DEPARTMENT OF ADMINISTRATIVE SERVICES

ADMINISTERED PROJECTS

AGENCY MANUAL

Josh Geballe Commissioner



CONSTRUCTION SERVICES Building Design and Construction

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GENERAL INFORMATION

1.1 **Purpose of this Manual**

1.0

This Agency Administered (AA) Projects Manual provides Client Agencies with guidelines, standards, and procedures to self-administer a capital construction project.

Manual Update

This Manual will be updated from time to time to reflect changes in statute, regulation, policy and procedures. Updates will be posted semi-annually, if applicable, in a Manual Notice as a preface to the Manual. DAS will notify Client Agencies, via email, if such Manual Notice is posted. Any questions, comments, or suggestions regarding this Manual should be submitted to DAS Construction Support Services (CSS).

Introduction to the Department of Administrative Services (DAS)

DAS is responsible for most new building and capital improvements to State property and buildings and provides resources for Agencies to initiate State Building Construction Projects, otherwise known as "Capital Building Construction Projects." The authority of the DAS is defined under Title 4a and 4b of the Connecticut General Statutes.

Organization of the DAS, Construction Services

The Construction Services section of DAS consists of the following units: Construction Support Services, Office of Design and Construction, Office of Legal Affairs, Policy and Procurement, and the Offices of State Building Inspector and Fire Marshal.

DAS has the primary state responsibility for hiring architects, engineers, and construction administrators ("consultants"), as well as construction managers, design-builders and general contractors related to building, site and facility projects. DAS is also responsible for hiring professional design and construction consultants, on an on-call basis, to provide a range of services or tasks to support AA Capital Construction Projects.

CSS manages the intake, processing, and tracking of all Capital Building Construction Project requests; requests a Capital Project Number be assigned to the Project by the DAS Financial Unit; administers the process for the selection of an on-call consultant for said projects and assists in drafting and executing task letters for services to be provided by said consultant; manages the intake and processing of Reguests for Declaration of Emergency and manages the closeout process for AA Projects.

The Office of Design and Construction (ODC) is responsible for administering state Capital Building Construction Projects through planning, design and construction for both new and renovation projects. ODC includes teams that handle most agencies' Capital Building Project needs throughout the State. Each team has qualified professional staff to comply with their agencies' requirements. A team may consist of the following types of staff: Assistant Director of Project Management (ADPM), Project Managers (PMs), Associate Project Manager (ASPM), Assistant Project Managers (APM), and Administrative support.

The ADPMs manage the Project Teams to assure the agencies' needs are being met. The PM or ASPM is directly responsible for the project, and is the main contact with the Agency and the consultants on a day to day basis. The APMs are the project support staff that have professional expertise in construction, codes, mechanical, electrical, or other areas that can complement the PM or ASPM.

Services provided by the ODC include project management support services for Agency Administered (AA) projects and consist of the following: scheduling and participating in scope review meetings with the Agency and Consultant to develop a Capital Building Construction Project scope of work; negotiating the fee with the consultant, on behalf of the Agency, for the proposed scope of work; and preparation of a task letter agreement, by and between the consultant and DAS, for the consultant to perform the work for the Agency.

1.2 Department Documents and Forms

Documents and Forms referenced in this Manual are available on the Department Webpage or in the <u>DAS/CS Library</u> (https://portal.ct.gov/DAS/Lists/DAS-Construction-Services-Library). Click on the Library (Forms and Publications) at the top of the web page and select the appropriate form number series to view or copy the appropriate form(s). The forms are revised periodically and re-posted to the Library. **Prior to using any previously copied forms, the current version of the form from the Library should be consulted**. DAS will endeavor to update the forms on an annual basis. If, however, circumstances warrant, there may be an interim modification and notice will be provided to all Agencies of any such change. The forms are arranged by project stage.

1.3 Abbreviations

AA Agency Administered

ADPM Assistant Director Project Manager

A/E Architect/Engineer

APM Assistant Project Manager
ASPM Associate Project Manager
CA Construction Administrator
C.G.S. Connecticut General Statutes

CHRO Commission on Human Rights and Opportunities

CSS Construction Support Services

DAS Department of Administrative Services

DAS/CS Department of Administrative Services / Construction Services

DC Deputy Commissioner

ODC Office of Design and Construction

PM Project Manager

1.4 Definitions for Agency Administered Projects

Acceptance of the Work: The Agency's acknowledgement of the Acceptance of the Work, through the Certificate of Acceptance, that all Work has been completed, with the exception of heating and cooling systems requiring seasonal testing, and approved deferred Functional Performance Testing, to certify Functional Completion of those systems. The Agency's prior written approval shall be required for any and all such exceptions.

Agency: The institution or organization, as defined under the provisions of C.G.S. Section 4b-52, having administrative authority of the facility in which the Work is being performed.

Agency project manager: The individual employed by the Agency to represent the Agency and is certified by the Agency as being qualified to be responsible for the overall management and oversight of the Project.

Architect, Engineer, or Landscape Architect: A sole proprietor, partnership, firm, corporation or other business organization under contract with the DAS, commissioned to prepare Contract Drawings and Specifications for the Agency, to advise the Agency and in certain cases, to perform regular inspections and other services during construction, when authorized as part of its commission. Also referred to as the A/E.

Bidder: A sole proprietor, partnership, firm, corporation, or other business organization submitting a Bid on the Bid Proposal Form for the Work contemplated.

Bidding Documents: Collectively, the bidding requirements and the proposed Contract Documents, including any addenda issued prior to receipt of Bids.

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Bid or Bid Proposal Form: A complete and duly signed proposal to perform Work (or a designated portion thereof) for a stipulated sum in accordance with the Bidding Documents.

Certificate of Acceptance: A document issued by the Agency to the Contractor stating that all Work specified in the Certificate of Acceptance has been completed and accepted by the Agency.

Certificate of Compliance: A document certifying that a portion of the project completed, either the design portion or construction portion, has been performed in substantial compliance with the Connecticut State Building Code and all other applicable codes as required by Chapter 541 of the Connecticut General Statutes (C.G.S). The Certificate of Compliance shall be issued and signed by the Architect or Engineer of Record or qualified Agency Architect/Engineer Representative, the General Contractor, and the Department Head or Authorized Representative of the Client Agency.

Certificate of Substantial Completion: Substantial Completion is the stage in the progress of the Work when the Work or designated portion thereof is sufficiently complete in accordance with the Contract Documents. The Certificate of Substantial Completion is a document prepared by the Architect or Engineer and approved by the Agency on the basis of an inspection stating:

- That the Work, or a designated portion thereof, is determined to be Substantially Complete:
- The date of Substantial Completion:
- The responsibilities of the Agency and the Contractor for security, maintenance, heat, utilities, damage to the Work and insurance; and
- The time within which the Contractor shall complete the remaining Work.

Construction Administrator: A sole proprietor, partnership, firm, corporation or other business organization, under contract with DAS to provide the Agency with project oversight services to ensure fulfillment of all requirements of the Contract Documents.

Construction Documents: Drawings, and Specifications, signed and sealed by the Architect and/or Engineer or qualified Agency Architect/Engineer Representative, that set forth in detail the requirements for the construction of the Project and shall be certified to be in substantial compliance with applicable State of CT building/fire codes and statutes, by the Designer of Record and the Department Head or Authorized Representative of the Client Agency, and are in conformance with the code requirement provisions of the most current version of the DAS Consultants Procedure Manual.

Contract Documents: The Agreement between Agency and Contractor, Conditions of the Contract (General Conditions, Supplementary Conditions, General Requirements and other Conditions), Drawings, Specifications, and Addenda issued prior to execution of the Contract, other documents listed in the Agreement and Modifications issued after execution of the Contract, all of which shall constitute the Contract Documents.

Contractor or General Contractor: A sole proprietor, partnership, firm or corporation, under direct Contract with the Agency responsible for performing the Work under the Contract Documents. Whenever the words "Contractor" or "General Contractor" (GC) are used it shall be understood to mean Contractor.

Department of Administrative Services Project Manager: The individual employed by the Department, designated and authorized by it, to: 1) Draft a Consultant Project Initiation Scope Meeting Agenda and then schedule a Scope Meeting with the Agency and Consultant to review the project scope of work; 2) Conduct all fee negotiations with the Consultant in consultation with the Agency; and 3) Draft a task letter against the subject On-Call Contract to perform the proposed scope of work.

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General Contract: The Agreement between the Agency and Contractor.

Manual: For purposes of this document, the "Manual" is the Agency Administered Projects Manual.

Notice To Proceed: Written notice, issued by the Agency or the Agency's authorized representative, to the Contractor, authorizing the Contractor to proceed with the Work and establishing the date for commencement of the Contract Time.

On-Call Contract: The Agreement between DAS and Consultant to provide certain on-call services for a not to exceed designated maximum fee.

Project: The total Work authorized to be performed under a specific Capital Project Initiation Request.

Project Manual: The set of documents assembled for the Work which includes, but is not limited to, Contract Documents, Bidding Requirements, Sample Forms, Conditions of the Contract, General Requirements, and the Specifications.

Substantial Completion: The stage in the progress of the Work when the Work or designated portion thereof is sufficiently complete in accordance with the Contract Documents, the determination of which shall be represented by the issuance by the Agency of a Certificate of Substantial Completion.

Supplemental Bid: The monetary value stated in the Bid to be added to the amount of the Base Bid if the corresponding Work, as described in the Bidding Documents, is accepted. Supplemental Bids must be accepted in the order in which listed starting with Supplemental Bid 1, etc.

