

OFFICE OF STATE ENGINEER
MANUAL FOR PLANNING AND EXECUTION OF STATE PERMANENT IMPROVEMENTS
2021 EDITION

TABLE OF CONTENTS

CHAPTER 1

GENERAL INFORMATION

- 1.1 Related Statutory Authority
- 1.2 Role of the State Engineer and Office of the State Engineer (OSE)
- 1.3 Purpose of this Manual
- 1.4 Organization
- 1.5 Key Definitions
- 1.6 Agency Responsibilities
- 1.7 General Procurement Information
- 1.8 Unauthorized Procurements
- 1.9 Relationship between Local Officials and State Agencies
- 1.10 Freedom of Information Act and Trade Secrets Act
- 1.11 Legal Remedies for Solicitation and Awards
- 1.12 Legal Remedies for Contract Controversies

CHAPTER 2

MINORITY BUSINESSES

- 2.1 Related Statutory Authority
- 2.2 State Policy
- 2.3 Minority Business Enterprise (MBE) Utilization Plan
- 2.4 Certification of Minority Businesses
- 2.5 Contracting with Certified Minority Businesses
- 2.6 Bonding of Small and Minority Business Enterprises
- 2.7 SBA Surety Bond Guarantee Program
- 2.8 Income Tax Credit
- 2.9 Progress Payments for Construction Related Services
- 2.10 Letters of Contract Award
- 2.11 Requirements of Standard Form Contracts

CHAPTER 3

PROJECT PLANNING

- 3.1 Related Statutory Authority
- 3.2 Strategic Planning
- 3.3 Defining/Programming the Project
- 3.4 Selecting a Project Delivery Method
- 3.5 Prequalification of Prime Contractors/Subcontractors for Design-Bid-Build
- 3.6 Selecting Performance and Payment Security
- 3.7 Establishing the Project
- 3.8 Performance Evaluation

CHAPTER 4

PROCURING PROFESSIONAL SERVICES INDEPENDENT OF CONSTRUCTION SERVICES

- 4.1 Related Statutory Authority
- 4.2 Definitions
- 4.3 Small Professional Services Contracts (Fees of \$50,000 or Less)
- 4.4 Large Professional Services Contracts
- 4.5 Professional Services Indefinite Quantity Contracts (IDQs)
- 4.6 Procedures for Amending Professional Services Contracts
- 4.7 Sole Source and Emergency Selection of Professional Services
- 4.8 Professional Liability Insurance
- 4.9 Design Professional Errors and Omissions

CHAPTER 5**DESIGN/CONSTRUCTION DOCUMENT & CONSTRUCTION STANDARDS**

- 5.1 Related Statutory Authority
- 5.2 Authority Having Jurisdiction
- 5.3 Codes and Standards
- 5.4 Flood Hazard Area Development
- 5.5 Information Technology Requirements
- 5.6 Existing Structures – Special Considerations
- 5.7 Modular Buildings
- 5.8 Prohibited Building Materials
- 5.9 Design Related Construction Coordination, Permits and Approvals
- 5.10 Energy Conservation and Sustainable Construction
- 5.11 Green Purchasing Initiative
- 5.12 Required Inspection Services
- 5.13 Non-Restrictive Specifications
- 5.14 Document Submittals to OSE
- 5.15 Project Name and Number
- 5.16 Drawings
- 5.17 Project Manual
- 5.18 Special Bidding Requirements
- 5.19 Design Submittal Requirements
- 5.20 OSE Review and Approval Process

CHAPTER 6**PROCUREMENT OF DESIGN-BID-BUILD CONSTRUCTION CONTRACTOR – COMPETITIVE SEALED BIDDING (PROCUREMENTS GREATER THAN \$100,000.)**

