

**MICHIGAN STATE  
UNIVERSITY**

ELECTRONIC BIDDING ~~PROTOTYPE~~ (May 12, 2017)

MSU BASE CONTRACTORS ONLY  
SPECIFICATION FOR

[Project Title]

PROJECT NUMBER

[Project Number]

[Drawing Date]

AT

**MICHIGAN STATE UNIVERSITY  
EAST LANSING, MICHIGAN**

Infrastructure Planning and Facilities  
Planning, Design and Construction

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## TABLE OF CONTENTS

### ADVERTISEMENT FOR BIDS

### INSTRUCTIONS TO BIDDERS

**CONTRACT AND GENERAL CONDITIONS** [ConsensusDocs 200 – Standard Agreement and General Conditions between Owner and Constructor.](#)

### ~~PROPOSAL FOR GENERAL CONSTRUCTION~~

### PREVAILING WAGE RATES AND GENERAL INFORMATION REGARDING FRINGE BENEFITS

The following project documents are available at the MSU Capital Project Delivery Procedures website:  
<http://procedures.ipf.msu.edu/index.cfm/capital-project-delivery-procedures/>

[CONTRACTOR'S AFFIDAVIT, WAIVER OF LIEN AND WAGE STATEMENT](#)  
[MBE WBE VERIFICATION FORM](#)  
[GUARANTEES](#)  
[CHANGE ORDER QUOTATION FORMAT](#)  
[CERTIFICATE OF INSURANCE FOR PURCHASE ORDER PROJECTS](#)

### DIVISION 01 - GENERAL REQUIREMENTS

- 011000 SUMMARY
- 012000 PRICE AND PAYMENT PROCEDURES ATTACHMENTS
- 013000 ADMINISTRATIVE REQUIREMENTS
- 014000 QUALITY REQUIREMENTS
- 015000 TEMPORARY FACILITIES AND CONTROLS
- 016000 PRODUCT REQUIREMENTS
- 017000 EXECUTION REQUIREMENTS

### TECHNICAL SPECIFICATIONS

### DIVISION 02 - EXISTING CONDITIONS

- 024113 SITE DEMOLITION
- 024200 CONSTRUCTION WASTE MANAGEMENT FOR MINOR AND MAJOR PROJECTS
- 024210 CONSTRUCTION WASTE MANAGEMENT FOR PURCHASE ORDER PROJECTS

### DIVISION 03 - CONCRETE

- 030101 MAINTENANCE OF CONCRETE FOR STEAM UTILITY DISTRIBUTION
- 031115 CONCRETE FORMWORK FOR STEAM UTILITY DISTRIBUTION

- 031515 CONCRETE ACCESSORIES
- 032015 CONCRETE REINFORCEMENT FOR STEAM UTILITY DISTRIBUTION
- 032116 EPOXY-COATED REINFORCEMENT FOR STEAM UTILITY DISTRIBUTION
- 033015 CONCRETE FOR BUILDING CONSTRUCTION
- 033020 CAST-IN-PLACE CONCRETE FOR STEAM UTILITY DISTRIBUTION
- 034140 PRECAST CONCRETE TUNNEL
- 036000 GROUTING

**DIVISION 04 - MASONRY**

- 042000 UNIT MASONRY
- 044000 STONE ASSEMBLIES

**DIVISION 05 - METALS**

- 050513 METAL FINISHES
- 051200 STRUCTURAL STEEL FRAMING
- 052100 STEEL JOIST FRAMING
- 053000 METAL DECKING
- 055000 METAL FABRICATIONS
- 055015 METAL FABRICATIONS FOR STEAM UTILITY DISTRIBUTION
- 055213 PIPE AND TUBE RAILINGS

**DIVISION 06 - WOODS PLASTICS AND COMPOSITES**

- 061316 WOOD POST FRAME BUILDINGS

**DIVISION 07 - THERMAL AND MOISTURE PROTECTION**

- 071015 WATERPROOFING FOR STEAM UTILITY DISTRIBUTION
- 071326 SELF-ADHERING SHEET WATERPROOFING
- 071416 COLD FLUID-APPLIED WATERPROOFING
- 071619 METAL OXIDE WATERPROOFING
- 072100 THERMAL INSULATION
- 075116 BUILT-UP COAL TAR ROOFING

- 075500 PROTECTED MEMBRANE ROOFING
- 076200 SHEET METAL FLASHING AND TRIM
- 079200 JOINT SEALANTS

**DIVISION 08 - OPENINGS**

- 081113 HOLLOW METAL DOORS AND FRAMES
- 081416 FLUSH WOOD DOORS
- 083113 ACCESS DOORS AND FRAMES
- 083613 SECTIONAL DOORS
- 084113 ALUMINUM-FRAMED ENTRANCES AND STOREFRONTS
- 084229 AUTOMATIC ENTRANCES
- 085113 ALUMINUM WINDOWS
- 087100 DOOR HARDWARE
- 088000 GLAZING

**DIVISION 09 - FINISHES**

- 092400 PORTLAND CEMENT PLASTER
- 092613 GYPSUM VENEER PLASTERING
- 093013 CERAMIC TILING
- 093400 WATERPROOFING-MEMBRANE TILING
- 095113 ACOUSTICAL PANEL CEILINGS
- 096519 RESILIENT TILE FLOORING
- 096600 TERRAZZO FLOORING
- 096800 CARPETING
- 097200 WALL COVERINGS
- 099113 EXTERIOR PAINTING
- 099123 INTERIOR PAINTING

**DIVISION 10 - SPECIALTIES**

- 101100 VISUAL DISPLAY SURFACES

- 101400 SIGNAGE
- 102113 TOILET COMPARTMENTS
- 102810 TOILET AND BATH ACCESSORIES
- 104400 FIRE-PROTECTION SPECIALTIES
- 105500 POSTAL SPECIALTIES
- 107500 FLAGPOLES

**DIVISION 11 - EQUIPMENT**

- 111200 PARKING CONTROL EQUIPMENT
- 115313 LABORATORY FUME HOODS

**DIVISION 12 - FURNISHINGS**

- 123110 METAL LABORATORY CASEWORK
- 123210 WOOD LABORATORY CASEWORK
- 123410 PLASTIC LAMINATE LABORATORY CASEWORK

**DIVISION 14- CONVEYING EQUIPMENT**

- 142100 ELECTRIC TRACTION ELEVATORS
- 142400 HYDRAULIC ELEVATORS

**DIVISION 21 - FIRE SUPPRESSION**

- 210500 COMMON WORK RESULTS FOR FIRE SUPPRESSION
- 210513 COMMON MOTOR REQUIREMENTS FOR FIRE-SUPPRESSION EQUIPMENT
- 210548 VIBRATION CONTROLS FOR FIRE-SUPPRESSION PIPING AND EQUIPMENT
- 211200 FIRE-SUPPRESSION STANDPIPES
- 211313 WET-PIPE SPRINKLER SYSTEMS
- 213113 ELECTRIC-DRIVE, CENTRIFUGAL FIRE PUMPS

**DIVISION 22 - PLUMBING**

- 220500 COMMON WORK RESULTS FOR PLUMBING
- 220513 COMMON MOTOR REQUIREMENTS FOR PLUMBING EQUIPMENT
- 220519 METERS AND GAGES FOR PLUMBING

- 220523 GENERAL DUTY VALVES FOR PLUMBING
- 220529 HANGERS AND SUPPORTS FOR PLUMBING PIPING AND EQUIPMENT
- 220548 VIBRATION CONTROLS FOR PLUMBING PIPING AND EQUIPMENT
- 220553 IDENTIFICATION FOR PLUMBING PIPING AND EQUIPMENT
- 220700 PLUMBING INSULATION
- 221116 DOMESTIC WATER PIPING
- 221119 DOMESTIC WATER PIPING SPECIALTIES
- 221123 DOMESTIC WATER PUMPS
- 221316 SANITARY WASTE AND VENT PIPING
- 221319 SANITARY WASTE PIPING SPECIALTIES
- 221353 FACILITY SEPTIC SYSTEM
- 221413 FACILITY STORM DRAINAGE PIPING
- 221423 STORM DRAINAGE PIPING SPECIALTIES
- 221429 SUMP PUMPS
- 221513 GENERAL SERVICE COMPRESSED AIR PIPING
- 223100 DOMESTIC WATER SOFTENERS
- 223500 DOMESTIC WATER HEAT EXCHANGERS
- 224000 PLUMBING FIXTURES
- 224500 EMERGENCY PLUMBING FIXTURES
- 224700 DRINKING FOUNTAINS AND WATER COOLERS
- 226113 COMPRESSED AIR PIPING FOR LABORATORY FACILITIES
- 226119 COMPRESSED AIR EQUIPMENT FOR LABORATORY FACILITIES
- 226600 CHEMICAL-WASTE SYSTEMS FOR LABORATORY AND HEALTHCARE FACILITIES
- 226700 PROCESSED WATER SYSTEMS FOR LABORATORY FACILITIES

