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.


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.


4. **Forms for construction procurement and administration**:
   a. **OSE Forms**:
      1) SE-310, Pages 1 & 2, Invitation for Design-Bid-Build Construction Services
      2) SE-311, Pages 1 & 2, 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 – 102A, Notice of Intent to Sole Source  
3. MMO/OSE - 103, Justification for Emergency Procurement  
4. MMO/OSE – 103A, Notice of Emergency  
5. 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.
5. SE-210 - Invitation for Professional Services
6. SE-211 - Selection Committee Report for Interview Selection
7. SE-212 - Notification of Selection for Interview
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, Pages 1 & 2 - Invitation for Design-Bid-Build Construction Services
22. SE-311, Pages 1 & 2 - 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