

DESIGN AND CONSTRUCTION DOCUMENTS AND FORMS

DESIGN-BID-BUILD

A. AUTHORITY

1. SC Code § 11-35-2010 (2) provides that the Chief Procurement Officer may adopt contracting documents for use in procurement of design and construction services.
2. SC Code § 11-35-3040 Permits state construction contracts to include provisions for adjustments in prices, time of performance, and appropriate remedies for delay or non-performance, termination for default, and termination for convenience.
3. SC Regulation 19-445.2145(E) sets forth-mandatory contract document for use on design-bid-build projects.

B. PROFESSIONAL SERVICES

1. **Land Surveyor Contract:** The Agency should use the SE-235, Professional Services Incidental Services Contract with a letter proposal from the firm selected attached. OSE must approve the format and description of services.
2. **Architect-Engineer:**
 - a. **CONTRACTS GREATER THAN \$50,000:** The Agency must use AIA Document B101 – Standard Form of Agreement Between Owner and Architect - South Carolina Division of Procurement Services, Office of State Engineer Version.
 - b. **CONTRACTS FOR \$50,000 OR LESS:** The Agency should use a letter contract written for each individual project with the SE-240 - South Carolina Small Professional Services Contract Terms and Conditions attached.
 - c. **CONSTRUCTION MANAGER AGENT (CMA):** For the CMA, it should use AIA Document C132 – Standard Form of Agreement Between Owner and Construction Manager as Advisor - South Carolina Division of Procurement Services, Office of State Engineer Version.
 - d. **FORMS FOR USE IN PROCURING AND ADMINISTERING PROFESSIONAL SERVICES:** The Agency should use the following OSE Forms:
 - 1) SE-210, Invitation for Professional Services
 - 2) SE-211, Selection Committee Report for Interview Selection
 - 3) SE-212, Notification of Selection for Interview
 - 4) SE-214, Professional Services Selection Committee - Confidentiality & Conflict of Interest Policy
 - 5) SE-215, Professional Services Selection Committee Member – A/E Evaluation
 - 6) SE-217, Professional Services Selection Committee Summary
 - 7) SE-219, Notification of Selection for Contract Negotiation
 - 8) SE-220, Request for Authority to Execute a Professional Services Contract
 - 9) SE-230, Transmittal of Small Professional Service Contract – *For Information Only*
 - 10) SE-232, Transmittal of Amendment to Small Professional Service Contract – *For Information Only*
 - 11) SE-260, Request for Authority to Amend a Professional Services Contract
 - 12) SE-271, Design Documents Transmittal Form

C. CONSTRUCTION CONTRACTS GREATER THAN \$100,000: The Agency must use the following:

1. Instructions to Bidders: AIA A701 Instructions to Bidders - South Carolina Division of Procurement Services, Office of State Engineer Version.
2. Contract for Construction: AIA Document A101 Standard Form of Agreement between Owner and Contractor - South Carolina Division of Procurement Services, Office of State Engineer Version.
3. General Conditions of the Contract for Construction: AIA Document A201 General Conditions of the Contract for Construction- South Carolina Division of Procurement Services, Office of State Engineer Version.
4. Forms for construction procurement and administration:
 - a. OSE Forms:
 - 1) SE-310, Invitation for Design-Bid-Build Construction Services
 - 2) SE-311, Invitation for Minor Construction Quotes
 - 3) SE-330, Lump Sum Bid Form
 - 4) SE-331, Quote Form
 - 5) SE-332, Unit Price Bid Form

- 6) SE-355, Performance Bond
- 7) SE-357, Labor & Material Payment Bond
- 8) SE-360, Request for Concurrence in Posting Notice of Intent to Award
- 9) SE-370, Notice of Intent to Award
- 10) SE-375, Notice of Award
- 11) SE-377, Minor Construction Contract
- 12) SE-380, Change Order to Construction Contract
- 13) SE-390, Notice to Proceed – Construction Contract
- 14) SE-395, Assessment of Contract Liquidated Damages

b. AIA/SCOSE Forms:

- 1) AIA A701 Instructions to Bidders - South Carolina Division of Procurement Services, Office of State Engineer Version (Combined AIA and OSE form).
- 2) AIA Document A101 Standard Form of Agreement between Owner and Contractor - South Carolina Division of Procurement Services, Office of State Engineer Version (Combined AIA and OSE form).
- 3) AIA Document A201 General Conditions of the Contract for Construction- South Carolina Division of Procurement Services, Office of State Engineer Version (Combined AIA and OSE form).
- 4) Bid Bond – *Note: Use Bond in the form of AIA A310*

c. AIA Forms, Latest Edition:

- 1) A310 - Bid Bond
- 2) G702 - Application and Certificate for Payment
- 3) G703 - Continuation Sheet (*for application for payment*)
- 4) G706 - Contractor's Affidavit of Payment of Debts and Claims
- 5) G707 - Consent of Surety to Final Payment
- 6) G714 - Construction Change Directive
- 7) G715 - Instruction Sheet and Attachment for ACORD Certificate of Insurance

D. REQUIRED OSE PERMITS AND CERTIFICATES: The Agency must use the following OSE Forms:

1. SE-510, Permit to Develop in a Flood Hazard Area (*only required when developing in a flood hazard area*)
2. SE-550, Certificate of Substantial Completion
3. SE-560, Certificate of Final Completion
4. SE-580, Building/Construction Permit
5. SE-585, Certificate of Occupancy/Use

E. SOLE SOURCE, EMERGENCY & BRAND NAME ONLY JUSTIFICATIONS: The Agency must use the following OSE Forms:

1. MMO/OSE - 102, Justification for Sole Source Procurement
2. MMO/OSE - 103, Justification for Emergency Procurement
3. MMO/OSE - 139, Justification for Brand Name Only Specification

F. MISCELLANEOUS OSE FORMS

1. **Professional Services** (an Agency planning to use these forms in its contract administration should so state in Article 13 of AIA Document B101 – Standard Form of Agreement Between Owner and Architect - South Carolina Division of Procurement Services, Office of State Engineer Version).
 - a. SE-290, Professional Services Performance Evaluation
 - b. SE-295, Assessment of Damages – Professional Services Contract
2. **Construction Services** (an Agency planning to use any of these forms in its contract administration should so state in AIA Document A201 General Conditions of the Contract for Construction - South Carolina Division of Procurement Services, Office of State Engineer Version).
 - a. SE-350, Questionnaire for Contractors
 - b. SE-397, Construction Contractor Performance Evaluation

OSE FORMS

DESIGN-BID-BUILD

(In Alpha-Numeric Order)

1. AIA Document A701 Instructions to Bidders - South Carolina Division of Procurement Services, Office of State Engineer Version.
2. AIA Document A101 Standard Form of Agreement between Owner and Contractor - South Carolina Division of Procurement Services, Office of State Engineer Version.
3. AIA Document A201 General Conditions of the Contract for Construction- South Carolina Division of Procurement Services, Office of State Engineer Version.
4. AIA Document B101 Standard Form of Agreement Between Owner and Architect – South Carolina Division of Procurement Services, Office of State Engineer Version.
5. SE-210 - Invitation for Professional Services
6. SE-211 - Selection Committee Report for Interview Selection
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8. SE-214 - Professional Services Selection Committee - Confidentiality & Conflict of Interest Policy
9. SE-215 - Professional Services Selection Committee Member - A/E Evaluation
10. SE-217 - Professional Services Selection Committee Summary
11. SE-219 - Notification of Selection for Contract Negotiation
12. SE-220 - Request for Authority to Execute a Professional Services Contract
13. SE-230 - Transmittal of Small Professional Services Contract - *For Information Only*
14. SE-232 - Transmittal of Amendment to Small Professional Services Contract - *For Information Only*
15. SE-235 - Professional Services Incidental Services Contract
16. SE-240 - South Carolina Small Professional Services Contract Terms and Conditions
17. SE-260 - Request for Authority to Amend a Professional Services Contract
18. SE-271 - Design Documents Transmittal Form - Design-Bid-Build
19. SE-290 - Professional Service Performance Evaluation
20. SE-295 - Assessment of Damages - Professional Service Contracts
21. SE-310 - Invitation for Design-Bid-Build Construction Services
22. SE-311 - Invitation for Minor Construction Quotes
23. SE-330 - Lump Sum Bid Form
24. SE-331 - Quote Form
25. SE-332 - Unit Price Bid Form
26. SE-350 - Questionnaire for Contractors
27. SE-355 - Performance Bond
28. SE-357 - Labor & Material Payment Bond
29. SE-360 - Request for Concurrence in Posting Notice of Intent to Award
30. SE-370 - Notice of Intent to Award
31. SE-375 - Notice of Award
32. SE-377 - Minor Construction Contract
33. SE-380 - Change Order to Construction Contract
34. SE-390 - Notice to Proceed - Construction Contract
35. SE-395 - Assessment of Contract Liquidated Damages
36. SE-397 - Construction Contractor Performance Evaluation
37. SE-510 - Permit to Develop in a Flood Hazard Area (*only required when developing in a flood hazard area*)
38. SE-550 - Certificate of Substantial Completion
39. SE-560 - Certificate of Final Completion
40. SE-580 - Building/Construction Permit
41. SE-585 - Certificate of Occupancy/Use