- 6.1 Related Statutory Authority
- 6.2 Advertising Projects for Bidding
- 6.3 Pre-Bid Conferences and Site Visits
- 6.4 Addenda
- 6.5 Bid Postponement
- 6.6 Bid Cancellation
- 6.7 Bid Openings
- 6.8 Bid Withdrawal, Modification, or Correction
- 6.9 Immediately After Bid Opening
- 6.10 Determination of Bidders' Responsiveness
- 6.11 Determination of Bidder's Responsibility
- 6.12 Tie Bids
- 6.13 Required Bid Tabulation
- 6.14 Extending Bid Expiration Period
- 6.15 Rejection of All Bids
- 6.16 Re-Bidding Projects
- 6.17 Permitted Negotiations after Unsuccessful Bidding
- 6.18 Insufficient Funds Authorized by Form A-1
- 6.19 Notice of Intent to Award
- 6.20 Contract Execution Waiting Period
- 6.21 Submitting the Contract to Contractor for Execution
- 6.22 Reviewing Certificate of Insurance and Performance and Payment Bonds
- 6.23 Return of Bid Security and Disposition of Bids

CHAPTER 7**CONSTRUCTION CONTRACT ADMINISTRATION – DESIGN-BID-BUILD**

- 7.1 Related Statutory Authority
- 7.2 Inspection and Testing Services
- 7.3 Building / Construction Permit
- 7.4 Pre-Construction Conference
- 7.5 Notice to Proceed
- 7.6 Construction Schedules
- 7.7 Shop Drawings

CHAPTER 7 (cont.)

- 7.8 Evaluation of Substitutions
- 7.9 Substitution of Subcontractors
- 7.10 Change Orders
- 7.11 Change Orders: Delays and Time
- 7.12 Change Directives
- 7.13 Resolution of Construction Claims and Disputes between Contractor and Agency
- 7.14 Claims by Others
- 7.15 Disputes or Unresolved Claims
- 7.16 Application and Certification for Payment
- 7.17 Progress Payments to Contractors
- 7.18 Withholding Payment to Contractors
- 7.19 Retained Amounts of Progress Payments (Retainage)
- 7.20 Substantial Completion
- 7.21 Certificate of Occupancy / Use
- 7.22 Record Documents
- 7.23 Final Completion
- 7.24 Contract Closure and Final Payment
- 7.25 One-Year Corrective Work Period
- 7.26 Project Close-Out

CHAPTER 8**MISCELLANEOUS PROCUREMENTS**

- 8.1 Related Statutory Authority
- 8.2 Types of Miscellaneous Procurements
- 8.3 Small Purchases
- 8.4 Sole Source Procurements
- 8.5 Emergency Procurements
- 8.6 Brand Name Only and Brand Name or Equal Specifications

CHAPTER 9**INDEFINITE QUANTITY AND TASK ORDER CONTRACTS**

- 9.1 Related Statutory Authority
- 9.2 Definitions
- 9.3 General Requirements for Solicitation of an Indefinite Quantity Contract
- 9.4 Professional Services Indefinite Quantity Contracting
- 9.5 General Requirements for Solicitation of a Task Order Contract
- 9.6 Construction Services Task Order Contracting

CHAPTER 10**REAL PROPERTY**

- 10.1 Related Statutory Authority
- 10.2 Acquisition of Real Property
- 10.3 Demolition of Real Property
- 10.4 Moving Real Property
- 10.5 Sale of Real Property
- 10.6 Lease-Purchase Arrangements
- 10.7 Leasing and Renovation of State Property by Others
- 10.8 Leasing and Renovation of Non-State Property by a State Agency

CHAPTER 11**CONSTRUCTION MANAGEMENT AT RISK**

- 11.1 Related Statutory Authority
- 11.2 Definitions
- 11.3 Special Considerations for CM-R
- 11.4 Source Selection Method
- 11.5 Selection Committee Structure and Staffing for the RFP Process
- 11.6 Selection Committee Meetings

CHAPTER 11 (cont.)