Task Letter: The Agreement between the Agency and On-Call Consultant to perform services in accordance with the subject On-Call Contract. The Task Letter specifies a specific scope of work, fee, and duration of time for a defined Task.

Work: The consultant services required by the on-call services contract and/or the construction and services required by the construction contract. The construction contract is inclusive of all labor, materials, equipment and services provided or to be provided by the Contractor to fulfill the Contractor's obligations. The Work may constitute the whole or a part of the Project whether on or off the site of the Project, and including all labor, materials, equipment and services provided or to be provided by Subcontractors, Sub-subcontractors, material suppliers or any other entity for whom the GC is responsible for under or pursuant to the construction contract.

1.5 **Statutory References**

Statutory references are cited throughout the Manual, and within other DAS Manuals, Contract Documents, Forms, Checklists, Schedules and Report templates.

This section includes a listing and summary description of the most frequently used statutory and regulatory references regarding Agency Administered Projects. To view the full text of any of the referenced statutes, click on the Connecticut General Assembly "Browse Statutes" hyperlink (https://www.cga.ct.gov), search for the relevant Section from the list of "Titles" and click on the appropriate hyperlink.

STATUTORY REFERENCES

- C.G.S. Section 1-79. Code of Ethics for Public Officials
- C.G.S. Section 4a-100. Prequalification of contractors and substantial subcontractors. Fees. Application. Regulations. Renewal. Revocation. Notice re state contractors or substantial contractors. Appeal. Notice re bond guarantee program.
- C.G.S. Section 4a-101. Standard contractor evaluation form. Public agency to submit completed evaluation form. Contractor response. Definitions. Preliminary evaluation. Exemption from liability. Failure to submit form.
- C.G.S. Section 4b-3. State Properties Review Board established. Commissioner of Administrative Services' powers in state realty transactions. Review by board of transactions, contracts and acquisition of development rights. Appeals.
- C.G.S. Section 4b-11. Supervision of state property. Trespass upon state property. Penalty.
- C.G.S. Section 4b-23. State facility plan. Responsibilities of Secretary of the Office of Policy and Management, Commissioner of Administrative Services and Properties Review Board.
- C.G.S. Section 4b-51. Alterations, repairs or additions to real assets. Selection of consultants for certain projects.
- C.G.S. Section 4b-52. Repairs or changes to state premises. Exception for emergency conditions. Renegotiation of leases.
- C.G.S. Section 4b-55. State Construction Services Selection Panel; Connecticut Health and Education Facilities Authority Construction Services Panel. Definitions. .
- C.G.S. Section 4b-56. State construction services selection panels, and Connecticut Health and Education Facilities Authority construction services panels, established. Membership.
- C.G.S. Section 4b-57. Consultant services. Invitation of responses. Consideration by selection panel.
- C.G.S. 4b-58. Contracting for consultant services.
- C.G.S. Section 4b-61. Contracting for design professional services.
- C.G.S. Section 4b-91 thru 4b-102. Process for bidding for public works contracts. Prequalification requirements. Exceptions.
- C.G.S. Section 19a-332 thru 19a332c. Department of Public Health. Asbestos.
- C.G.S. Section 22a-6. Department of Energy and Environmental Protection. Commissioner to establish environmental standards, regulations and fees, to make contracts and studies and to issue permits, Complaints, Hearings, Bonds, Notice of contested cases. Fee waivers. Public notices on department's Internet web site.

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- C.G.S. Section 22a-449(c). Duties and powers of commissioner resources of potential pollution or damage. Licenses. Regulations. Nonresidential underground storage tank systems.
- C.G.S. Section 29-251 thru 29-282. Public Safety and State Police. State Building Code
- C.G.S. Section 29-276b. Public Safety and State Police. "Threshold limit" defined. Requirements when structure or addition will exceed threshold limit. Standards for facilities which perform testing of construction materials.
- C.G.S. Section 29-291 thru 29-369. Public Safety and State Police. State Fire Prevention Code.
- C.G.S. Section 29-292. Public Safety and State Police. Fire Safety Code. Carbon monoxide and smoke detection and warning equipment. Certificate of occupancy. Liability.
- C.G.S. Section 29-401 thru 29-415. Public Safety and State Police. State Demolition Code.

2.0 AGENCY ADMINISTERED PROJECTS

2.1 General Requirements

Capital Building Construction Projects may be self-administered by an Agency in accordance with Connecticut General Statutes (C.G.S.) 4b-52 ("Agency Administered") or, if unable to self-administer, then the project is administered by DAS on behalf of the Agency ("DAS Administered"). Department of Transportation, University of Connecticut, and Legislative Branch Projects are not subject to the aforementioned provisions to self-administer Capital Construction Projects.

To self-administer repairs, alterations, or additions, an Agency must:

- Formally request and receive approval from the Commissioner of DAS or an authorized representative of DAS/Construction Services (CS), unless otherwise noted in Paragraph 2 below.
- 2. Meet the threshold amount for repairs, alterations or additions in accordance with C.G.S. 4b-51 and 4b-52 (and 22a-6 for the Department of Energy and Environmental Protection). The threshold amount for repairs, alterations or additions shall be defined as the total project cost, inclusive of pre-construction, design and construction phase costs. The threshold amount for most agencies to self-administer a project is \$500,000.

The following agencies are not required to obtain DAS approval to self-administer Capital Building Construction Projects at the noted threshold amounts.

Client Agency	Threshold Amount
State System of Higher Education (CSCU)	\$0 - \$500,000
Connecticut State Military Department (CTMD)	\$0 - \$2,000,000
Connecticut Judicial Branch	\$0 - \$500,000
Department of Energy & Environmental Protection (DEEP)	\$0 - \$500,000

DAS approval is required to self-administer Capital Building Construction Projects at the noted threshold amounts.

Client Agency	Threshold Amount
State System of Higher Education (CSCU)	\$500,000 - \$2,000,000
Connecticut Judicial Branch	\$500,000 - \$1,250,000
Department of Energy & Environmental Protection (DEEP)	\$500,000 - \$1,000,000
All Other State Agencies	\$0 - \$500.000

- 3. Conform to all guidelines and procedures established by DAS for Agency Administered (AA) Projects as described in this Manual and Certify that the design and construction of their project will be in substantial compliance with all other applicable State statutes, regulations and Life Safety codes.
- 4. Have all funding in place prior to the award of contracts.
- 5. Remain within the statutory budget limits.
- 6. Have qualified and experienced staff to assume responsibility for all phases of design and construction.
- 7. Depending upon the project type, have the capability to assume all of the following responsibilities:
 - a. Project Initiation See Section 2.3 of this Manual for detailed requirements.
 - b. Design Phase See Section 2.4 of this Manual for detailed requirements.
 - c. Bid Phase See <u>Section 2.5</u> of this Manual for detailed requirements.

- d. Construction Phase See Section 2.6 of this Manual for detailed requirements.
- e. Project Closeout See Section 2.7 of this Manual for detailed requirements.
- 8. If the Agency requests design assistance as part of a Capital Project Initiation Request, then the Agency must administer the project in PMWeb, or such other project management software as determined by DAS. PMWeb shall be utilized for recording project specific documentation as directed by the DAS and/or as otherwise defined in this Manual. All State construction project documents not created in PMWeb shall be scanned, uploaded and maintained, for the project, and linked to the corresponding record in PMWeb in the PMWeb Document Management System. PMWeb training will be provided to the Agency pm and their project team upon request to CSS.

DAS/CS reserves the right to audit any project it has authorized to be self-administered to ensure Agency compliance with the standards set forth in this Manual. Failure to comply with such standards may negatively affect the Client Agency's ability to self-administer capital projects.

2.2 Capital Project Initiation Request and Approval Process

This section provides a detailed description of the submission and approval process for an Agency to self-administer a Capital Project.

All Capital Project Initiation Request Letters and Forms referenced in this section (1105, 1107, 1108, 1109, & Hazardous Materials Assistance Request) can be found in the 1000 Series - Project Initiation and Construction Selection section of the <u>DAS/CS Library</u>. Failure to complete any of these forms in their entirety and/or provide the required supporting documentation may impact project approval. See <u>Appendix II</u> of this Manual for detailed workflows of the approval process for each type of Capital Project Initiation Request.

2.2.1 **EMERGENCY REPAIRS (<\$10,000)**

An Agency's Authorized Representative is permitted by DAS to perform emergency building repairs consisting of imminent life safety issues and continuity of operations (i.e. repair steam line, roof leak), or routine maintenance projects (e.g., annual start-up of boilers), for up to \$10,000 dollars without DAS's approval. A project is not considered to be an emergency repair if such project constitutes an alteration or addition to a facility.

The Agency shall maintain a log of all such projects and include the following information as part of the record log:

- Project Number,
- Project Name and Location,
- Consultant/Contractor/Supplier Name,
- Contract or Purchase Order (PO) Number,
- Percent of Project Completion,
- Final Project Cost, and
- Final Payment Date.

At the end of each quarter of the fiscal year (September 30th, December 31st, March 31st and June 30th), the Agency shall submit a copy of the Emergency Repairs Project Log, via email, to the Director of <u>CSS</u> with a copy to the Agency's assigned ADPM.