**DIVISION 23 - HEATING VENTILATION AND AIR CONDITIONING**

- 230500 COMMON WORK RESULTS FOR HVAC
- 230513 COMMON MOTOR REQUIREMENTS FOR HVAC EQUIPMENT

- 230519 METERS AND GAGES FOR HVAC PIPING
- 230523 GENERAL DUTY VALVES FOR HVAC PIPING
- 230529 HANGERS AND SUPPORTS FOR HVAC PIPING AND EQUIPMENT
- 230548 VIBRATION CONTROLS FOR HVAC PIPING AND EQUIPMENT
- 230553 IDENTIFICATION FOR HVAC PIPING AND EQUIPMENT
- 230593 TESTING, ADJUSTING, AND BALANCING FOR HVAC
- 230700 HVAC INSULATION
- 230800 COMMISSIONING OF HVAC
- 230913 INSTRUMENTATION AND CONTROL DEVICES FOR HVAC
- 230923 DIRECT DIGITAL CONTROL SYSTEM FOR HVAC
- 230943 PNEUMATIC CONTROL SYSTEM FOR HVAC
- 232113 HYDRONIC PIPING
- 232123 HYDRONIC PUMPS
- 232213 STEAM AND CONDENSATE HEATING PIPING
- 232223 STEAM CONDENSATE PUMPS
- 232300 REFRIGERANT PIPING
- 232500 HVAC WATER TREATMENT
- 233113 METAL DUCTS
- 233300 AIR DUCT ACCESSORIES
- 233413 AXIAL HVAC FANS
- 233416 CENTRIFUGAL HVAC FANS
- 233423 HVAC POWER VENTILATORS
- 233600 AIR TERMINAL UNITS
- 233713 DIFFUSERS, REGISTERS, AND GRILLES
- 234100 PARTICULATE AIR FILTRATION
- 235700 HEAT EXCHANGERS FOR HVAC
- 236100 REFRIGERANT COMPRESSORS



- 236200 PACKAGED COMPRESSOR AND CONDENSER UNITS
- 236313 AIR-COOLED REFRIGERANT CONDENSERS
- 236333 EVAPORATIVE REFRIGERANT CONDENSERS
- 236413 ABSORPTION WATER CHILLERS
- 236419 RECIPROCATING WATER CHILLERS
- 236423 SCROLL WATER CHILLERS
- 236426 ROTARY-SCREW WATER CHILLERS
- 236500 COOLING TOWERS
- 237313 MODULAR INDOOR CENTRAL-STATION AIR-HANDLING UNITS
- 237323 CUSTOM INDOOR CENTRAL STATION AHUS
- 238123 COMPUTER ROOM AIR CONDITIONERS
- 238126 SPLIT SYSTEM AIR CONDITIONERS
- 238216 AIR COILS
- 238219 FAN COIL UNITS
- 238233 CONVECTORS
- 238239 UNIT HEATERS
- 238318 SNOW-MELTING EQUIPMENT
- 238413 HUMIDIFIERS

**DIVISION 26 - ELECTRICAL**

- 260500 COMMON WORK RESULTS FOR ELECTRICAL
- 260513 MEDIUM-VOLTAGE CABLES
- 260519 LOW-VOLTAGE ELECTRICAL POWER CONDUCTORS AND CABLES
- 260520 WIREWAY OVERHEAD DISTRIBUTION SYSTEM
- 260526 GROUNDING AND BONDING FOR ELECTRICAL SYSTEMS
- 260533 RACEWAY AND BOXES FOR ELECTRICAL SYSTEMS
- 260534 CABLE TRAY FOR ELECTRICAL SYSTEMS
- 260553 IDENTIFICATION FOR ELECTRICAL SYSTEMS

- 260573 OVERCURRENT PROTECTIVE DEVICE COORDINATION AND ARC FLASH HAZARD STUDY
- 260575 ELECTRICAL FOR STEAM UTILITY DISTRIBUTION
- 260800 COMMISSIONING OF ELECTRICAL SYSTEMS
- 260923 LIGHTING CONTROL DEVICES
- 261116 SECONDARY UNIT SUBSTATIONS
- 261200 MEDIUM-VOLTAGE TRANSFORMERS
- 261316 MEDIUM-VOLTAGE FUSIBLE INTERRUPTER SWITCHGEAR
- 261317 UNDERGROUND MEDIUM-VOLTAGE FUSIBLE INTERRUPTER SWITCHGEAR
- 262200 LOW-VOLTAGE TRANSFORMERS
- 262400 SWITCHBOARDS, PANELBOARDS, AND CONTROL CENTERS
- 262500 ENCLOSED BUS ASSEMBLIES
- 262713 ELECTRICITY METERING
- 262726 WIRING DEVICES
- 262813 FUSES
- 262816 ENCLOSED SWITCHES AND CIRCUIT BREAKERS
- 262913 ENCLOSED CONTROLLERS
- 262923 VARIABLE FREQUENCY MOTOR CONTROLLERS
- 263213 ENGINE GENERATORS
- 263313 BATTERIES
- 263513 CAPACITORS
- 263600 TRANSFER SWITCHES
- 264113 LIGHTNING PROTECTION FOR STRUCTURES
- 265100 INTERIOR LIGHTING
- 265113 LAMPS AND BALLASTS
- 265200 EMERGENCY LIGHTING
- 265600 EXTERIOR LIGHTING

**DIVISION 27 - COMMUNICATIONS**

- 270500 COMMON WORK RESULTS FOR COMMUNICATIONS
- 271200 ETHERNET CABLE SYSTEM
- 271400 TELEPHONE
- 271700 INTERIOR FIBER OPTIC CABLE SYSTEM
- 271800 EXTERIOR FIBER OPTIC CABLE SYSTEM
- 271900 BROADBAND CABLE SYSTEM

**DIVISION 28 - ELECTRONIC SAFETY AND SECURITY**

- 280500 COMMON WORK RESULTS FOR ELECTRONIC SAFETY AND SECURITY
- 280800 COMMISSIONING OF FIRE ALARM SYSTEMS
- 283100 DIGITAL, ADDRESSABLE FIRE-ALARM SYSTEM
- 283500 REFRIGERANT DETECTION AND ALARM
- 283600 HAZARDOUS MATERIAL GAS DETECTION AND ALARM

**DIVISION 31 - EARTHWORK**

- 311400 SITE CLEARING
- 312300 EARTHWORK
- 312319 DEWATERING
- 312323 FLOWABLE FILL
- 314100 SHORING AND UNDERPINNING
- 314116 SHEET PILING

**DIVISION 32 - EXTERIOR IMPROVEMENTS**

- 320514 TOPSOIL
- 321216 BITUMINOUS PAVEMENT
- 321218 BITUMINOUS PAVEMENT PATCHES
- 321313 CONCRETE PAVEMENT

- 321416 BRICK PAVERS
- 321613 CONCRETE CURBS AND GUTTERS
- 321717 GUARDRAIL
- 321723 PAVEMENT MARKING
- 323113 CHAIN LINK FENCES AND GATES
- 323119 ORNAMENTAL FENCES AND GATES
- 32321 BRICK AND LIMESTONE RETAINING WALLS
- 323223 SEGMENTAL CONCRETE RETAINING WALLS
- 324000 SITE APPURTENANCES
- 328400 IRRIGATION SYSTEM
- 329221 OPEN CHANNEL SEEDING
- 329353 RAIN GARDENS

**DIVISION 33 - UTILITIES**

- 330142 REHABILITATION OF SEWER UTILITIES
- 330144 RELINING SEWERS
- 330524 DIRECTIONAL DRILLING
- 330525 BORING AND JACKING
- 331000 WATER DISTRIBUTION SYSTEM
- 332900 WELL ABANDONMENT
- 333000 SANITARY SEWER SYSTEM
- 333200 WASTEWATER UTILITY PUMPING STATION
- 334000 STORM DRAINAGE 03/01/2009
- 334513 STORMWATER UTILITY PUMPING STATIONS
- 334613 FOUNDATION DRAINAGE SYSTEM
- 336010 UTILITY DISTRIBUTION GENERAL REQUIREMENTS
- 336012 PIPING FOR UTILITY DISTRIBUTION
- 336017 INSULATION FOR UTILITY DISTRIBUTION

- 336023 VALVES FOR UTILITY DISTRIBUTION
- 336029 HANGARS AND SUPPORTS FOR UTILITY DISTRIBUTION
- 336053 IDENTIFICATION FOR STEAM UTILITY DISTRIBUTION
- 336315 PIPING SPECIALTIES FOR STEAM UTILITY DISTRIBUTION
- 336320 STEAM AND CONDENSATE UTILITY DISTRIBUTION
- 336321 DIRECT BURIED STEAM AND CONDENSATE UTILITY DISTRIBUTION
- 337119 ELECTRICAL UNDERGROUND DUCTS AND MANHOLES