11.7	.....	Selection Plan for the RFP Process
11.8	.....	Request for Qualifications
11.9	.....	Request for Proposals
11.10	.....	Potential Offeror’s Participation in a Report or Study Used in Preparation of Design Requirements
11.11	.....	Receipt, Opening and Registering of Proposals
11.12	.....	Permissible Communications with Offerors After Opening but Before Award
11.13	.....	Rejection of Proposals Withdrawals of Proposals and Cancellation of Solicitation
11.14	.....	Interviews, Evaluations and Ranking of Proposals
11.15	.....	Negotiations of the Contract
11.16	.....	Decision to Award
11.17	.....	Notice of Intent to Award
11.18	.....	Contract Execution Waiting Period
11.19	.....	Executing the Contract
11.20	.....	Debriefing Unsuccessful Offerors After Notice of Award
11.21	.....	Preconstruction Services
11.22	.....	Negotiation the Guaranteed Maximum Price (GMP)
11.23	.....	OSE Concurrence with the Request for Authority to Execute Exhibit “A”
11.24	.....	Notice to Proceed
11.25	.....	Inspection and Testing Services
11.26	.....	Building / Construction Permit
11.27	.....	Certificate of Insurance and Performance and Payment Bonds
11.28	.....	Change Orders
11.29	.....	Change Order: Delays and Time
11.30	.....	Change Directives
11.31	.....	Resolution of Construction Claims and Disputes Between the Contractor and the Agency
11.32	.....	Payments to the Contractor
11.33	.....	Substantial Completion
11.34	.....	Certificate of Occupancy / Use
11.35	.....	Record Documents
11.36	.....	Final Completion
11.37	.....	Contract Closure and Final Payment
11.38	.....	One-Year Corrective Work Period
11.39	.....	Project Close-Out

CHAPTER 12**DESIGN-BUILD, DESIGN-BUILD-OPERATE-MAINTAIN & DESIGN-BUILD-FINANCE-OPERATE-MAINTAIN
(INCLUDES DESIGN-BUILD GUARANTEED ENERGY SAVINGS CONTRACTS)**

12.1	.....	Related Statutory Authority
12.2	.....	Definitions
12.3	.....	Special Consideration for Design-Build
12.4	.....	Source Selection Method
12.5	.....	Selection Committee Structure and Staffing for the RFP Process
12.6	.....	Selection Committee Meetings
12.7	.....	Selection Plan for the RFP Process
12.8	.....	Request for Qualifications
12.9	.....	Request for Proposals
12.10	.....	Requirement for Independent Peer Reviewer
12.11	.....	Potential Offeror’s Participation in a Report or Study Used in Preparation of Design Requirements
12.12	.....	Receipt, Opening and Register of Proposals
12.13	.....	Permissible Communications with Offerors after Opening but Before Award
12.14	.....	Rejection of Proposals, Withdrawal of Proposals and Cancellation of Solicitation
12.15	.....	Interviews, Evaluation and Ranking of Proposals
12.16	.....	Negotiation of the Contract
12.17	.....	Decision to Award
12.18	.....	Notice of Intent to Award
12.19	.....	Contract Execution Waiting Period
12.20	.....	Executing the Contract
12.21	.....	Debriefing Unsuccessful Offerors after Notice of Award
12.22	.....	Inspection and Testing Services
12.23	.....	Building / Construction Permit

CHAPTER 12 (cont.)

- 12.24 Submittal of Design Document to OSE
- 12.25 Change Orders
- 12.26 Change Orders: Delays and Time
- 12.27 Change Directives
- 12.28 Resolution of Claims and Disputes between the Design-Builder and Agency
- 12.29 Payment to the Design-Builder
- 12.30 Substantial Completion
- 12.31 Certificate of Occupancy / Use
- 12.32 Record Documents
- 12.33 Final Completion
- 12.34 Contract Closure and Final Payment
- 12.35 One Year Corrective Work Period
- 12.36 Project Close-Out
- 12.37 Additional Resources

CHAPTER 13**AGENCY CERTIFICATION FOR CONSTRUCTION PROCUREMENT AND DELEGATED CODE REVIEW**

- 13.1 Related Statutory Authority
- 13.2 Delegation of Construction Procurement Authority
- 13.3 Certification Request Procedures
- 13.4 Audit and Record Retention Requirements
- 13.5 In-House Construction Projects
- 13.6 Certification Violations
- 13.7 Delegation of Building Code Enforcement Authority

APPENDIX A – PROFESSIONAL SERVICES**A.1 – Forms for Use in Procuring and Administering Professional Services Contracts**