2.2.2 CAPITAL PROJECT INITIATION REQUEST – SMALL PROJECTS

An Agency may use either Form 1107 – Request to Utilize a State Contract for Time and Material Services, Form 1108 – Request for Bid (if applicable, see Section 2.1, paragraph 2 of this Manual), or Form 1105 – Capital Construction Project Request (see Section 2.2.4 below) to be considered for approval to self-administer a Capital Project, if total project costs are less than one hundred thousand dollars (\$100,000). Form 1107 may be used for projects where total project costs are greater than one hundred thousand dollars (\$100,000) but less than three hundred fifty thousand dollars (\$350,000), if the State specified contract allows for project costs in excess of \$100,000, provided Prevailing Wage Requirements (C.G.S. Sec. 31-53) and Performance and Payment Bond Requirements (C.G.S. Sec. 49-41) are met. Form 1107 should be used on those Projects for which an Agency is only seeking the services of a State Contractor to perform the Work.

Agencies shall use discretion to ensure that no "one" vendor is continually awarded Purchase Orders from either a State Contract for time and material services or through a bidding process. All efforts shall be made by the agency's facility managers to identify and notify qualified contractors and sub-contractors, for performing agency administered projects. An Agency may not divide a Project into multiple parts to avoid the provisions of this Manual or the Connecticut General Statutes.

2.2.2.1 State Contract for Time and Material Services

State Contracts can be used to purchase various goods and services on a time and materials basis to perform Work on an agency administered project. The most commonly used State Contract to perform Work on an agency administered project is the State Trade Labor Services Contract.

The Trade Labor Services Contract (TLSC) consists of small scope trade work, including all labor, equipment and materials to complete licensed, registered, and/or non-licensed services not otherwise covered under separate contracts.

Services provided under the TLSC Contract include the following trades:

- Commercial Air Conditioning and Ventilation Systems
- Commercial HVAC Control Systems
- Residential Air Conditioning and Ventilation Systems
- Residential HVAC Control Systems
- Boiler and Burner Services / Furnace Services
- Heating & Air Conditioning
- Carpenters
- General Laborer
- Restoration Services
- Duct Cleaning Services
- Glaziers
- Insulation Installer
- Locksmith Services
- Masonry Services
- Paperhangers

- Parking Lot, Driveway, Tennis Court & Athletic Track Repair and Resurfacing Services (Excluding any road work, and highway work)
- Roofing Services
- Sandblasting
- Drywall Installer and Finisher
- Siding
- Terrazzo, Tile And Marble Finishers
- Electricians (Commercial Buildings / High Voltage)
- Electricians: (Residential Buildings)
- General Contracting Services
- Painters
- Plumbers and Pipefitters
- Sprinkler Fitters
- Sheet Metal Workers
- Welding Services
- Window Cleaning Services
- Chain Link Fence Services
- Apprentice (All Trades)

For a complete listing of Trade Labor Service Contractors and a copy of the TLSC, please refer to the <u>DAS Construction Services - A Summary of Resources</u>, (https://portal.ct.gov / DAS / Services / For-Agencies-and-Municipalities / Resources-for-State-Building-Construction-Projects) and scroll down to Related Sources: Trade Labor Services Contract).

Other examples of State Contracts used to perform agency administered project work include: Purchase of Carpet and Resilient Flooring Products and Services; Environmental Services; Overhead Door Repairs; Security Video Surveillance, Access Control and Alarms Systems and Monitoring Services; and Bituminous Concrete Materials and Bridge Deck Membrane Waterproofing. For more information on these contracts, please refer to the State Contracting Portal Search Engine (https://biznet.ct.gov/SCP_Search/Default.aspx) where you can conduct a contract search by contract number, keyword or vendor name.

To request approval to self-administer a project utilizing a State Contract for time and material services, an Agency shall complete and submit Form 1107, inclusive of the following information and supporting documentation:

- a. Project Name and Location.
- b. Project Scope.
- c. Estimated Project Cost.
- d. Name of State Contract Vendor.
- e. State Contract #.
- f. Project funding sources.
- g. Client Agency PM and contact information.
- h. Unless otherwise specified in the subject Contract, three (3) written quotations, from pre-qualified State Contractors, when total project costs are in excess of \$10,000.

The Client Agency must select the vendor with the lowest hourly rate (assuming availability) for time and material work.

2.2.2.2 Bid Contract

To request approval to self-administer a project with total project costs less than \$100,000 and for which the Agency will be acquiring quotations or bids, the Agency shall submit Form 1108, inclusive of the following information:

- a. Project Name and Location
- b. Project Scope
- c. Estimated Project Cost
- d. Project funding sources
- e. Client Agency PM and contact information

When submitting Form 1108, the Authorized Agency Representative is certifying that three (3) written quotes will be obtained for the Work, or that the Work will be publicly bid; and that the contract will be awarded to the firm submitting the lowest responsible qualified quote or bid.

The Agency shall be required to maintain on file a copy of the written quotes, or the bid results and supporting bid documents, for future review by the State Auditors or DAS.

2.2.2.3 Approval Process for Capital Construction Project Form Letters

- 1. The Agency completes and submits the appropriate Capital Construction Project Request Form Letter (Form 1107 or Form 1108), via email, to the Director of <u>CSS</u> in Microsoft Word format using the most current template version of the Form.
- 2. CSS will forward the request to the Agency's assigned ADPM for review to approve or reject the request.
- 3. The ADPM will approve or reject the request and return the reviewed request to CSS for distribution to the Agency.
- 4. CSS will distribute the approved/rejected request to the Agency.

2.2.3 SPECIAL CONDITIONS PROJECTS

2.2.3.1 Request for Declaration of Emergency

An Agency may use **Form 1109 – Request for Declaration of Emergency** to request that a condition at a state facility or site be declared an emergency condition. Within the request, the agency may seek approval to self-administer the project should an emergency condition be declared. An emergency condition is a sudden, unexpected occurrence that poses a clear and imminent harm, requiring immediate action to prevent or mitigate the loss or impairment of life, health, or property; or is a condition that adversely impacts the operations of essential government services.

Under the provisions of C.G.S. 4b-52, subsection (c), the Commissioner of Administrative Services has the authority to declare that an emergency condition exists at any state facility or at the request of an Agency, declare that an emergency condition exists at any state facility, so that the Commissioner or, with the approval of the Commissioner, the Agency may restore facilities without inviting bids as required in subsection (b) of C.G.S. 4b-52.

In the event of an emergency, an Agency shall notify the DAS DC or the ADPM assigned to the Client Agency of the emergency condition (see <u>Appendix I</u> for Emergency Project Contact Information) and then complete and submit Form 1109 – Request for Declaration of

Emergency Status. Form 1109 must include the following information and supporting documentation:

- a. Agency Assigned Project Number (if applicable), Project Name, and Location.
- b. Statement of Emergency Condition.
- c. Project Scope.
- d. Estimated Project Cost.
- e. Project funding sources.
- Statement of Adverse Affect on Public Safety and/or Proper Conduct of Essential State Government Operations.
- g. Three (3) written quotations, when possible, from responsible qualified contractors for the work to be performed;
- h. Photo documentation of the emergency condition; and
- i. Any other pertinent documentation to support the need for the exception to invite bids.

2.2.3.2 Approval Process for Request for Declaration of Emergency

- 1. Agency submits, via email, a Request for Declaration of Emergency Status (**Form 1109**) to the DAS DC (with copy to ADPM assigned to the Agency and <u>CSS</u>).
- The ADPM assigned to the Agency will review the request and determine if the evidence provided is sufficient to justify emergency status.
 - a. If the evidence provided is insufficient to justify emergency status or requires clarification, the ADPM will coordinate with the Client Agency to resolve.
 - b. If the evidence provided is sufficient, the ADPM will make a recommendation to the Director of CSS for a Declaration of Emergency Status.
- 3. The Director of CSS or the Director of Legal Services will provide the Commissioner or his/her designee with a copy of the Form 1109 and supporting documentation submitted by the Client Agency and prepare a draft Declaration of Emergency for the Commissioner's or his/her designee's review and consideration. If total project cost for the emergency project are in excess of \$1.5 million, the Governor will need to consent to a waiver of the bid requirements and sign off on a Certification to Exception for Declared Emergency.
 - a. If the evidence submitted is determined sufficient to justify emergency status, the Commissioner, his/her designee, or if applicable, the Governor, will sign the Declaration or Certification and return to CSS for distribution to the Agency.
 - b. If the evidence submitted is determined insufficient to justify emergency status, a letter of denial will be drafted to the agency explaining the reason for denial with options on how to proceed with the project as a non-emergency.

2.2.3.3 Request for Hazardous Materials Assistance

DAS/CS manages the Statewide Hazardous Materials Abatement Program. Funds are made available through this program to support Agencies in need of Hazardous Materials Assistance for ongoing renovation and repair projects. In addition, DAS/CS provides Agencies access to its pre-qualified Environmental Consultants, Abatement Contractors, and assigned Hazardous Materials staff to assist in managing the Hazardous Materials Abatement Process.

Funding for this program is limited and certain restrictions apply. Funding shall be provided for most routine maintenance projects for which hazardous materials are suspected or discovered and for which abatement may be required. In such circumstances, an Agency need only submit a **Request for HazMat Assistance** to initiate the process.

Funding for abatement on larger Capital Projects which require a current hazardous materials

inspection report and inventory will only be considered if the situation is determined to be an emergency condition. In most circumstances, the Agency will be responsible for funding the abatement and will need to submit **Form 1105 – Capital Project Initiation Request** (See Section 2.2.4 – Capital Project Initiation Request) and include hazardous materials as part of the overall project scope and the cost for abatement in the Project Budget Detail.