~~COMMON WORK RESULTS FOR PLUMBING~~

- ~~220513 COMMON MOTOR REQUIREMENTS FOR PLUMBING EQUIPMENT~~
- ~~220519 METERS AND GAGES FOR PLUMBING~~
- ~~220523 GENERAL DUTY VALVES FOR PLUMBING~~
- ~~220529 HANGERS AND SUPPORTS FOR PLUMBING PIPING AND EQUIPMENT~~
- ~~220548 VIBRATION CONTROLS FOR PLUMBING PIPING AND EQUIPMENT~~
- ~~220553 IDENTIFICATION FOR PLUMBING PIPING AND EQUIPMENT~~
- ~~220700 PLUMBING INSULATION~~
- ~~221116 DOMESTIC WATER PIPING~~
- ~~221119 DOMESTIC WATER PIPING SPECIALTIES~~
- ~~221123 DOMESTIC WATER PUMPS~~
- ~~221316 SANITARY WASTE AND VENT PIPING~~
- ~~221319 SANITARY WASTE PIPING SPECIALTIES~~
- ~~221353 FACILITY SEPTIC SYSTEM~~
- ~~221413 FACILITY STORM DRAINAGE PIPING~~
- ~~221423 STORM DRAINAGE PIPING SPECIALTIES~~
- ~~221429 SUMP PUMPS~~
- ~~221513 GENERAL SERVICE COMPRESSED AIR PIPING~~
- ~~223100 DOMESTIC WATER SOFTENERS~~
- ~~223500 DOMESTIC WATER HEAT EXCHANGERS~~
- ~~224000 PLUMBING FIXTURES~~

- ◆ ~~224500 EMERGENCY PLUMBING FIXTURES~~
- ◆ ~~224700 DRINKING FOUNTAINS AND WATER COOLERS~~
- ◆ ~~226113 COMPRESSED AIR PIPING FOR LABORATORY FACILITIES~~
- ◆ ~~226119 COMPRESSED AIR EQUIPMENT FOR LABORATORY FACILITIES~~
- ◆ ~~226600 CHEMICAL WASTE SYSTEMS FOR LABORATORY AND HEALTHCARE FACILITIES~~
- ◆ ~~226700 PROCESSED WATER SYSTEMS FOR LABORATORY FACILITIES~~

#### **DIVISION 23 — HEATING VENTILATION AND AIR CONDITIONING**

- ◆ ~~230500 COMMON WORK RESULTS FOR HVAC~~
- ◆ ~~230513 COMMON MOTOR REQUIREMENTS FOR HVAC EQUIPMENT~~
- ◆ ~~230519 METERS AND GAGES FOR HVAC PIPING~~
- ◆ ~~230523 GENERAL DUTY VALVES FOR HVAC PIPING~~
- ◆ ~~230529 HANGERS AND SUPPORTS FOR HVAC PIPING AND EQUIPMENT~~
- ◆ ~~230548 VIBRATION CONTROLS FOR HVAC PIPING AND EQUIPMENT~~
- ◆ ~~230553 IDENTIFICATION FOR HVAC PIPING AND EQUIPMENT~~
- ◆ ~~230593 TESTING, ADJUSTING, AND BALANCING FOR HVAC~~
- ◆ ~~230700 HVAC INSULATION~~
- ◆ ~~230800 COMMISSIONING OF HVAC~~
- ◆ ~~230913 INSTRUMENTATION AND CONTROL DEVICES FOR HVAC~~
- ◆ ~~230923 DIRECT DIGITAL CONTROL SYSTEM FOR HVAC~~
- ◆ ~~230943 PNEUMATIC CONTROL SYSTEM FOR HVAC~~
- ◆ ~~232113 HYDRONIC PIPING~~
- ◆ ~~232123 HYDRONIC PUMPS~~
- ◆ ~~232213 STEAM AND CONDENSATE HEATING PIPING~~
- ◆ ~~232223 STEAM CONDENSATE PUMPS~~
- ◆ ~~232300 REFRIGERANT PIPING~~
- ◆ ~~232500 HVAC WATER TREATMENT~~

- ◆ ~~233113 METAL DUCTS~~
- ◆ ~~233300 AIR DUCT ACCESSORIES~~
- ◆ ~~233413 AXIAL HVAC FANS~~
- ◆ ~~233416 CENTRIFUGAL HVAC FANS~~
- ◆ ~~233423 HVAC POWER VENTILATORS~~
- ◆ ~~233600 AIR TERMINAL UNITS~~
- ◆ ~~233713 DIFFUSERS, REGISTERS, AND GRILLES~~
- ◆ ~~234100 PARTICULATE AIR FILTRATION~~
- ◆ ~~235700 HEAT EXCHANGERS FOR HVAC~~
- ◆ ~~236100 REFRIGERANT COMPRESSORS~~
- ◆ ~~236200 PACKAGED COMPRESSOR AND CONDENSER UNITS~~
- ◆ ~~236313 AIR-COOLED REFRIGERANT CONDENSERS~~
- ◆ ~~236333 EVAPORATIVE REFRIGERANT CONDENSERS~~
- ◆ ~~236413 ABSORPTION WATER CHILLERS~~
- ◆ ~~236419 RECIPROCATING WATER CHILLERS~~
- ◆ ~~236423 SCROLL WATER CHILLERS~~
- ◆ ~~236426 ROTARY-SCREW WATER CHILLERS~~
- ◆ ~~236500 COOLING TOWERS~~
- ◆ ~~237313 MODULAR INDOOR CENTRAL STATION AIR HANDLING UNITS~~
- ◆ ~~237323 CUSTOM INDOOR CENTRAL STATION AHUS~~
- ◆ ~~238123 COMPUTER ROOM AIR CONDITIONERS~~
- ◆ ~~238126 SPLIT SYSTEM AIR CONDITIONERS~~
- ◆ ~~238216 AIR COILS~~
- ◆ ~~238219 FAN COIL UNITS~~
- ◆ ~~238233 CONVECTORS~~
- ◆ ~~238239 UNIT HEATERS~~
- ◆ ~~238318 SNOW MELTING EQUIPMENT~~

- ◆ ~~238413 HUMIDIFIERS~~

## **~~DIVISION 26 – ELECTRICAL~~**

- ◆ ~~260500 COMMON WORK RESULTS FOR ELECTRICAL~~
- ◆ ~~260513 MEDIUM VOLTAGE CABLES~~
- ◆ ~~260519 LOW VOLTAGE ELECTRICAL POWER CONDUCTORS AND CABLES~~
- ◆ ~~260520 WIREWAY OVERHEAD DISTRIBUTION SYSTEM~~
- ◆ ~~260526 GROUNDING AND BONDING FOR ELECTRICAL SYSTEMS~~
- ◆ ~~260533 RACEWAY AND BOXES FOR ELECTRICAL SYSTEMS~~
- ◆ ~~260534 CABLE TRAY FOR ELECTRICAL SYSTEMS~~
- ◆ ~~260553 IDENTIFICATION FOR ELECTRICAL SYSTEMS~~
- ◆ ~~260573 OVERCURRENT PROTECTIVE DEVICE COORDINATION AND ARC FLASH HAZARD STUDY~~
- ◆ ~~260575 ELECTRICAL FOR STEAM UTILITY DISTRIBUTION~~
- ◆ ~~260800 COMMISSIONING OF ELECTRICAL SYSTEMS~~
- ◆ ~~260923 LIGHTING CONTROL DEVICES~~
- ◆ ~~261116 SECONDARY UNIT SUBSTATIONS~~
- ◆ ~~261200 MEDIUM VOLTAGE TRANSFORMERS~~
- ◆ ~~261316 MEDIUM VOLTAGE FUSIBLE INTERRUPTER SWITCHGEAR~~
- ◆ ~~261317 UNDERGROUND MEDIUM VOLTAGE FUSIBLE INTERRUPTER SWITCHGEAR~~
- ◆ ~~262200 LOW VOLTAGE TRANSFORMERS~~
- ◆ ~~262400 SWITCHBOARDS, PANELBOARDS, AND CONTROL CENTERS~~
- ◆ ~~262500 ENCLOSED BUS ASSEMBLIES~~
- ◆ ~~262713 ELECTRICITY METERING~~
- ◆ ~~262726 WIRING DEVICES~~
- ◆ ~~262813 FUSES~~
- ◆ ~~262816 ENCLOSED SWITCHES AND CIRCUIT BREAKERS~~
- ◆ ~~262913 ENCLOSED CONTROLLERS~~
- ◆ ~~262923 VARIABLE FREQUENCY MOTOR CONTROLLERS~~