- SE-210 Invitation for Professional Services
- SE-211 Selection Committee Report for Interview Selection
- SE-212 Notification of Selection for Interview
- SE-214 Professional Services Selection Committee - Confidentiality & Conflict of Interest Policy
- SE-215 Professional Services Selection Committee Member – A/E Evaluation
- SE-217 Professional Services Selection Committee Summary
- SE-219 Notification of Selection for Contract Negotiation
- SE-220 Request for Authority to Execute a Professional Services Contract
- SE-230 Transmittal of Small Professional Services Contract - *For Information Only*
- SE-232 Transmittal of Amendment to Small Professional Services Contract - *For Information Only*
- SE-260 Amendment to Professional Services Contract
- SE-271 Design Documents Transmittal Form – Design-Bid-Build

A.2 – Professional Services Contracts and Terms and Conditions

- SE-235 Professional Incidental Services Contract
- SE-240 South Carolina Small Professional Services Contract Terms and Conditions

APPENDIX B – DESIGN-BID-BUILD**B.1 – Forms for Use in Procuring and Administering Construction Services Contracts**

- SE-310..... Invitation for Design-Bid-Build Construction Services
- SE-310, Pg 2..... Invitation for Design-Bid-Build Construction Services – Project Information
- SE-330..... Lump Sum Bid Form
- SE-355..... Performance Bond
- SE-357..... Labor & Material Payment Bond
- SE-360..... Request for Concurrence in Posting Notice of Intent to Award Design-Bid-Build Contract
- SE-370..... Notice of Intent to Award - Design-Bid-Build Contract
- SE-380..... Change Order to Design-Bid-Build Contract
- Change Order Worksheet with Formulas (Optional)
- SE-390..... Notice to Proceed – Design-Bid-Build Contract
- Table of Contents – Design-Bid-Build Project Manual

B.2 – Documents, Forms and Guides

- Design and Construction Documents and Forms – Design-Bid-Build
- Guide for Organizing & Completing Project Manual – Design-Bid-Build between \$10K and \$100K
- Guide for Organizing & Completing Project Manual – Design-Bid-Build over \$100K
- Pre-Bid Conference Discussion Items
- Pre-Construction Conference Discussion Items

B.3 – Small Purchase Forms & Contract

- SE-311..... Invitation for Minor Construction Quotes
- SE-311, Pg 2..... Invitation for Minor Construction Quotes – Project Information
- SE-331..... Quote Form
- SE-355..... Performance Bond
- SE-357..... Labor & Material Payment Bond
- SE-375..... Notice of Award - Minor Construction Contract
- SE-377..... Minor Construction Contract
- SE-381..... Change Order to Minor Construction Contract
- SE-391..... Notice to Proceed – Minor Construction Contract
- Table of Contents – Minor Construction Project Manual

B.4 – Forms for Use in Prequalifying Prime Contractors/Subcontractors for Design-Bid-Build

- Contractors Statement of Qualifications & Questionnaire
- SE-110..... Invitation for Construction Prequalification
- SE-114..... Construction Prequalification Selection Committee - Confidentiality & Conflict of Interest Policy
- SE-115..... Construction Prequalification Selection Committee Member – Contractor Evaluation
- SE-117..... Construction Prequalification Selection Committee Summary
- SE-160..... Request for Approval of Prequalified Contractors for Construction
- SE-170..... Notice of Prequalification of Contractors – Design-Bid-Build

APPENDIX C - CONSTRUCTION MANAGEMENT AT RISK (CM-R)**C.1 – Forms for Use in Procuring and Administering Construction Management at Risk Projects**

- SE-410 Invitation for Construction Management at Risk Services
- SE-411 Register of Responding Firms – CM-R
- SE-412 CM-R Selection Committee Report for Prequalification
- SE-414 CM-R Selection Committee - Confidentiality & Conflict of Interest Policy
- SE-415 CM-R Selection Committee Member – RFP Evaluation
- SE-417 CM-R Selection Committee Summary - RFP
- SE-460 Request for Concurrence in Posting Notice of Intent to Award CM-R Contract
- SE-460, Pg 2 Request for Concurrence in Posting Notice of Intent to Award CM-R Contract – Project Information
- SE-470 Notice of Intent to Award - CM-R Contract
- SE-471 Design Documents Transmittal Form – CM-R
- SE-480 Change Order to CM-R Contract
- SE-490 Notice to Proceed – CM-R Construction