For more information on the application and approval process for Hazardous Materials Assistance, contact the Offices of the Director of Construction Management.

2.2.4 CAPITAL PROJECT INITIATION REQUEST (FORM 1105)

If total project costs are less than \$100,000, an Agency has the option of submitting a Capital Project Initiation Request Form Letter (see <u>Section 2.2.2 – Capital Project Initiation Request – Small Projects</u>) or submitting a formal Capital Project Initiation Request application **(Form 1105)** to self-administer a Capital Project.

Form 1105 is required (unless an Agency is otherwise listed in <u>Section 2.1</u>, paragraph 2 of this Manual, or unless an Agency is otherwise utilizing a State Contract for Time and Material Services in accordance with <u>Section 2.2.2</u> of this Manual) if an Agency is seeking approval to self-administer a Capital Project where total project costs are greater than one hundred thousand dollars (\$100,000), but less than five hundred thousand dollars (\$500,000) or some greater amount if otherwise authorized by State Statute (see <u>Section 2.1 – General Requirements</u> for exceptions).

To be considered for approval to self-administer a Capital Project using Form 1105, an Agency must:

- 1. Demonstrate that it has the capability to assume responsibility for all phases of design and construction;
- 2. Certify that it will be compliant with applicable State Building, Fire, and Life Safety codes and statutes:
- 3. Certify that funds are in place to finance the project prior to the award of contracts; and
- 4. Certify that it will remain within its statutory budget limits to self-administer a Capital Project in accordance with state statute.
- 5. Administer the project in PMWeb, or such other project management software as determined by DAS.

2.2.4.1 Form 1105 Requirements

In addition, an Agency must provide the following information as part of the Form 1105 – Capital Project Initiation Request submission to be considered for approval:

- 1. **Administrative Information.** General project information; assistance requested from DAS/CS; agency staff contact information; project description and special requirements.
 - a. General project information includes the Agency name, Agency Head name and title, Project title and Project description.
 - b. An Agency may seek approval to self–administer a project with or without assistance from DAS/CS. DAS/CS offers the following services, for a fee, to assist Agency's in administering Capital Projects:
 - The selection of a professional consultant for design and/or construction administration services.
 - Project Management assistance during the Pre-Construction and Construction Phase of a Project.

- The amount of fee charged for such services is based on the services requested, project size and project scope. The minimum fee charged for any DAS/CS assistance is two thousand five hundred dollars (\$2,500.00).
- c. Client Agency Staff Contacts. Included among these contacts are the **Agency pm** assigned to oversee the project and the **Code Official** assigned to certify that the project is compliant with applicable State Building, Fire, and Life Safety codes and statutes.
 - If the Client Agency is not requesting DAS PM services and/or DAS Code Plan Review and Code Inspection Services, then it must identify its own qualified pm and/or Code Official to provide such services. Failure to provide this information will result in the rejection of the Capital Project Initiation Request.
- d. A narrative of the project objectives, a description of the project scope, and other administrative data.
- 2. **Project Justification of Need.** Response to a series of questions put forward to show Agency preparedness in planning a Capital Construction Project; the critical nature of the Project; and the cost benefit and/or stakeholder benefit to completing the Project.
- 3. Financial Information. Description of Project funding sources and Project Budget Detail.

2.2.4.2 Approval Process for Capital Project Initiation Request, Form 1105

- Agency completes and submits a DRAFT electronic copy of the most current version of Form 1105 to the ADPM assigned to the Agency to review the project scope and budget for feasibility.
 - a. If 1105 requires clarification, ADPM coordinates with the Client Agency to resolve.
 - b. If the subject project requires the abatement of hazardous materials and does not have a current hazardous materials inspection report and inventory, the Client Agency shall submit a Request for HazMat Assistance to initiate the inspection process. The resulting report will include a qualified estimate for abatement and monitoring to include in the Project Detail and Rolled-Up Budget of Form 1105.
- Upon finalization of the contents of the draft 1105 between the ADPM and the Client Agency, the ADPM notifies CSS of its recommendation for approval of the 1105 and notifies the Client Agency to obtain the signature of the Agency Head and thereafter formally submit Form 1105 to CSS for the Commissioner's or his/her designee's approval.
 - a. If the recommendation is to approve, and the Client Agency requires DAS/CS assistance in acquiring the services of an Architect, Engineer, Construction Administrator or other Consultant, the ADPM will forward its recommendation to CSS along with the name of the DAS PM that will be assigned to the project and a recommendation for the type of Consultant to be selected to perform the work.
- 3. The Commissioner or his/her designee takes into consideration the ADPM's recommendation and makes the final determination to approve or reject the project.
 - a. If rejected, the 1105 is returned to the Agency. The Agency may resubmit the request as a DAS/CS administered project or provide additional information to better demonstrate the Agency's ability to self-administer all phases of the project.
 - b. If approved, and no Consultant Services are required, the 1105 is returned to the Agency with a notice to proceed.
 - c. If approved, and the Client Agency requires DAS/CS assistance in acquiring the services of a Design Consultant or a Construction Administrator, the project will proceed to the Project Initiation Phase (see Section 2.3 Project Initiation Phase).

2.3 Project Initiation Phase

If the Agency requests design assistance as part of the Capital Project Initiation Request, and if the Agency is approved to self-administer such project, then DAS/CS will: 1) Request a Capital Project Number be assigned to the Project by the DAS Financial Unit; and 2) Initiate the project in PMWeb. If the Client Agency requires DAS/CS assistance in acquiring the services of a Consultant, DAS/CS will: 1) Request the Selection of an On-Call Consultant, to implement the project scope of work.

In addition, the following services will be provided by the assigned DAS PM for a fee:

- 1. The DAS PM will meet with the Agency to draft a Consultant Project Initiation Scope Meeting Agenda for use in the Scope Meeting with the Consultant.
- 2. The DAS PM will then schedule a Scope Meeting with the Agency and Consultant to review the project scope of work.
- 3. The DAS PM will conduct all fee negotiations with the Consultant in consultation with the Agency.
- 4. After the scope of work has been finalized, an agreement has been reached on the fees, and the proposal submitted by the Consultant has been accepted, the DAS PM will draft a task letter against the subject On-Call Contract for processing.
 - If the value of the task assignment is less than \$100,000, or if the cumulative total of all task letters with a consultant for the same project is less than \$100,000, the DAS PM will submit, after agency review and agency funding confirmation, the draft task letter and supporting documentation to CSS for review. If the task letter is acceptable and the appropriate back up included, the task letter will be forwarded to the Director of Legal Services for signature. Once signed by the Director of Legal Services, the letter will be forwarded to the Consultant for signature. Once signed by the Consultant, the letter will be stamped "Commission" and returned to the Consultant. The "Commission" letter serves as the Consultant's contract for the scope of work and the notice to proceed on the assignment.
 - If the value of the task assignment is greater than or equal to \$100,000, or if the cumulative total of all task letters with a consultant for the same project is greater than or equal to \$100,000, the DAS PM will submit the draft task letter and supporting documentation to the DAS/CS Legal Unit for review. If the task letter is acceptable and the appropriate back up included, the task letter will be submitted to the State Properties Review Board (SPRB), in accordance with C.G.S Section 4b-23(i), for review and approval. If approved by SPRB, the letter is forwarded to the Commissioner or his/her designee for signature. Once signed by the Commissioner or his/her designee, the letter will be forwarded to the Consultant for signature. Once signed by the Consultant, the letter will be stamped "Commission" and returned to the Consultant. The "Commission" letter serves as the Consultant's contract for the scope of work and the notice to proceed on the assignment.

2.4 Design Phase

If the Agency requests design assistance as part of the Capital Project Initiation Request, and if the Client Agency is approved to self-administer such project, then the Agency shall administer the Design Phase of the Consultant's contract in accordance with the applicable requirements of the most current version of the DAS Consultants Procedure Manual (Section 3.5.1 thru 3.5.3 – SD, DD, CD Phase). The Agency shall be responsible for maintaining all design phase records and documentation, and uploading said records and documentation to PMWeb, or such other project management software as determined by DAS.

Design Phase responsibilities, include but are not limited to the following:

- Design Phase Meetings: The Agency shall coordinate with the Consultant and be responsible for scheduling and coordination of all design phase meetings (after the Task Letter is written) and for the facilitation of the meetings with the Consultant and the Consultant's staff.
- Design Phase Submittal Reviews: The Agency is responsible for the review, verification and approval of all of the Consultant's submittals and deliverables to determine that they are in accordance with Consultant's contract and all of the applicable requirements of the DAS Consultants Procedure Manual.
- 3. **Drawing Information:** The Agency is responsible for the collection and review of all Design Phase drawings and ensuring each submission phase conforms to the standards set forth in Section 5.2 of the DAS Consultant Procedures Manual.
- 4. Code Plan Review and Inspections: The Agency must have a staff member with a current CT Building Code Official License (or have an alternate plan agreed to by DAS, such as the use of a CT licensed Code Consultant) to review all design phase project plans and specifications and to inspect the construction to determine that the construction will be in substantial compliance with applicable State of CT building/fire codes and statutes, and in conformance with the code requirement provisions of the DAS Consultants Procedure Manual.
 - If the Agency does not have a staff member that has a current CT Building Code Official's License or the use of a CT licensed Code Consultant to conduct the review of all design phase project plans and specifications and to perform construction inspections, then they must request DAS Code Plan Review and Code Inspection services as part of their Capital Project Initiation Request (Form 1105, Part I, Section 1.11).
- 5. **Equipment and System Standards:** If the Agency has equipment and system standards they must formally transmit these standards to the Consultant.
- 6. **Single Source Specifications:** If the Agency requests a single manufacturer it shall provide a written request to the DAS/CS Single Source Committee. For additional information on Single Source Specification Requirements, refer to the DAS Consultants Procedure Manual (Section 5.4, Single Source Specification).
- 7. **Construction Budget Review and Approval:** The Agency must review and approve the Consultant's construction estimate for compliance with the projects construction budget at end of each phase and/or prior to the beginning of the next project phase.