◆ ~~263213 ENGINE GENERATORS~~

◆ ~~263313 BATTERIES~~

◆ ~~263513 CAPACITORS~~

◆ ~~263600 TRANSFER SWITCHES~~

◆ ~~264113 LIGHTNING PROTECTION FOR STRUCTURES~~

◆ ~~265100 INTERIOR LIGHTING~~

◆ ~~265113 LAMPS AND BALLASTS~~

◆ ~~265200 EMERGENCY LIGHTING~~

◆ ~~265600 EXTERIOR LIGHTING~~

#### **DIVISION 27 – COMMUNICATIONS**

◆ ~~270500 COMMON WORK RESULTS FOR COMMUNICATIONS~~

◆ ~~271200 ETHERNET CABLE SYSTEM~~

◆ ~~271400 TELEPHONE~~

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#### **DIVISION 28 – ELECTRONIC SAFETY AND SECURITY**

◆ ~~280500 COMMON WORK RESULTS FOR ELECTRONIC SAFETY AND SECURITY~~

◆ ~~280800 COMMISSIONING OF FIRE ALARM SYSTEMS~~

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#### **DIVISION 31 – EARTHWORK**

◆ ~~311400 SITE CLEARING~~

◆ ~~312300 EARTHWORK~~

◆ ~~312319 DEWATERING~~

◆ ~~312323 FLOWABLE FILL~~

◆ ~~314100 SHORING AND UNDERPINING~~

◆ ~~314116 SHEET PILING~~

#### **DIVISION 32 – EXTERIOR IMPROVEMENTS**

◆ ~~320514 TOPSOIL~~

◆ ~~321216 BITUMINOUS PAVEMENT~~

◆ ~~321218 BITUMINOUS PAVEMENT PATCHES~~

◆ ~~321313 CONCRETE PAVEMENT~~

◆ ~~321416 BRICK PAVERS~~

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◆ ~~321717 GUARDRAIL~~

◆ ~~321723 PAVEMENT MARKING~~

◆ ~~323113 CHAIN LINK FENCES AND GATES~~

◆ ~~323119 ORNAMENTAL FENCES AND GATES~~

◆ ~~32321 BRICK AND LIMESTONE RETAINING WALLS~~

◆ ~~323223 SEGMENTAL CONCRETE RETAINING WALLS~~

◆ ~~324000 SITE APPURTENANCES~~

◆ ~~328400 IRRIGATION SYSTEM~~

◆ ~~329221 OPEN CHANNEL SEEDING~~

◆ ~~329353 RAIN GARDENS~~

#### **DIVISION 33 – UTILITIES**

◆ ~~330142 REHABILITATION OF SEWER UTILITIES~~

◆ ~~330144 RELINING SEWERS~~

◆ ~~330524 DIRECTIONAL DRILLING~~

◆ ~~330525 BORING AND JACKING~~

◆ ~~331000 WATER DISTRIBUTION SYSTEM~~

◆ ~~332900 WELL ABANDONMENT~~

◆ ~~333000 SANITARY SEWER SYSTEM~~

- ◆ ~~333200 WASTEWATER UTILITY PUMPING STATION~~
- ◆ ~~334000 STORM DRAINAGE -03/01/2009~~
- ◆ ~~334513 STORMWATER UTILITY PUMPING STATIONS~~
- ◆ ~~334613 FOUNDATION DRAINAGE SYSTEM~~
- ◆ ~~336010 UTILITY DISTRIBUTION GENERAL REQUIREMENTS~~
- ◆ ~~336012 PIPING FOR UTILITY DISTRIBUTION~~
- ◆ ~~336017 INSULATION FOR UTILITY DISTRIBUTION~~
- ◆ ~~336023 VALVES FOR UTILITY DISTRIBUTION~~
- ◆ ~~336029 HANGARS AND SUPPORTS FOR UTILITY DISTRIBUTION~~
- ◆ ~~336053 IDENTIFICATION FOR STEAM UTILITY DISTRIBUTION~~
- ◆ ~~336315 PIPING SPECIALTIES FOR STEAM UTILITY DISTRIBUTION~~
- ◆ ~~336320 STEAM AND CONDENSATE UTILITY DISTRIBUTION~~
- ◆ ~~336321 DIRECT BURIED STEAM AND CONDENSATE UTILITY DISTRIBUTION~~
- ◆ ~~337119 ELECTRICAL UNDERGROUND DUCTS AND MANHOLES~~

**SCHEDULE OF DRAWINGS**

Project Title: [Project Title]

Capital Project Number: [Project Number]

No. of Sheets: [Number of Sheets]



AB-1  
ADVERTISEMENT  
FOR BIDS

**ADVERTISEMENT FOR BIDS**

DATE: [Project Date]

PROJECT TITLE: [Project Title]

PROJECT NUMBER: [Project Number]

for  
MICHIGAN STATE UNIVERSITY  
located at  
EAST LANSING, MICHIGAN

OWNER: BOARD OF TRUSTEES  
MICHIGAN STATE UNIVERSITY

ENGINEER/ARCHITECT: PLANNING, DESIGN AND CONSTRUCTION  
Infrastructure Planning and Facilities  
Michigan State University

DESIGN REPRESENTATIVE: [Design Representative]

CONSTRUCTION REPRESENTATIVE: [Project Representative]

[Consultant Name]  
[Consultant Address]  
[City], [State, Zip Code]

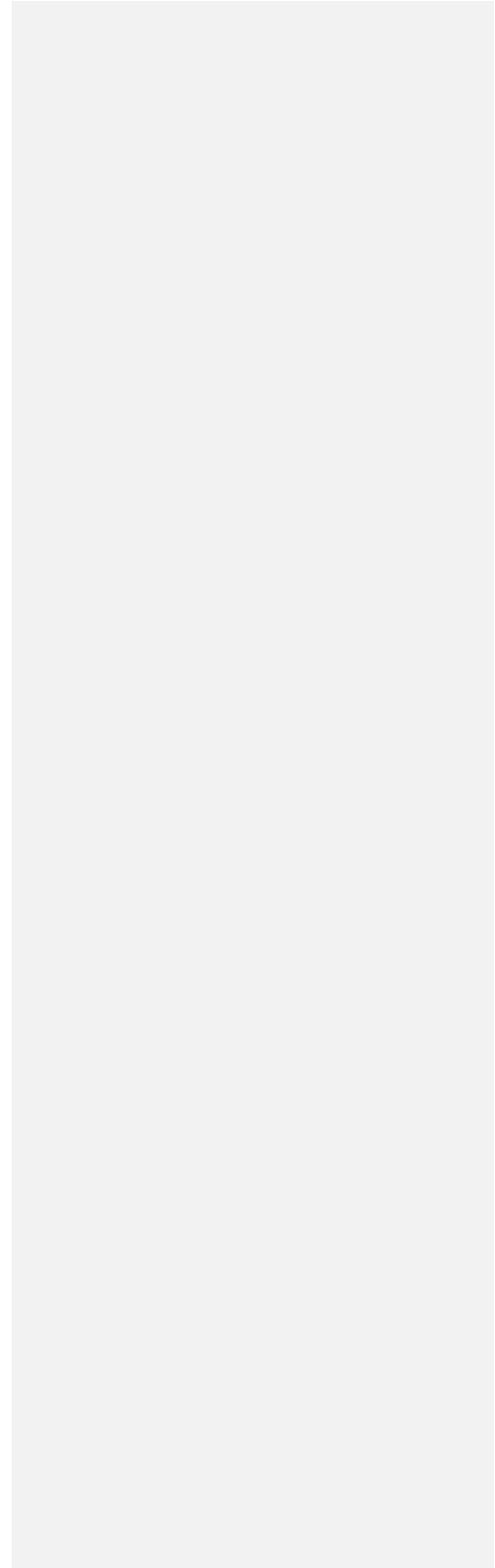
BID DUE DATE: Until 3:00 p.m. on [Bid Date], the Owner will receive ~~sealed bids~~ proposals for the work as set forth in the Bidding Documents at via the Owner's Oracle Primavera Unifier Bid Manager, at which time and place all proposals will be publicly opened. Bidders are responsible for properly registering for this process, and familiarizing themselves with the system and its requirements. ~~the office of:~~

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Michigan State University  
University Services Building  
Purchasing Department  
166 Service Road  
East Lansing, Michigan 48824  
Telephone: (517) 355-0357

\_\_\_\_\_ at which time and place all proposals will be publicly opened.

Commented [WK1]:

Proposals are invited for the following work:  
Proposal 1 – General Construction Work



AB-2  
ADVERTISEMENT  
FOR BIDS

This project involves enter TEXT here

Bids will only be accepted from MSU Base Contractors. For materials and methods not specified within these documents, the Constructor is expected to refer to and comply with MSU technical standards and standard details found at: <http://ipf.msu.edu/resources/business-partners/standards-for-construction/index.html>.