C.2 – Clauses for Use on Construction Management At-Risk Projects

- Clauses for Use in Construction Management At-Risk RFQ
- Standard Modifications to the A133-2009
- Standard Modifications to the A201-2017 For Use with the A133-2009

APPENDIX D – INDEFINITE QUANTITY AND TASK ORDER CONTRACTS**D.1 – Forms for Use in Procuring and Administering Indefinite Quantity Contracts**

- SE-600 Request to Award Multiple IDQ Contracts for the Same Services
- SE-610 Invitation for Indefinite Quantity Contract
- SE-611 Selection Committee Report for Interview Selection – IDQ
- SE-612 Notification of Selection for Interview - IDQ
- SE-614 IDQ Selection Committee - Confidentiality & Conflict of Interest Policy
- SE-615 IDQ Selection Committee Member - A/E Evaluation
- SE-617 IDQ Selection Committee Summary
- SE-619 Notification of Selection for Contract Award - IDQ
- SE-620 Request for Authority to Execute IDQ Contract
- SE-630 Transmittal of Small Indefinite Quantity Contract - *For Information Only*

D.2 – Indefinite Quantity Contracts and Delivery Orders

- SE-635 Indefinite Quantity Contract Delivery Order – Small Contract
- SE-638 Indefinite Quantity Contract Delivery Order Modification – Small Contract
- SE-640 Indefinite Quantity Contract
- SE-645 Indefinite Quantity Contract Delivery Order – Large Contract
- SE-648 Indefinite Quantity Contract Delivery Order Modification – Large Contract

D.3 – Forms for Use in Procuring and Administering Task Order Contracts

- Contractors Statement of Qualifications & Questionnaire
- SE-614 Selection Committee - Confidentiality & Conflict of Interest Policy
- SE-655 Invitation for Task Order Contract
- SE-657 TOC Selection Committee Member - Contractor Evaluation
- SE-658 TOC Selection Committee Summary
- SE-660 Request for Concurrence in Posting Notice of Intent to Award – TOC
- SE-670 Notice of Intent to Award - Task Order Contract
- Table of Contents – Task Order Project Manual

D.4 – Task Order Contracts and Task Orders

- SE-680 Task Order Contract
- SE-685 General Conditions to Task Order Contract
- SE-690 Construction Services Task Order
- SE-695 Construction Services Task Order Modification

APPENDIX E – DESIGN-BUILD (DBx)**E.1 - Forms for Use in Procuring and Administering Design-Build Projects**

- SE-710 Invitation for Design-Build Services
- SE-711 Register of Responding Firms – Design-Build
- SE-712 D-B Selection Committee Report for Prequalification
- SE-714 D-B Selection Committee - Confidentiality & Conflict of Interest Policy
- SE-715 D-B Selection Committee Member – RFP Evaluation
- SE-717 D-B Selection Committee Summary - RFP
- SE-760 Request for Concurrence in Posting Notice of Intent to Award Design-Build Contract
- SE-760, Pg 2 Request for Concurrence in Posting Notice of Intent to Award Design-Build Contract-Project Info
- SE-770 Notice of Intent to Award - Design-Build Contract
- SE-771 Design Documents Transmittal Form – Design-Build
- SE-780 Change Order to Design-Build Contract
- SE-790 Notice to Proceed – Design-Build Contract

E.2 - Forms for Use in Procuring and Administering GEWWC Projects

- SE-801 Selection Plan for GEWWC Services
- SE-808 Request for Qualifications for GEWWC Services
- SE-810 Invitation for Guaranteed Energy, Water and Wastewater Conservation Services
- SE-811 Register of Responding Firms – GEWWC
- SE-812 GEWWC Selection Committee Report for Prequalification
- SE-814 GEWWC Selection Committee - Confidentiality & Conflict of Interest Policy
- SE-815 GEWWC Selection Committee Member – RFP Evaluation
- SE-817 GEWWC Selection Committee Summary - RFP
- SE-830 GEWWC Request for Proposals (*coming soon*)
- SE-833 GEWWC Contract (*coming soon*)
- SE-860 Request for Concurrence in Posting Notice of Intent to Award GEWWC Contract
- SE-860, Pg 2 Request for Concurrence in Posting Notice of Intent to Award GEWWC Contract – Project Info
- SE-870 Notice of Intent to Award - GEWWC Contract
- SE-870M..... Notice of Contingent Intent to Award - GEWWC Contract
- SE-880 Change Order to Guaranteed Energy, Water and Wastewater Conservation Contract
- SE-890 Notice to Proceed – GEWWC Contract