- 8. **General Requirements:** The Agency shall meet with the Consultant to coordinate the editing of the General Requirements for but not limited to the following:
 - Construction Staging Areas;
 - b. Project Phasing;
 - c. Site Access and Storage;
 - d. Construction Utility Access;
 - e. Identification of work done by other Contractors;
 - f. Security; and
 - g. Starting of Systems and System Commissioning.
- Consultants Project Progress Compliance: The Agency shall monitor the Consultant's project progress for compliance with the requirements of the Consultants Task Letter or Contract.
- Consultant Invoice Payments Approvals: The Agency shall pay all invoices for Consultant services.
- 11. Performance Evaluation of Consultant Services: The Agency shall complete and upload a copy of the Consultant Performance Evaluation (Form 3910) to PMWeb at the completion of the design and bid phase.
- 12. Certificate of Compliance for Agency Administered Projects: The Agency Authorized Representative and the A/E of Record must sign and maintain a copy of the Certificate of Compliance, Part I Pre-Construction Phase (Form 3150) certifying that the "described project has been designed in substantial compliance with requirements of the State of Connecticut Building Code and all other applicable codes as required by Chapter 541, General Statutes of Connecticut". A copy of the signed Certificate of Compliance shall be uploaded to PMWeb prior to proceeding to the Bid Phase.

2.5 Bid Phase

If the Agency requests design assistance as part of the Capital Project Initiation Request, and if the Client Agency is approved to self-administer such project, then the Agency shall administer the Bid Phase of the Consultant's contract in accordance with the applicable provisions of C.G.S., Section 4b-52, 4b-91 through 4b-102 or if utilizing a State Contract for Time and Material Services, the applicable provisions of said Contract and the applicable requirements of the most current version of the DAS Consultants Procedure Manual (Section 3.5.4, Bidding Phase). The Agency shall be responsible for maintaining all bid phase records and documentation. The DAS Bid Documents referenced throughout this section and more specifically outlined in Section 2.5.3 of this Manual can be obtained from the DAS Office of Policy and Procurement.

2.5.1 PRE-BID

The Agency is responsible for all Bid Phase responsibilities, including but not limited to the following pre-bid responsibilities:

 Affidavits. General Contractors are required to submit certain affidavits for Competitive Sealed Bids. When posting a Bid, the Client Agency shall include a list of the affidavit submittal requirements and provide web links to the required affidavits (see the <u>Affidavit</u>)

and Non-Discrimination Requirements for State Contracts in the DAS Procurement - Agency Procurement Manual (https://portal.ct.gov/DAS/Procurement/Contracting/DAS-Procurement-Agency-Procurement-Manual).

- Construction Cost Estimate/Contingency. The Client Agency must receive a signed Consultant Bid Data Statement (Form 6005) that verifies the Construction Cost Estimate. The Client Agency must confirm that the total project cost does not exceed the statutory limitations for Client Agency Administered Projects.
- Supplemental Bids. DAS prohibits Client Agency Administered Bids from including any Supplemental Bids without prior approval, in writing, from DAS as to format, content and sequencing.
- 4. **Pre-Qualification Process.** As applicable, the Client Agency must integrate the requirements of the <u>DAS Construction Contractor Pre-Qualification Program</u> (https://portal.ct.gov/DAS/Procurement/PreQual/DAS-Construction-Contractor-Prequalification-Program) into the Bidding Documents.
- Funds. DAS prohibits the advertisement of Client Agency Administered Bids until all necessary project funds have been obtained. Source of funds must be identified and verified to DAS at the time of bidding.
- 6. **Building and Fire Code Inspections.** See Section 2.4 of this Manual, line item 3 Code Plan Review and Inspections.
- 7. **Bid Process Administration.** The Client Agency must bid the project in accordance with its own procurement rules and be responsible for all of the Bid Phase administration costs and responsibilities including but not limited to the following:
 - a. **Pre-Bid Conference.** The Client Agency must coordinate and facilitate a Pre-bid Conference(s);
 - b. **Advertisements and Document Printing.** The Client Agency is responsible for all bid costs such as Advertisement and Document Printing.
 - c. Bid Proposal Reviews. The Client Agency is responsible for the review of Bid Proposals, for conformance with the requirements with the Notice to Bidders and all the bid requirements such as Contractor/Subcontractor Qualifications, Affidavits, Named Subcontract Agreements, CHRO Regulations, Bonds, Insurance, etc.
 - d. **Contract Signing.** The Client Agency is responsible for preparation and execution of the contract with the contractor, and ensuring that the Contract Documents address all statutory and Office of Attorney General requirements.

2.5.2 BID

During the Bid Phase, the Client Agency shall:

- 1. **Client Agency Bid Forms.** Bidding forms shall be in compliance with DAS's Standard Bid Procedure.
- 2. **Bid Information.** Review Bid Documents to be sure all bidders are receiving the same bidding information and that all bidders are being treated fairly and in an ethical manner.
- 3. **Invitation to Bid.** Specify the date and time of the Pre-bid Conference and of the Bid Opening in the Invitation to bid.

- 4. **Bid Opening.** Assure that all Bid Proposals have the receipt date and time recorded and initialed.
- 5. Public Opening. Open all bids in a public setting with at least one witness present.
- 6. **Bid Bond.** Confirm that a Bid Bond is submitted in conformance with current State Statute for projects that exceed \$100,000 dollars.
- 7. **Contract Award Delay.** Insure and confirm that the Invitation to Bid states that the contractor is required to hold their bid price for ninety (90) days.
- 8. **Bid Extension.** In the event that the contract award is delayed beyond the ninety (90) days, then the Client Agency must obtain written confirmation from the contractor agreeing to extend their bid without change of terms or conditions.
- Contractor Pre-Qualification Criteria. Use the <u>DAS Construction Contractor Pre-Qualification Program</u> for projects with total costs greater than Five Hundred Thousand Dollars (\$500,000). The Contractor must be pre-qualified in the classification of the work the bid requires. The classification must be included in the Invitation to Bid.

The following Documents must be included in bid packages sent to all potential bidders, for projects that are under \$500,000 dollars:

- Bid Form. A Client Agency can utilize the Request for Quotation (<u>Form STO-93</u>) for projects with total costs less than \$100,000.
- 2. **Instructions to Bidders.** Minority Bidders requirements must be part of the Instructions to Bidders Form (See <u>CHRO Web Portal / Contract Compliance</u> / Contract Compliance Forms Notification to Bidders/Contract Compliance Monitoring Form).
- Minority Workforce Utilization Report. The Minority Workforce Utilization Report shall be used for projects with total project costs exceeding \$500,000 (see <u>CHRO Web Portal / Contract Compliance</u> / Contract Compliance Forms – Minority Workforce Utilization Report).
- 4. **General Conditions.** See the <u>DAS/CS Library</u>, 5000 Series General Conditions and General Requirements.
- 5. Certificate of Insurance. A Certificate of Insurance is required for all projects involving labor and material prior to the commencement of work, and shall cover Public Liability and Workers' Compensation, and include Surety Bonds to cover performance, labor and materials. The Client Agency administering the project is responsible for keeping a record of the bonds and for obtaining a Consent of Surety to release the bonds upon 100% completion of the project.
- 6. **Standard Bid Bond.** A Standard Bid Bond is required for projects with total cost in excess of \$100,000 dollars.
- 7. Prevailing Wage Rates. Prevailing Wage Certifications C.G.S., Section 31-53(g) requires contractors to pay prevailing wages as published by the State Labor Commissioner for new construction of a public works project with project costs greater than \$1,000,000 and for renovation of a public works project with project costs greater than \$100,000.
- 8. **Formal Advertisement of Bid Notices.** All bids, regardless of size, must be posted on DAS web site. The goal is to obtain a minimum of three (3) competitive bids; therefore as many potential bidders as possible should be notified of the bidding of a project.

2.5.3 BID DOCUMENTS

The following DAS Bid Documents are recommended for all bid packages and are to be utilized as applicable for the specific bid.

NO. 2004	UPDATED SECTION TITLE
00 11 16	Invitation to Bid
00 40 13	Bid Proposal Form
00 43 16	Standard Bid Bond Form
00 43 24	Special Unit Prices
00 45 14	General Contractor Bidder's Qualification Statement
00 45 17	Subcontractor Bidder's Qualification Statement
00 45 15	Objective Criteria for Evaluating Qualifications of Bidders
00 52 73	Subcontract Agreement Form
00 21 19	Notice to Bidders
00 73 44	Prevailing Wage Rates/Contractor's Wage Certification/Payroll Certification
00 62 16	Certificate of Insurance Form
00 73 27	Set-Aside Contractor Schedule
00 52 03	Contract Form
00 73 38	CHRO/Contract Compliance Regulations
00 72 00	General Conditions of the Contract for Construction
00 73 00	Supplementary Conditions
00 92 00	Amendments

2.5.4 MINORITY & SMALL BUSINESS SET ASIDE PROGRAM

Construction contracts valued up to \$500,000 shall be offered first to contractors that are registered with the DAS Minority & Small Business Set-Aside Program.