The Substantial construction completion date for the project, as set forth in the project manual and drawings is [Substantial Completion Date], and the final construction completion date for the project, shall be [Final Completion Date]. See applicable start date and interim completion dates in the General Requirements (Division One) – Part 1 Work Sequence section.

Commented [WK2]:

LIQUIDATED DAMAGES:

Shall, or  Shall not be assessed for Substantial Completion at:  
\$ \_\_\_\_\_ PER DAY

Shall, or  Shall not be assessed for Final Completion at:  
\$ \_\_\_\_\_ PER DAY

EXCLUSIONS FROM MUTUAL WAIVERS OF CONSEQUENTIAL DAMAGES:

**DEFAULT IS NONE.** (If exclusions apply, project team to insert applicable exclusions below).

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The complete set of documents is also available for viewing by selecting this link [Construction projects out to bid](#) or via the MSU Planning, Design and Construction (PDC) web page at <http://ipf.msu.edu/construction/business-partners/projects-out-to-bid.html> ~~<http://ipf.msu.edu/resources/business-partners/projects-out-to-bid.html>~~, and then select “Construction projects out to bid”.

Should a bidder not have electronic access, a hard copy of the documents may be obtained at the Contractors expense at:

ARC Document Solutions  
1009 W Maple Road  
Clawson, MI 48017  
248-288-5600

AB-3  
ADVERTISEMENT  
FOR BIDS

**PLAN ROOMS**

The Bidding documents are on file and may be examined at the following locations during regular business hours, Monday through Friday:

Builders Exchange of Lansing &  
Central Michigan  
1240 East Saginaw  
Lansing, MI 48906

Dodge Data & Analytics  
25330 Telegraph Road, Suite 350  
Southfield, MI 48009

Dodge Data & Analytics  
914 E. Vine Street  
Kalamazoo, MI 49001

Dodge Data & Analytics  
1311 South Linden Road, Suite B  
Flint, MI 48532

Builders Exchange  
P.O. Box 2031  
Grand Rapids, MI 49501

Tri-City Builders & Traders Exchange  
334 South Water  
Saginaw, MI 48607

Construction Association of Michigan  
43636 Woodward Avenue  
P. O. Box 3204  
Bloomfield Hills, MI 48302-3204

Builders Exchange  
3431 East Kilgore  
Kalamazoo, MI 49001

CNS Construction News Service  
of West Michigan, Inc.  
1793 R. W. Berends Dr. SW.  
Wyoming, MI 49509-4993

MMSDC Michigan Minority Supplier  
Development Council.  
100 River Place STE 300  
Detroit, MI 48207

Builders Exchange of NW MI, Inc.  
1373 Barlow St. , Suite 4  
Traverse City, MI 49686

Capital Imaging  
2521 East Michigan Avenue  
Lansing, MI 48912



AB-4  
ADVERTISEMENT  
FOR BIDS

A pre-bid site inspection will be held on [Pre-bid Inspection Date] at [Pre-bid Inspection Time]. All interested Contractors or Bidders are encouraged to attend. Interested parties should meet at the [Pre-bid Inspection Location]. All Contractors submitting bids for the work will be held to have visited the site prior to submitting bids.

Each proposal shall be accompanied by a bid security as set forth in the Instructions to Bidders.

The Owner reserves the right to reject any or all proposals either in whole or in part and to waive any irregularities.

Withdrawal of any proposal is prohibited for a period of 120 days after the actual date of the opening thereof.

Performance and Labor and Material Bonds are required as set forth in the Instructions to Bidders.

All prospective Bidders, their Subcontractors and suppliers must be awardable by and in compliance with the directives and guidelines of the Contract Compliance Division of the Michigan Civil Rights Commission.

AB-5  
ADVERTISEMENT  
FOR BIDS

**SUBCONTRACTING AND SUPPLIER DIVERSITY**

The University makes a continuous effort to broaden its business relationships with Minority Business Enterprise (MBE) contractors, Women Business Enterprise (WBE) contractors, and small business concerns (including veteran-owned small business, service-disabled veteran owned small business, HUB Zone small business, and small disadvantaged business concerns certified by the U.S. Small Business Administration). For the purposes of this provision, suppliers are considered subcontractors. If third parties are needed to fulfill contractual obligations to the University, you are strongly encouraged to consider all qualified sources, including WBE, MBE, and small business subcontractors. For purposes of this paragraph, MBE is defined as a business enterprise of which more than 50% of the voting shares or interest in the business is owned, controlled, and operated by individuals who are members of a minority and with respect to which more than 50% of the net profit or loss attributable to the business accrues to shareholders who are members of a minority. WBE is defined as a business enterprise of which more than 50% of the voting shares or interest in the business is owned, controlled, and operated by women and with respect to which more than 50% of the net profit or loss attributable to the business accrues to the women shareholders.

The apparent Low Bidder shall, within 24 hours, after receipt of bids, provide the names of any MBE/WBE/small business subcontractors, description of work to be done by each, dollar value of work, and percentage of contract price. This information shall be included with the contract breakdown specified in Section 012000.1.4 of the specifications.

The Michigan State University Purchasing Department maintains a list of known Minority and Women Business Enterprises in the region for informational purposes. Bidders can obtain a copy of this list by calling (517) 355-0357. This list is not intended to be comprehensive. Similarly, it does not constitute an endorsement or certification of acceptability of the contractors and vendors included.

**INSTRUCTION TO BIDDERS**

ARTICLE 1

DEFINITIONS

- 1.1 Bidding Documents include the Advertisement or Invitation to Bid, Instruction to Bidders, the Bid Form, other sample bidding and Contract forms and the proposed Contract Documents including any Addenda issued prior to receipt of Bids.
- 1.2 All definitions set forth in ConsensusDocs 200- Standard Agreement and General Conditions Between Owner and Constructor (as modified by MSU) and in other Contract Documents are applicable to the Bidding Documents. This Agreement and General Conditions is located at [INSERT LINK TO RESOURCE LIBRARY HERE](#)
- 1.3 **Addenda** are written or graphic instruments, issued by the Architect prior to the receipt of Bids, which modify or interpret the Bidding Documents by addition, deletions, clarifications or corrections.
- 1.4 A **Bid** is a complete and properly signed proposal to do the Work or designated portion thereof, for the sums stipulated therein, supported by data called for by the Bidding Documents.
- 1.5 **Base Bid** is the sum stated in the Bid for which the Bidder offers to perform the Work described as the base, to which Work may be added or deducted for sums stated in Alternate Bids.
- 1.6 An **Alternate Bid** (or Alternate) is an amount stated in the Proposal to be added to or deducted from the amount of the Base Bid if the corresponding change in project scope or materials or methods of construction described in the Bidding Documents is accepted.
- 1.7 A **Unit Price** is an amount stated in the Bid as a price per unit of measurement for materials or services as described in the Contract Documents.
- 1.8 A **Bidder** is one who submits a Bid for a prime Contract with the Owner for the Work described in the proposed Contract Documents.
- 1.9 A **Sub-bidder** is one who submits a Bid to a Bidder for materials or labor for a portion of the Work.
- 1.10 **Bid Manager** is the Oracle Primavera Unifier Bid Manager application used the by the Owner to [received competitive bids for this project.](#)

ARTICLE 2

BIDDER'S REPRESENTATION

- 2.1 Each Bidder, by making his/her Bid, represents that:
- 2.1.1 They have read and understand the Bidding Documents and their Bid is made in accordance therewith.
  - 2.1.2 They have visited the site and are familiar with the local conditions under which the Work is to be performed.
  - 2.1.3 Their Bid is based upon the materials, systems and equipment described in the Bidding Documents, without exceptions.

ARTICLE 3

BIDDING DOCUMENTS

- 3.1 COPIES
- 3.1.1 Bidders may obtain complete sets of the Bidding Documents via the MSU PLANNING, DESIGN AND CONSTRUCTION web page at <http://ipf.msu.edu/resources/business-partners/projects-out-to-bid.html>, or as outlined in the Advertisement for Bids, page AB-2.
  - 3.1.2 Complete sets of Bidding Documents shall be used in preparing Bids; neither the Owner nor the Architect assume any responsibility for errors or misinterpretations resulting from the use of incomplete sets of Bidding Documents.
  - 3.1.3 The Owner or Architect, in making copies of the Bidding Documents available on the above terms, does so only for the purpose of obtaining Bids on the Work and does not confer a license or grant for any other use.
- 3.2 INTERPRETATION OR CORRECTION OF BIDDING DOCUMENTS
- 3.2.1 Bidders shall promptly notify the Architect of any ambiguity, inconsistency or error which they may discover upon examination of the Bidding Documents or of the site and local conditions.
  - 3.2.2 Bidders requiring clarification or interpretation of the Bidding Documents shall make a written request to be received by the Architect at least fourteen days prior to the date for receipt of Bids.
  - 3.2.3 Any interpretation, correction or change of the Bidding Documents will be made by Addendum. Interpretations, corrections or changes of the Bidding Documents made in any other manner will not be binding, and Bidders shall not rely upon such interpretations, corrections and changes.

