and owners.
    - g. Material test reports from a qualified testing agency indicating and interpreting test results for compliance with requirements indicated.
    - h. Research/evaluation reports evidencing compliance with building code in effect for Project, from a model code organization acceptable to the Owner.
    - i. 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 lack of availability or delays in delivery.
    - j. Cost information, including a proposal of change, if any, in the Contract Sum.
    - k. Contractor's certification that proposed substitution complies with requirements in the Contract Documents and is appropriate for applications indicated.
    - l. 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.
  - 2. Architect's Action: If necessary, Architect will request additional information or documentation for evaluation within seven (7) days of receipt of a request for substitution. Architect will notify Contractor of acceptance or rejection of proposed substitution.

## **PART 2 - PRODUCTS**

### **2.01 PRODUCT SUBSTITUTIONS**

- A. Timing: Architect will consider requests for substitution if received within twenty (20) days after Notice to Proceed. Requests received after that time may be considered or rejected at discretion of Architect.
- B. 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:
  - 1. Requested substitution offers Owner a substantial advantage in cost, time, energy conservation, or other considerations, after deducting additional responsibilities Owner must assume. Owner's additional responsibilities may include compensation to Architect for redesign and evaluation services, increased cost of other construction by Owner, and similar considerations.
  - 2. Requested substitution does not require extensive revisions to the Contract Documents.
  - 3. Requested substitution is consistent with the Contract Documents and will produce indicated results.
  - 4. Substitution request is fully documented and properly submitted.
  - 5. Requested substitution will not adversely affect Contractor's Construction Schedule.
  - 6. Requested substitution has received necessary approvals of authorities having jurisdiction.
  - 7. Requested substitution is compatible with other portions of the Work.
  - 8. Requested substitution has been coordinated with other portions of the Work.
  - 9. Requested substitution provides specified warranty.
  - 10. 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.
- C. Exceptions: The following are not considered substitutions and are not subject to requirements specified in this Section:
  - 1. Substitutions requested during the Bidding period, and accepted via Addenda.
  - 2. Revisions to Contract Documents requested by the Owner.
  - 3. Specified options on products and construction methods included in Contract Documents.

## **PART 3 - EXECUTION (NOT USED)**

**END OF SECTION**