If total project costs are less than \$95,000, at least two (2) bids must be received before a contract can be awarded. If greater than \$95,000, at least three (3) bids must be received before a contract can be awarded.

If, after a good faith effort to reach a sufficient number of potential set-aside bidders, only one bid is received, the agency may:

a. Re-bid the project, including non-set-aside contractors.

A minimum of 6.25 percent (6.25%) of each contract awarded to a Small Business Enterprise shall be reserved for Minority Business Enterprises (MBE) and/or Women Business Enterprises (WBE).

2.6 Construction Phase

If the Agency requests design assistance as part of the Capital Project Initiation Request, and if the Client Agency is approved to self-administer such project, then the Agency shall administer the Construction Phase of the Consultant's contract in accordance with the applicable requirements of the most current version of the DAS Consultants Procedure Manual (Section 5.0) and shall be responsible for maintaining complete, clear and accurate records relating to the performance of the Work, including but not limited to: 1) Contract Documents and records relative to changes in the Work; 2) a record of project files and progress reports required to track, monitor, and administer the Contract Documents; and 3) a record of the Constructor's applications for payment. The Agency shall be responsible for maintaining all Construction Phase records and uploading said records to PMWeb, or such other project management software as determined by DAS.

Construction Phase responsibilities, include but are not limited to the following:

- Attendance at Job Meetings. The PM assigned by the Agency to oversee an Agency Administered project and, if applicable, Construction Administrator assigned to the project shall coordinate and attend job meetings to assess the progress of the Work and to make certain the Work is performed in accordance with the Task Letter and Contract Documents.
- 2. Review and Approval of Submittals. Submittals consist of all drawings, diagrams, illustrations, schedules, cost estimates, catalog cuts; product data, warranties and samples; and other data or information which are specifically prepared by or for the Contractor and submitted by the Contractor to illustrate some portion of the Work. The PM assigned by the Agency to oversee the project shall coordinate with the A/E for the review and approval shop drawings for conformance with the Task Letter and Contract Documents.
- 3. **Review and Approval of RFI's.** Review RFI's and make certain the responses are prompt and in conformance with the Task Letter and Contract Documents.
- 4. **Review and approval of Change Orders.** Review Change Orders and assess impact on project schedule. Insure requests for change are in conformance with the Task Letter and Contract Documents. A Client Agency may never exceed the authorized construction amount via change order without the approval of DAS.
- 5. Acquisition of Applicable Permits and Certificates. The Agency is responsible for obtaining all applicable permits and approvals from the Department of Health Services, Department of Environmental Protection, Department of Transportation and the State Traffic Commission and in the case of demolition, the Municipality, and is responsible for certifying that the construction will be in substantial compliance with applicable State of CT building/fire codes and statutes, and in conformance with the code requirement provisions of the DAS Consultants Procedure Manual.
- 6. Coordination of Special Inspections. The PM assigned by the Agency to oversee an Agency Administered project shall be responsible for coordinating all of the inspections leading up to the issuance of a Certificate of Occupancy. These inspections include but are not limited to all special inspections required pursuant to the Contract Documents, and other tests and inspections required by the Office of the State Building Inspector

(OSBI), the Office of the State Fire Marshal (OSFM), Public Health (DPH), Energy and Environmental Protection (DEEP), and other Federal or local government agency inspections (see Form 3030 – Checklist for Permits, Certifications, and Approvals).

- 7. **Approval of Substantial Completion.** The Agency is responsible for certifying that the Work performed is in conformance with the Contract Documents and was reviewed and found, in accordance with the General Conditions of the Contract for Construction of Design-Bid-Build, Article 30 Completion and Acceptance, to be substantially complete to the best knowledge of the Construction Administrator (CA), Consultant, and Agency.
- 8. Review and Approval of Contractor's Payment. The PM assigned by the Agency to oversee an Agency Administered project shall collect and review certified payrolls for completeness and accuracy. If total project cost exceeds \$100,000, the Agency is required to maintain a copy of each approved invoice in its project files. If total project cost exceeds \$500,000, the Agency is required to maintain a copy of each approved invoice and maintain a copy of a Lien Waiver from each prime subcontractor on all contractor payment requisitions.
- Approval of Reductions in Retainage. The PM assigned by the Agency to oversee an Agency Administered project shall review and if appropriate, make reductions in project Retainage relative to progress made toward final closeout.
- 10. Approval of Architects requests for Payment.
- 11. Records Retention: The Client Agency shall retain project records in conformance with State Statute and the most current version of the Construction Services Records Retention Schedule (see CT State Library – General Records Retention Schedules for State Agencies at https://ctstatelibrary.org/publicrecords/general-schedules-state).
- 12. Coordination and Administration of Closeout Procedures and Final Closeout (see Section 2.7 Project Closeout below).

2.7 Project Closeout Phase

All Capital Construction Projects are subject to construction closeout procedures in accordance with Connecticut General Statutes.

The closeout procedures for an Agency Administered project are as follows:

To closeout an AA project with total project costs less than one hundred thousand dollars (\$100,000), or for which approval of such project was obtained through the submission of Form 1107 – Request to Utilize a State Trade Contractor, Form 1108 – Request to Bid, or Form 1109 – Request for Emergency Declaration, the Agency shall submit, via email, the following documentation to the Director of <u>CSS</u> at project completion:

 A Certificate of Compliance (Form 7150) signed by an authorized representative of the Agency, the project Architect/Engineer, and the project Contractor is required if the scope of work for said project includes the construction, repair, alteration or addition to any state building or any other public works of the state.

To closeout an AA project with total project costs greater than or equal to one hundred thousand dollars (\$100,000) and for which approval for such project was obtained by submission of Form 1105 – Capital Project Initiation Request, the Agency will need to submit the following at project completion:

- Form 7989, Agency Administered Project Project Closeout Report, inclusive of the following:
 - a. Part I Agency Information.
 - b. Part II Project Information.
 - If the project scope of work only consists of a study or investigation, and does not
 include the construction, repair, alteration or addition to a state building or other
 public works of the state, the "Construction Start Date" and "Acceptance Date"
 may be marked as not applicable (N/A), and the "Final Project Cost" would be
 equal to the cost of services and deliverables provided by the project
 Consultant(s).
 - c. Part III Consultant/Contractor/Supplier Information.
 - d. Project Closeout Documentation if the project scope of work includes the construction, repair, alteration or addition to any state building or any other public works of the state, then the following documents must be submitted as appendices to Form 7989 for the Agency to meet its statutory and DAS requirements for an AA Project.
 - A Certificate of Compliance (Form 7150) signed by an authorized representative
 of the Client Agency, the project Architect/Engineer, and the project Contractor is
 required if the scope of work for said project includes the construction, repair,
 alteration or addition to any state building or any other public works of the state;
 - A **Certificate of Acceptance** (Form 7820) is required if a Certificate of Substantial Completion was issued on the subject Project;
 - A **Consultant Performance Evaluation** (Form 7910) is required if a Consultant has been hired to perform work on a Capital Project that is funded, in whole or in part, by state funds; and
 - A **Contractor Performance Evaluation** (Form 745) is required if the building project is funded, in whole or in part, by state funds.
 - Archival Data for Project Documents (Form 7995) shall be completed by the Client Agency PM at project completion and shall include the final submission of documents by the primary contractor. These documents shall be submitted to the Chief Architect via email at <u>DAS.Technical.Review@ct.gov</u>.

The Agency must upload all closeout documentation to PMWeb or such other project management software as determined by DAS, within thirty (30) days of project completion for those AA projects with total project costs greater than or equal to one hundred thousand dollars (\$100,000) and for which approval for such project was obtained by submission of Form 1105 – Capital Project Initiation Request. The Agency shall notify, via e-mail, the Director of CSS once the project closeout documentation has been uploaded to PMWeb.

2.8 Suspension/Reactivation/Termination of an On-Call Task Assignment

Pursuant to the terms and conditions of a DAS On-Call Contract, only the Commissioner of the DAS, or his/her designee, has the authority to suspend (see Section <u>2.8.1 - Suspension of an On-Call Task Assignment</u>) or terminate (see <u>Section 2.8.3 - Termination of an On-Call Task Assignment</u>) an On-Call Contract or Task Assignment.

The Commissioner also has the authority to reactivate (see Section <u>2.8.2 – Reactivation of an On-Call Task Assignment</u>) Consultant services, in whole or in part, for any assigned work under an On-Call Contract that was previously suspended.

Should On-Call Consultant Services be suspended and it has been determined subsequently that such services will not be reactivated, or it has otherwise been determined that the Consultant is unwilling or unable to complete the services of an On-Call Task Assignment after the assignment has been suspended, then the Client Agency will need to file a formal request to terminate the On-Call Task Assignment (see Section 2.8.3 — Termination of an On-Call Task Assignment).

2.8.1 Suspension of an On-Call Task Assignment

The suspension of an On-Call Task Assignment means that all services to be performed by the Consultant, under the terms and conditions of said Assignment, are suspended indefinitely. Should the Client Agency wish to reactivate the services of the Consultant for any assigned work under an On-Call Contract that was previously suspended, the Client Agency shall complete a Request for Reactivation of an On-Call Task Assignment (see Section 2.8.2 of this Manual).