**Commented [JJM3]:** Just pointing out that it's odd we call out a written request here. Don't want to fix as part of this exercise, but worth being aware of for the future.

*Maybe* we consider some kind of webform approach with routing behind the scenes. (I don't think it's something we want to overbuild in Unifier, as we'd have to add the bidders as users.) Also realize this may not be much of a problem.

3.3 SUBSTITUTIONS

- 3.3.1 The materials, products and equipment described in the Bidding Documents establish a standard of required function, dimension, appearance and quality to be met by any proposed substitution.
- 3.3.2 No substitution will be considered unless written request for approval has been submitted by the Bidder and has been received by the Architect at least fourteen days prior to the date for receipt of Bids. Each such request shall include the name of the material or equipment for which it is to be substituted and a complete description of the proposed substitute including drawings, cuts, performance and test data, and any other information necessary for an evaluation. A statement setting forth any changes in other materials, equipment or work that incorporation of the substitute would require shall be included. It is the burden of the bidder proposing the substitution to establish its merits. The Architect's decision of approval or disapproval of a proposed substitution shall be final.
- 3.3.3 If the Architect approves any proposed substitution, such approval will be set forth in an Addendum. Bidders shall not rely upon approvals made in any other manner.

3.4 ADDENDA

- 3.4.1 The Architect and Owner will endeavor to notify all known plan holders of addenda issued, but it is the Bidder's responsibility to verify receipt of all addenda.
- 3.4.2 Copies of Addenda will be made available for inspection wherever Bidding Documents are on file for that purpose.
- 3.4.3 Normally Addenda will not be issued later than five days prior to the date for receipt of Bids except an Addendum, if necessary, postponing the date for receipt of Bids or withdrawing the request for Bids.
- 3.4.4 Each Bidder shall ascertain prior to submitting their Bid that they have received all Addenda issued, and receipt of all Addenda shall be acknowledged on their bid.

ARTICLE 4

BIDDING PROCEDURE

~~4.5 New Section on Registering for bidding process~~

~~4.5 BIDDER REGISTRATION~~

~~4.5.1 The Owner will only receive Bids via the Bid Manager, which requires prior registration and invitation. The Bidder is responsible to be familiarize itself with this system and request access in a timely manner.~~

~~4.5.2 Owner will endeavor to maintain a list of all interested bidders, and invite to all public bids. Bidders interested in being added to this list must express interest by email to~~

**Commented [WK4]:** Moved section 4.5 after 4.4 so the document remains in numerical order.

[PDCCContractRequests@IPF.MSU.EDU](mailto:PDCCContractRequests@IPF.MSU.EDU) / [Unifiersupport@msu.edu](mailto:Unifiersupport@msu.edu) / [Bids@ipf.msu.edu](mailto:Bids@ipf.msu.edu)

~~4.5.3 Bidders are encouraged to continue to monitor projects via plan rooms and other advertising venues. They must express interest to bid on MSU projects by request to at least 7 days prior to a bid opening. Owner takes no responsibility for inviting a bidder after that date.~~

**Commented [JJM5]:** Throwing options out here. Personally, I think it's probably smartest to get a new dedicated address for this.

**Commented [WK6R5]:** I agree, I think it'd be best to create a new address solely for bids.

**Commented [WK7]:** Remove "to" if not needed, or add information/link on "to whom" interest must be expressed to. i.e. 'must express interest to [Bids@ipf.msu.edu](mailto:Bids@ipf.msu.edu).'

## 4.1 FORM AND STYLE OF BIDS

~~4.1.1 Bids shall be submitted in via the Bid Manager triplicate on the Bid Form (Proposal for General Construction) form specified attached herein.~~

~~4.1.2 Bid Form shall state the title of the project the same as shown on the specifications.~~

~~4.1.32 All blanks fields on the Bid Form shall be completed, filled in electronically, by typewriter, or manually in ink.~~

**Commented [JJM8]:** Not sure this is even needed.

### ~~IB-4~~ ~~INSTRUCTIONS~~ ~~TO BIDDERS~~

~~4.1.4 Where so indicated by the makeup of the Bid Form, sums shall be expressed in both words and figures, and in case of discrepancy between the two, the written amount shall govern.~~

~~4.1.5 Any interlineation, alteration or erasure must be initialed by the signer of the Bid Form.~~

~~4.1.63 All requested Alternates and Unit Prices shall be listed and quoted on in the Bid Manager Form. Failure to quote a requested Alternate or Unit Price will be cause to reject the Bid.~~

### ~~IB-4~~ ~~INSTRUCTIONS~~ ~~TO BIDDERS~~

~~4.1.63.1 If an alternate is added via Addendum, bidders will include by [adding new line to bid form, clearly labeling ALTERNATE X(x being the number)] or [providing pricing on an attachment, also clearly labeling pricing for Alternate.]~~

~~4.1.64 All requested Unit Prices shall be listed and quoted via attachment in the Bid Manager. Failure to quote a requested Unit Price will be cause to reject the Bid.~~

**Commented [JJM9]:** 1. Will need to correct numbering in time;

2. I believe our approach was to require unit costs as an attachment. At some point, we should define a template Unit Cost Form that can be used by bidders and easily incorporated into contracts.

a. Could also create lines for each unit price, but this might be a lot of units, and we'd want to make sure they were correct. Advantage would be getting them as data for award comparison and contracts. I think this would also require creating a Unit Price option for base bid/alternate field. Also might be an argument for the import function and building a template.

3. How often do we use Units Costs?

~~4.1.75 Acknowledge the receipt of any or each the last Addendum on the Bid Form. By acknowledging this addendum, Bidder also acknowledges receipt of all prior consecutive addenda (e.g., acknowledging Addendum 3 also acknowledges Addendum 1 and 2).~~

**Commented [JJM10]:** This avoids creating data elements for all potential addendum. Could also throw language in that if one is missing, bidder's responsibility to obtain addendum or not in their bid. (Only reason not in there for the moment is to keep the language simpler; worth asking a designer such as Brandon or Jeff Kasdorf their view.)

4.1.96 Bidder shall make no additional stipulations on the Bid Form nor qualify his/her/its Bid in any manner.

4.1.97 Each copy of Bid Form shall include the legal name of Bidder and a statement whether Bidder is a sole proprietor, a partnership, a corporation, or any other legal entity, and each copy shall be signed by the person or persons legally authorized to bind the Bidder to a Contract. A Bid by a corporation shall further give the State of incorporation and have the corporate seal affixed. A Bid submitted by an agent shall have a current Power of Attorney attached certifying agent's authority to bind Bidder. By submitting a Bid via the Bid Manager, the Bidder has committed the offer to perform the Work. The Owner will rely on this document as properly signed by the Bidder. The Owner may rely on this commitment, including submitting a claim on the Bidder's Bid Bond if they fail to enter into a contract per the project manual.

**Commented [JJM11]:** Review, possibly with legal.

4.1.10 Sign and date the Bid Form.

## 4.2 BID SECURITY

4.2.1 Any base bid greater than \$50,000 shall be accompanied by a Bid Security in the form of a certified check, cashiers' check, money order, or bid bond made payable to the Board of Trustees, Michigan State University, in the amount of not less than five percent (5%) of the Base Bid, as a proposal guarantee, pledging that the Bidder will enter into a Contract with the Owner on the terms stated in its Bid, and will furnish bonds as described hereunder in Article 8 covering the faithful performance of the Contract and the payment of all obligations arising thereunder. Bidder shall attach a scanned copy of the bid bond to the bid in Unifier Bid Manager.

As an alternative to a bid bond, Bidders may provide certified check, cashiers' check, or money order made payable to the Board of Trustees, Michigan State University, in the amount of not less than five percent (5%) of the Base Bid, to be delivered to MSU IP Infrastructure Planning and Facilities, 1147 Chestnut Road, Room 101, East Lansing, MI 48824.

**Commented [JJM12]:** This is a relatively rare occurrence; maybe we delete the option, though arguably it would be less competitive. Discuss with Purchasing, and also Jannene, as handling the checks can be an issue.

The proposal guarantee of Bidders under consideration will be returned immediately after approval of contracts by the Owner; those of all others will normally be returned upon request within 48 hours after bid opening.