E.3 – Contracts and Clauses for Use on Design-Build Projects

- Clauses for Use in Design-Build RFP
- SE-733 Agreement Between Agency and Design-Builder
- SE-734 General Condition of the Contract Between Agency and Design-Builder

APPENDIX F – OSE PERMITS AND MISCELLANEOUS FORMS**F.1 - OSE Permits and Certificates**

- SE-510 Permit to Develop in a Flood Hazard Area
- SE-550 Certificate of Substantial Completion
- SE-560 Certificate of Final Completion
- SE-580 Building / Construction Permit
- SE-585 Certificate of Occupancy / Use

F.2 – Sole Source, Emergency & Brand Name Only Justification Forms

- MMO/OSE - 102.....Justification for Sole Source Procurement
- MMO/OSE – 102ANotice of Intent to Sole Source
- MMO/OSE - 103.....Justification for Emergency Procurement
- MMO/OSE – 103ANotice of Emergency
- MMO/OSE - 139.....Justification for Brand Name Only Specification

F.3 – Miscellaneous OSE Forms

- SE-295 Assessment of Damages - Professional Services Contract
- SE-297 Professional Services Performance Evaluation
- SE-332 Unit Price Bid Form
- SE-350 Questionnaire for Contractors
- SE-395 Assessment of Contract Liquidated Damages
- SE-397 Construction Contractor Performance Evaluation

APPENDIX G – INSPECTIONS AND MATERIAL TESTING**G.1 – Forms for Use with Inspections and Materials Testing**

- SE-955 Inspection / Material Testing Order
- SE-955A..... Inspection / Material Testing Order Negotiation Worksheet
- SE-960 Inspection / Material Testing Order Amendment
- SE-960A..... Inspection / Material Testing Order Amendment Worksheet
- SE-962 Statement of Special Inspections Responsibilities
- SE-965 Project Inspection / Material Testing Log
- SE-966 Project Inspection / Material Testing Deficiency Log

G.2 – Guidelines for Inspections and Material Testing

- Guidelines for Inspections and Material Testing

APPENDIX H - OSE CODE TABLES & CERTIFICATIONS**H.1 – OSE Code Tables & Certifications (DO NOT MODIFY – Include As-Is on the Project Drawings)**

- Required Certifications
- Table 1Flood Hazard Information
- Table 2Soils & Site
- Table 3Basic Building Code Information
- Table 3E.....Code Information for Additions, Alterations or Change of Occupancy to an Existing Structure
- Table 4Building Height & Area
- Table 5Building Design Occupant Load
- Table 6General Fire Protection Requirements
- Table 7Fire Resistance Rating of Building Elements
- Table 8Structural Design Information
- Table 9Plumbing Information
- Table 10Mechanical Information
- Table 11Electrical Information

H.2 – Design Related Construction Permits / Approvals

- Design Related Construction Permits / Approvals

APPENDIX I- OSE GUIDES AND HANDBOOKS

- RFP Discussions
- Website Verification for Surety Companies

APPENDIX J – SCOSE VERSION OF AIA DOCUMENTS – SAMPLES & COMPARITIVES**J.1 – SCOSE Versions of AIA Documents - Samples**

- A101-2007
- A132-2009
- A133-2009
- A201-2007
- A232-2009
- A701-1997
- B101-2007
- B132-2009
- B133-2014
- C132-2009

J.2 – SCOSE Versions of AIA Documents – Comparative

- A101-2007
- A132-2009
- A133-2009
- A201-2007
- A232-2009
- A701-1997
- B101-2007
- B132-2009
- B133-2014
- C132-2009