If the services of an On-Call Consultant are suspended, the Consultant is entitled to:

 Reasonable compensation for services provided prior to the effective date of the suspension of work.

If the services of an On-Call Consultant are suspended, the Agency is entitled to:

All finished and unfinished documents prepared pursuant to the Contract.

The process to suspend an On-Call Consultant Task Assignment is as follows:

- The Agency submits Form 7985 Request for Suspension of On-Call Task Assignment to the DAS PM assigned to the project with copy, via e-mail, to the Director of <u>CSS</u>.
- 2. CSS will draft a Notice for Suspension, based on the request, for the Commissioner's or his/her designee's signature.
- 3. The signed Notice for Suspension will be distributed to the effected Consultant with copy to the Agency, DAS PM and DAS ADPM.

2.8.2 Reactivation of an On-call Task Assignment

The Commissioner has the authority to reactivate Consultant services, in whole or in part, for any assigned work under an On-Call Contract that was subsequently suspended.

The process to reactivate an On-Call Consultant Task Assignment is as follows:

 The Agency submits Form 7986 – Request for Reactivation of an On-Call Task Assignment to the DAS PM assigned to the project with copy, via e-mail, to the Director of CSS.

- 2. CSS will draft a Notice to Reactivate the On-Call Task Assignment, based on the request, for the Commissioner's or his/her designee's signature.
- 3. The signed Notice to Reactivate the assignment will then be distributed to the effected Consultant with copy to the Agency, the assigned DAS PM, and the DAS ADPM.
 - If reactivation occurs within one (1) year from the time the work was suspended, and
 the Consultant is willing and able to complete the assignment, any fees paid to the
 Consultant prior to suspension shall be applied toward the completion of the
 assignment.
 - If reactivation occurs more than one (1) year after the effective suspension date, the
 Consultant and the State may renegotiate the fees for the work based on current
 conditions or either may elect to terminate the remaining work under the task
 assignment.
- 4. If the Consultant is willing to complete the services of the On-Call Task Assignment, the Consultant is to notify the DAS PM and request a meeting to discuss the scope of work and fee schedule to complete the assignment.
- 5. If the Consultant is unwilling or unable to complete the services of the On-Call Task Assignment, the Consultant is to turnover to the property of the State any remaining finished or unfinished documents prepared per the Contract for its use.

2.8.3 Termination of an On-call Task Assignment

The termination of an On-Call Task Assignment means that all services to be performed by the Consultant, under the terms and conditions of said Assignment, are to permanently cease.

If the services of an On-Call Consultant are terminated, the Consultant is entitled to:

 Reasonable compensation for services already satisfactorily performed and accepted under the Contract, but no amount shall be allowed for anticipated profit on unperformed services.

If the services of an On-Call Consultant are suspended, the Agency is entitled to:

 All data, drawings, specifications, reports, estimates, summaries, and all other information and materials that may have been accumulated by the Consultant in performing its duties under the Contract.

In accordance with the subject On-Call Contract, the Consultant may be terminated for cause or for convenience. If the Agency is considering termination for cause, please contact the Director of CSS at (860) 713-5740. If the Agency plans to terminate for convenience, please proceed as follows:

The process to terminate an On-Call Consultant Task Assignment is as follows:

- 1. Submit Form 7987 Request for Termination of On-Call Task Assignment to the assigned DAS PM with copy, via e-mail, to the Director of <u>CSS</u>.
- 2. CSS will draft a Notice for Termination, based on the request, for the Commissioner's or his/her designee's signature.

The signed Notice for Termination will then be distributed to the effected Consultant with copy to the Agency, the assigned DAS PM, and the DAS ADPM.

DAS 10/31/19

Reference Documents 0500 – Agency Administered Projects Manual

3.0 RI	EFERE	ERENCE DOCUMENTS			
	3.1	Project	Manuals	& Guidelines (0000 Series)	
		DAS Consultants Procedure Manual			
		DAS Selection & Bidding Manual			
_	3.2	<u>Project</u>	Initiation	and Consultant Selection (1000 Series)	
		Form	1105	Capital Project Initiation Request	
		Form	1107	Capital Project Initiation Request – State Contract for Time and Material Services	
		Form	1108	Capital Project Initiation Request – Bid Contract	
		Form	1109	Request for Declaration of Emergency	
	3.2	<u>Design</u>	Phase Fo	rms (3000 Series)	
		Form	3030	Checklist for Permits, Certifications & Approvals	
		Form	3150	Certificate of Compliance, Part I	
		Form	3910	Consultant Performance Evaluation - Design Phase	
	3.3	Bid Pha	ase Forms	s (6000 Series)	
		Form	6005	Consultant Bid Statement	
		Form	6030	Bid Addendum	
		Form	6035	Bid Addendum Transmittal	
	3.4	Construction Phase Forms (7000 Series)			
		Form	745	Contractor Performance Evaluation	
		Form	7150	Certificate of Compliance	
		Form	7810	Certificate of Substantial Completion	
		Form	7820	Certificate of Acceptance	
		Form	7910	Consultant Performance Evaluation - Construction Phase	
		Form	7985	Request for Suspension of Task Assignment	
		Form	7986	Request for Reactivation of Task Assignment	
		Form	7987	Request for Termination of Task Assignment	
		Form	7988	Notice of Project Cancellation	
		Form	7889	Agency Administered Project Closeout Report	

Appendix I – Emergency Project Contact Information

Emergency Project Contact Information

In the event of Emergency, the Client Agency shall Contact the DAS DC, his Executive Assistant, or the ADPM assigned to the Client Agency with notification of such Emergency. Please see below for Emergency Project contact information.

a. Deputy Commissioner, Noel G. Petra: (860) 713-5858, Noel.Petra@ct.gov

b. Christopher Lonardo: (860) 713-5071, christopher.lonardo@ct.gov

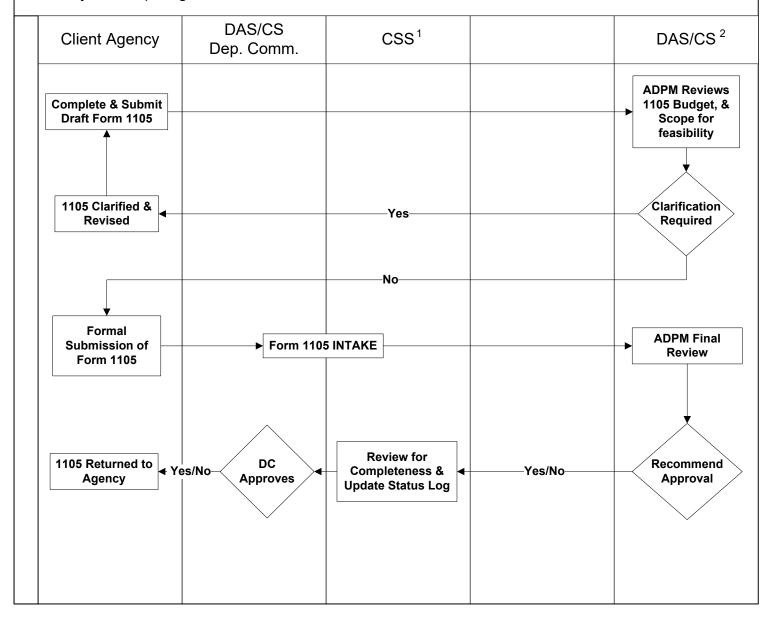
c. Peter McClure: (860) 713-5715, Peter.McClure@ct.gov

d. Peter Simmons: (860) 713-5636, Peter.Simmons@ct.gov

Appendix II – Capital Project Initiation Request Workflows

Capital Project Initiation Request Workflow – Form 1105

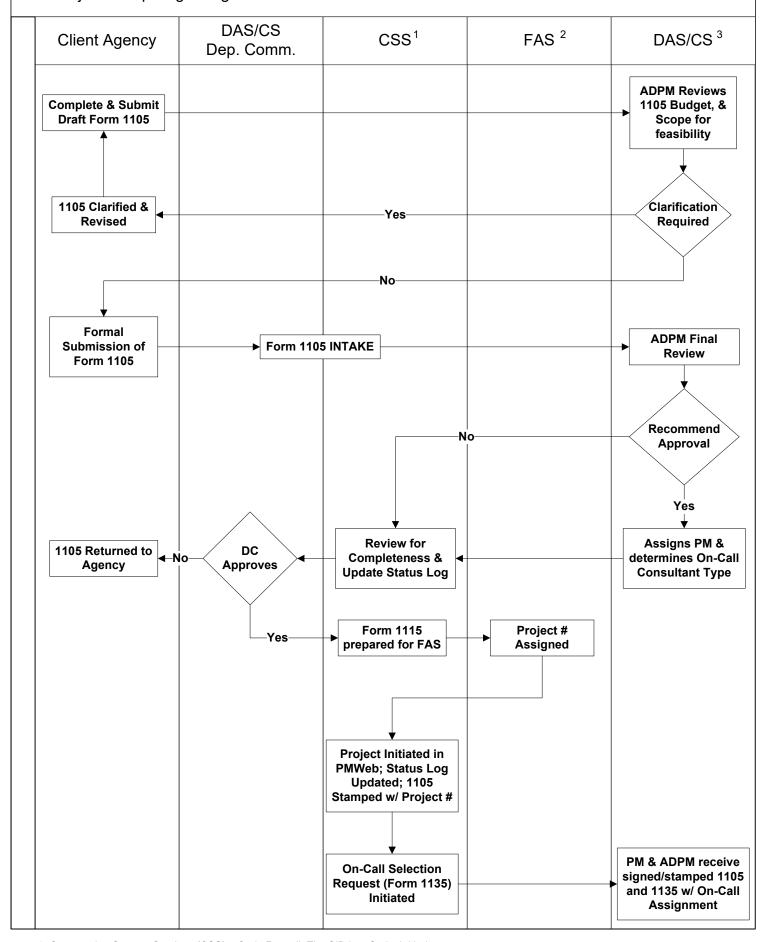
- AA Projects Requiring No Consultant Assistance



- 1. Construction Support Services (CSS) Craig Russell, Tim O'Brien, Sudesh Harbaran.
- 2. DAS/CS: Assistant Director of Project Management (ADPM), Project Manager (PM), Associate Project Managers (APM).