**Commented [WK13]:** Maybe use the address listed on our website, or 'formal' address?

Should the Bidder refuse to enter into a Contract, or fail to furnish such bonds within 30 days of notification of intent to award, the amount of the Bid Security shall be forfeited to the Owner as liquidated damages, not as penalty.

4.2.2 The bonding firm must be listed on the current U.S. Department of Treasury Circular 570, rated A- or better by Best, and be licensed to do business in the State of Michigan. The bonds are to be made out to "Michigan State University, Board of Trustees."

4.2.3 The Owner will have the right to retain the Bid Security of Bidders under consideration until either (a) the Contract has been executed and bonds have been furnished, or (b) the specified time has elapsed so that Bids may be withdrawn, or (c) all Bids have been rejected.

INSTRUCTIONS  
TO BIDDERS

IB-5  
INSTRUCTIONS  
TO BIDDERS

4.3 SUBMISSION OF BIDS

~~4.3.1 All copies of the Bid, the Bid Security, and any other documents required to be submitted with the Bid shall be enclosed in a sealed opaque envelope. The envelope shall be addressed to the party receiving the Bids and shall be identified with the Project Name, the Bidder's name and address, and the portion of the project or category of work for which the Bid is submitted. If the Bid is sent by mail, the sealed envelope shall be enclosed in a separate mailing envelope with the notation "BID ENCLOSED" on the face thereof.~~

~~4.3.21 Bids shall be completed deposited at the designated location prior to the time and date for receipt of Bids indicated in the Advertisement or Invitation to Bid, or any extension thereof made by Addendum. Bids received after the time and date for receipt of Bids will not be considered returned unopened.~~

~~4.3.32 Bidder shall assume full responsibility for timely delivery at location designated for receipt of Bids.~~

~~4.3.43 Oral, telephone, paper, or faxed Bids are invalid and will not receive consideration.~~

4.4 MODIFICATION OR WITHDRAWAL OF BID

~~4.4.1 A Bid may not be modified, withdrawn, or canceled by the Bidder during the stipulated time period following the time and date designated for the receipt of Bids, and Bidder so agrees in submitting his/her Bid.~~

~~4.4.2 Prior to the time and date designated for receipt of Bids, Bids submitted early may be modified or withdrawn only by withdrawing current bid, and resubmitting within the Bid Manager notice to the party receiving Bids at the place and prior to the time designated for receipt of Bids.~~

~~4.4.2.1 Such notice shall be in writing over the signature of the Bidder; it shall be so worded as not to reveal the amount of the original Bid.~~

~~4.4.3 Withdrawn Bids may be resubmitted up to the time designated for the receipt of Bids provided that they are then fully in conformance with these Instructions to Bidders.~~

~~4.4.43 Bid security shall be in an amount sufficient for the Bid as modified or resubmitted.~~

4.5 New Section on Registering for bidding process

4.5 BIDDER REGISTRATION

4.5.1 The Owner will only receive Bids via the Bid Manager, which requires prior registration and invitation. The Bidder is responsible to be familiarize itself with this system and request access in a timely manner.

**Commented [JJM14]:** Realize the system will block them out. Probably not necessary, but us procurement folks like putting this in. can be talked out of it if anyone cares.

**Commented [JJM15]:** CHRIS—please confirm my description.



4.5.2 The Owner will endeavor to maintain a list of all interested bidders, and invite to all public bids. Bidders interested in being added to this list must express interest by email to [pdc\\_contracts\\_requests@ipf.msu.edu](mailto:pdc_contracts_requests@ipf.msu.edu).

**Commented [WK16]:** Changed to 'The Owner' to keep consistency between 4.5.1 and 4.5.2.

4.5.3 Bidders are encouraged to continue to monitor projects via plan rooms and other advertising venues. They must express interest to bid on MSU projects by request at least 7 days prior to a bid opening. Owner takes no responsibility for inviting a bidder after that date.

**Commented [WK17]:** Remove 'to' if not needed, or add information/link on 'to whom' interest must be expressed to. i.e. 'must express interest to [Bids@ipf.msu.edu](mailto:Bids@ipf.msu.edu).'

## ARTICLE 5

### CONSIDERATION OF BIDS

#### 5.1 OPENING OF BIDS

5.1.1 Unless stated otherwise in the Advertisement or Invitation to Bid, the properly identified Bids received on time will be opened publicly and will be read aloud. Opening will generally take place in MSU ~~IPF~~Infrastructure Planning and Facilities Building, 1147 Chestnut Road, East Lansing, Michigan 48824.

**Commented [WK18]:** Again, maybe use the address listed on our IPF website, or 'formal' address.

#### IB-6 INSTRUCTIONS TO BIDDERS

5.1.1.1 Unless stated otherwise in the Advertisement or Invitation to Bid, the Owner will endeavor to share bid results within 24 hours of opening.

5.1.1.2 The Owner will endeavor to make bid opening available via electronic format, such as skype, GoToMeeting, Facebook live, etc.

**Commented [WK19]:** Keeping 'The Owner' consistent with the rest of the document.

**Commented [JJM20]:** This is a placeholder as much as something to keep in documents. (Threw in Facebook Live as a thought that maybe we should just stream it and put it on others to go find it. Is it easier than Skype?)

#### 5.2 REJECTION OF BIDS

5.2.1 The Owner shall have the right to reject any or all Bids.

5.3 ACCEPTANCE OF BID (AWARD)

5.3.1 The Owner shall have the right to waive any informality or irregularity in any Bid received.

5.3.2 If the University accepts any alternates, it will do so in the order representing the Owner's opinion of the best value to Michigan State University. The Owner shall be the sole judge of value. The low bidder will be determined on the basis of the sum of the base bid and the alternates accepted.

5.4 ACCEPTANCE OF CONTRACTOR AND SUBCONTRACTORS

5.4.1 Each portion of the Work shall be performed by an organization equipped and experienced to do the Work in each particular field, and no portion shall be reserved by the Contractor unless they are so equipped and experienced. Within 24 hours after the receipt of Bids, the successful Contractor shall submit a list of each Subcontractor proposed for each section of the Work. Subcontractors shall be satisfactory to the Owner. Unless authorized to the contrary in writing from the Owner, Subcontracts shall be awarded to the firms named in this list. Acceptance of the Bid does not imply approval of the Subcontractors subsequently named, but each Subcontractor shall be approved individually.

ARTICLE 6

QUALIFICATION OF CONTRACTORS

6.1 SUBMISSION OF QUALIFICATION STATEMENT

6.1.1 Bidders to whom award of a Contract is under consideration shall submit to the Architect upon his/her request, a properly executed Contractor's Qualification Statement, Consensus Docs 221 – Constructor's Statement of Qualifications for a Specific Project, unless such a Statement has been previously required and submitted as a prerequisite to the issuance of Bidding Documents.

6.2 NONDISCRIMINATION

6.2.1 In performing under this Contract, the Contractor agrees not to discriminate against any employee, or applicant for employment, with respect to hire, tenure, terms, conditions or privileges of employment, or any matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height or weight, marital status or handicap. Subcontracts with each Subcontractor will contain a provision requiring nondiscrimination in employment, as herein specified. Any breach of this covenant may be regarded as a material breach of this Contract. The foregoing is included as a part of the University's institutional Affirmative Action/Equal Opportunity commitment.

IB-7  
INSTRUCTIONS  
TO BIDDERS

### 6.3 APPROVED ASBESTOS ABATEMENT CONTRACTORS

6.3.1 The Department of Environmental Health and Safety (EHS) annually prequalifies asbestos abatement contractors to perform asbestos abatement work on Campus. Asbestos abatement work shall only be performed by one of the asbestos abatement contractors on the approved list. The current list is available from the PDC Project Representative, the Environmental Coordinator for EHS, and at <http://www.aware.msu.edu/asbestos/prequalification.htm>.

## ARTICLE 7

### POST-BID INFORMATION

#### 7.1 SUBMISSIONS

7.1.1 Unless waived by the Architect, the apparent low Bidder shall, within 24 hours after receipt of bids, submit the following information to the Architect:

7.1.1.1 A designation of the Work to be performed by the Bidder with their own forces.

7.1.1.2 The proprietary names and the suppliers of principal items or systems of material and equipment proposed for the Work.

7.1.1.3 A list of names of the Subcontractors or other persons or organizations (including those who are to furnish materials or equipment fabricated to a special design) proposed for each division and/or major subdivision, for the Owner's approval.

7.1.1.4 The names of the MBE/WBE and a description of work to be done by each, dollar value of Work and percentage of Contract price.

7.1.1.5 List of representatives authorized to perform Unifier functions on behalf of the contractor using the Unifier New Company Request, available at [Unifier Vendor Form](#).

