

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 may use a letter contract written for each individual project. OSE must approve the format and description of services.
2. **Architect-Engineer:**
 - a. **CONTRACTS GREATER THAN \$25,000:** The Agency must use AIA Document B101 – 2007 Standard Form of Agreement Between Owner and Architect - South Carolina Division of Procurement Services, Office of State Engineer Version.
 - b. **CONTRACTS FOR \$25,000 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 C132-2009 – 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-260, Request for Authority to Amend a Professional Services Contract
 - 11) SE-271, Design Documents Transmittal Form

C. CONSTRUCTION CONTRACTS GREATER THAN \$50,000: The Agency must use the following:

1. Instructions to Bidders: AIA A701-1997 Instructions to Bidders - South Carolina Division of Procurement Services, Office of State Engineer Version.
2. Contract for Construction: AIA Document A101-2007 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 A201-2007 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-330, Lump Sum Bid Form
 - 3) SE-332, Unit Price Bid Form

- 4) AIA A701-1997 Instructions to Bidders - South Carolina Division of Procurement Services, Office of State Engineer Version (Combined AIA and OSE form).
- 5) AIA Document A101-2007 Standard Form of Agreement between Owner and Contractor - South Carolina Division of Procurement Services, Office of State Engineer Version (Combined AIA and OSE form).
- 6) AIA Document A201-2007 General Conditions of the Contract for Construction- South Carolina Division of Procurement Services, Office of State Engineer Version (Combined AIA and OSE form).
- 7) Bid Bond – *Note: Use AIA A310*
- 8) SE-355, Performance Bond
- 9) SE-357, Labor & Material Payment Bond
- 10) SE-360, Request for Concurrence in Posting Notice of Intent to Award
- 11) SE-370, Notice of Intent to Award
- 12) SE-380, Change Order to Construction Contract
- 13) SE-390, Notice to Proceed – Construction Contract

b. AIA Forms:

- 1) A310-Latest Edition, Bid Bond
- 2) G702-1992, Application and Certificate for Payment
- 3) G703-1992, Continuation Sheet (*for application for payment*)
- 4) G706-1994, Contractor's Affidavit of Payment of Debts and Claims
- 5) G707-1994, Consent of Surety to Final Payment
- 6) G714-2001, Construction Change Directive
- 7) G715-1991, 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 AND EMERGENCY PROCUREMENTS: 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

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 B101-2007 - 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 A201-2007 General Conditions of the Contract for Construction - South Carolina Division of Procurement Services, Office of State Engineer Version).
 - a. SE-331, Quote Form
 - b. SE-350, Questionnaire for Contractors
 - c. SE-395, Assessment of Contract Liquidated Damages
 - d. SE-397, Construction Contractor Performance Evaluation

OSE FORMS

DESIGN-BID-BUILD

(In Alpha-Numeric Order)

1. AIA A701-1997 Instructions to Bidders - South Carolina Division of Procurement Services, Office of State Engineer Version (Combined AIA and OSE form).
2. AIA Document A101-2007 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 A201-2007 General Conditions of the Contract for Construction- South Carolina Division of Procurement Services, Office of State Engineer Version (Combined AIA and OSE form).
4. SE-210 - Invitation for Professional Services
5. SE-211 - Selection Committee Report for Interview Selection
6. SE-212 - Notification of Selection for Interview
7. SE-214 - Professional Services Selection Committee - Confidentiality & Conflict of Interest Policy
8. SE-215 - Professional Services Selection Committee Member - A/E Evaluation
9. SE-217 - Professional Services Selection Committee Summary
10. SE-219 - Notification of Selection for Contract Negotiation
11. SE-220 - Request for Authority to Execute a Professional Services Contract
12. SE-230 - Transmittal of Small Professional Services Contract - *For Information Only*
13. SE-235 - Professional Services Incidental Services Contract
14. SE-240 - South Carolina Small Professional Services Contract Terms and Conditions
15. SE-260 - Request for Authority to Amend a Professional Services Contract
16. SE-271 - Design Documents Transmittal Form - Design-Bid-Build
17. SE-290 - Professional Service Performance Evaluation
18. SE-295 - Assessment of Damages - Professional Service Contracts
19. SE-310 - Invitation for Design-Bid-Build Construction Services
20. SE-330 - Lump Sum Bid Form
21. SE-331 - Quote Form
22. SE-332 - Unit Price Bid Form
23. SE-350 - Questionnaire for Contractors
24. SE-355 - Performance Bond
25. SE-357 - Labor & Material Payment Bond
26. SE-360 - Request for Concurrence in Posting Notice of Intent to Award
27. SE-370 - Notice of Intent to Award
28. SE-380 - Change Order to Construction Contract
29. SE-390 - Notice to Proceed - Construction Contract
30. SE-395 - Assessment of Contract Liquidated Damages
31. SE-397 - Construction Contractor Performance Evaluation
32. SE-510 - Permit to Develop in a Flood Hazard Area (*only required when developing in a flood hazard area*)
33. SE-550 - Certificate of Substantial Completion
34. SE-560 - Certificate of Final Completion
35. SE-580 - Building/Construction Permit
36. SE-585 - Certificate of Occupancy/Use