Capital Project Initiation Request Workflow - Form 1105

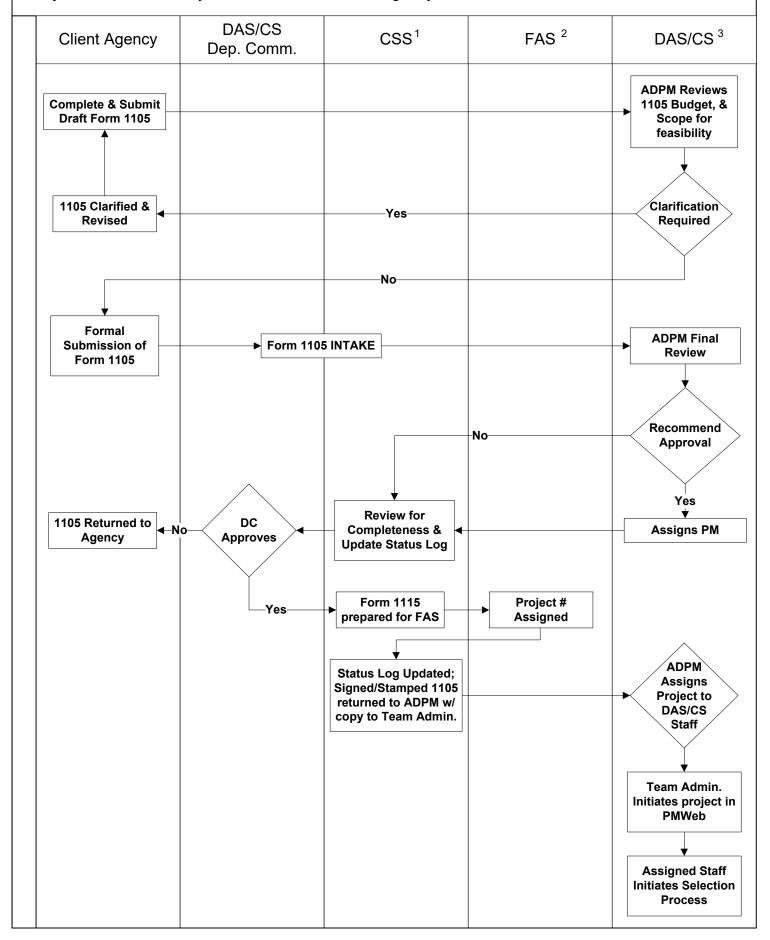
- AA Projects Requiring Design Assistance



- 1. Construction Support Services (CSS) Craig Russell, Tim O'Brien, Sudesh Harbaran.
- 2. Financial Administrative Services (FAS) Glenn Knapsack.
- 3. DAS/CS: Assistant Director of Project Management (ADPM), Project Manager (PM), Associate Project Managers (APM).

Capital Project Initiation Request Workflow – Form 1105

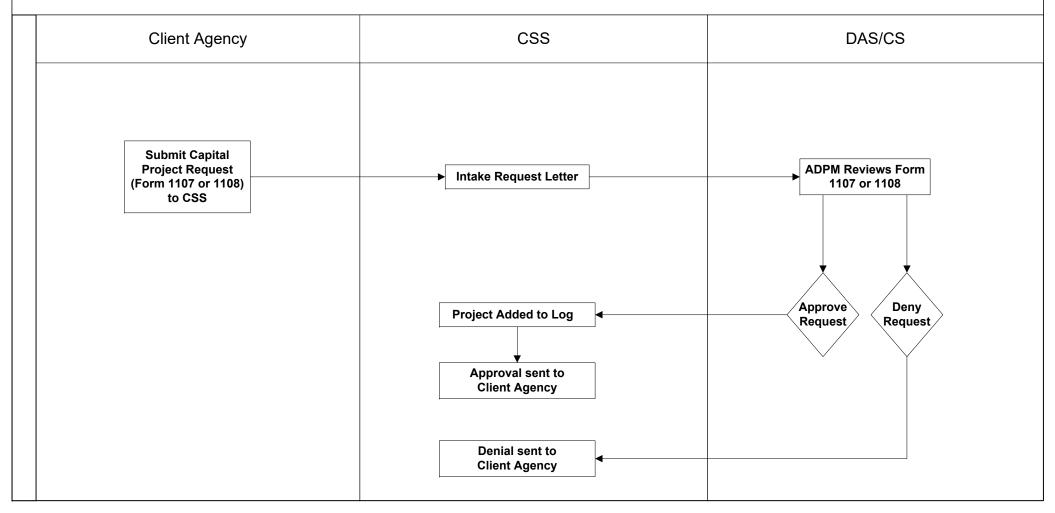
- Projects Administered by DAS on behalf of Client Agency



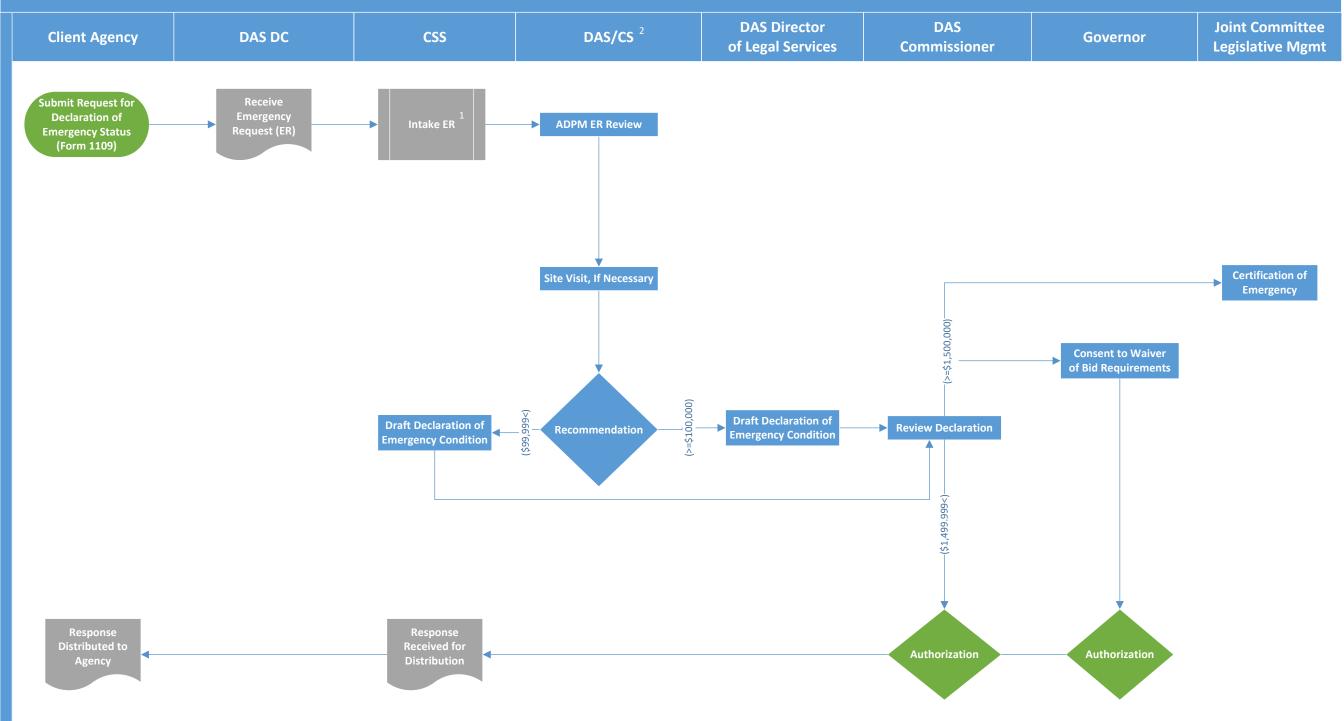
- 1. Construction Support Services (CSS) Craig Russell, Tim O'Brien, Sudesh Harbaran.
- 2. Financial Administrative Services (FAS) Glenn Knapsack.
- 3. DAS/CS: Assistant Director of Project Management (ADPM), Project Manager (PM), Associate Project Managers (APM).

Capital Project Initiation Request Workflow – Form 1107 & Form 1108

- Small AA Projects (State Contract for Time and Material Services or Bid)



Request for Declaration of Emergency Workflow – Form 1109



- 1. Construction Support Services (CSS) Craig Russell, Tim O'Brien, Sudesh Harbaran.
- 2. DAS/CS: Assistant Director of Project Management (ADPM)