7.1.1.6 Certificate of Insurance demonstrating compliance with project requirements.

7.1.2 At the option of the Owner, the Bidder may be required to establish to the satisfaction of the Architect and the Owner the capability, reliability, and responsibility of the proposed Contractor and Subcontractors to furnish and perform the Work.

IB-8

INSTRUCTIONS  
TO BIDDERS

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7.1.3 Subcontractors and other persons and organizations proposed by the Bidder and accepted by the Owner and the Architect must be used on the Work for which they were proposed and accepted and shall not be changed except with the written approval of the Owner and the Architect.

ARTICLE 8

PERFORMANCE BOND AND LABOR AND  
MATERIAL PAYMENT BOND

8.1 OWNER'S RIGHT TO REQUIRE BONDS

8.1.1 Each Bidder under a proposal in which the base bid exceeds \$50,000, shall include the premiums for furnishing a Performance Bond and also Labor Material Bond, each in the full amount of the proposal sum as specified in the Owner / Constructor Agreement.

8.1.2 The bonding firm must be listed on the current U.S. Department of Treasury Circular 570, rated A- or better by Best, and be licensed to do business in the State of Michigan. The bonds are to be made out to "Michigan State University, Board of Trustees."

8.1.3 In assuming assigned Subcontractor by the successful Bidder for general building work as specified, each assigned Subcontractor for each Subcontract shall reimburse the General Contractor his/her proportionate share of the premiums for bonds.

8.2 TIME OF DELIVERY AND FORM OF BONDS AND INSURANCE

8.2.1 The Bidder shall deliver two (2) copies of the required bonds and insurance to the Owner not later than the date of execution of the Contract.

8.2.2 The Bidder shall require the Attorney-In-Fact who executes the required bonds on behalf of the surety to affix thereto a certified and current copy of his/her Power of Attorney.

ARTICLE 9

FORM OF AGREEMENT BETWEEN OWNER AND  
CONTRACTOR

9.1 FORM TO BE USED

9.1.1 The Agreement for the Work will be governed by the project manual, and by the terms and conditions of ConsensusDocs 200- Standard Agreement and General Conditions Between Owner and Constructor (as modified by MSU).

9.1.2 If the project is under \$250,000, an MSU Purchase Order will be used and the terms and conditions of ConsensusDocs 200- Standard Agreement and General Conditions Between Owner and Constructor (as modified by MSU), will serve as the applicable General Conditions for administration of the Work.

9.1.3 If the project is over \$250,000, the ConsensusDocs 200- Standard Agreement and General Conditions Between Owner and Constructor will be used and the terms and conditions of that Agreement will be formalized through the execution of a Contract Finalization Form.

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ARTICLE 10

APPLICATION FOR PAYMENT

10.1 FORM TO BE USED

10.1.1 Applications for Payment shall be submitted in Unifier in accordance with the Pay Apps (Pay Applications) business process. Refer to the MSU IPF website for more information

ARTICLE 11

ELECTRONIC TRANSACTIONS

11.1 UNIFIER

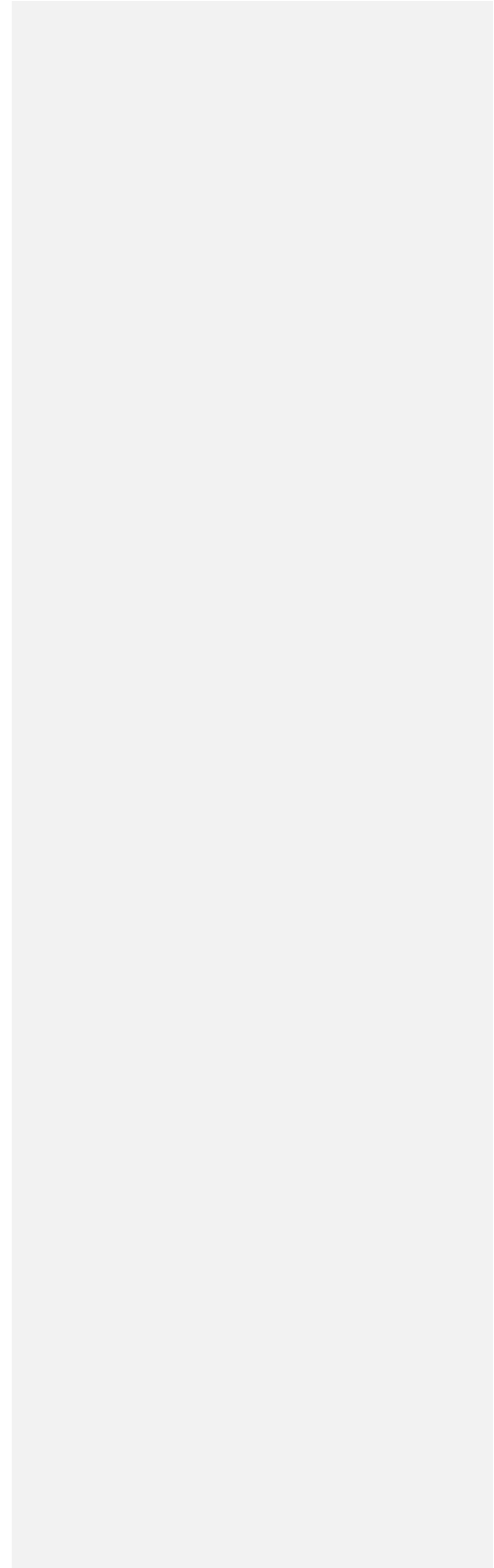
11.1.1 -The ~~O~~owner reserves the right to require that any or all transactions and submissions be conducted and delivered electronically through Unifier, a web-based project management software system. Unifier functions on most popular web browsers. If the owner requires the use of Unifier, the owner will provide the necessary licenses for access into Unifier and the initial training necessary to use Unifier. Access to Unifier will be password restricted, and any proposal, acceptance, quote or other information submitted through Unifier through the use of a party's password shall be deemed to be the submission of such party and any proposal, acceptance, quote or other information in the submission shall be binding on such party as if such proposal, acceptance, quote or other information was in a writing signed by such party. Owner shall not be required to verify the validity of any such submission or inquire as to the authority of the user gaining access to Unifier through the use of a party's password. The following are the minimum Unifier user software and hardware requirements. It is the responsibility of the vendor to verify compatibility of their systems with Unifier. For more information, see <http://procedures.ipf.msu.edu/index.cfm/misc/documents/unifier-system-vendor-information/>.

11.2 ~~Contract Execution~~ CONTRACT EXECUTION

11.2.1 ~~The Owner may choose to accept a scanned signed contract, provided through Unifier, as acceptance of the agreement. The Owner will rely on this document as properly signed by the Constructor.~~

~~11.2.1 The Owner may choose to accept a scanned signed contract, provided through Unifier, as acceptance of the agreement. The Owner will rely on this document as properly signed by the Constructor.~~

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**BID FORM LOAD SHEET PROPOSAL FOR GENERAL CONSTRUCTION**

**FOR**

Date: \_\_\_\_\_

Bidder's Name: \_\_\_\_\_

Bidder's Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Board of Trustees  
\_\_\_\_\_ Michigan State University  
\_\_\_\_\_ Jack Mumma  
\_\_\_\_\_ Construction Contract Administrator  
\_\_\_\_\_ c/o MSU Purchasing  
\_\_\_\_\_ 166 Service Road, East Lansing, MI 48824

Pursuant to and in compliance with your Instructions to Bidders and other documents relating thereto, the Undersigned proposes and agrees to furnish equipment, materials, and labor and perform all work necessary to complete the construction work for project in accordance with plans and specifications prepared by Planning, Design and Construction, Infrastructure Planning and Facilities, Michigan State University, and agrees to accept payment as herein provided.

**BASE BID**

Lump sum bid for all work as specified and shown on the drawings as indicated for the base bid

\_\_\_\_\_ Dollars (\$ \_\_\_\_\_ ).

**ALTERNATE 1 (Replace ALL wall base and flooring as described in Key Note 2, Sheet A2.0)**

**UNIT COST 1 (Wall base and floor replacement per Key Note 2, Sheet A2.0)**

**PROPOSAL GUARANTEE**

Accompanying this proposal is a certified check, cashier's check, money order, or bid bond (~~cross out those not applicable~~) made payable to the Board of Trustees, Michigan State University, in the amount of not less than 5% of the Base Bid, which shall be retained by the Owner as liquidated damages, if the Undersigned fails to execute the contract within fourteen (14) days of award of the contract.

( \_\_\_\_\_ ).

**AMOUNT OF PROPOSAL GUARANTEE**

Substantial Completion Date for the project is-

The Undersigned advises that to the best of his or her knowledge, he or she is currently awardable by and in compliance with the directives and guidelines of the Contract Compliance Division of the Michigan Civil Rights Commission. Further, to the best of his or her knowledge, all prospective subcontractors considered in developing this proposal are awardable by and are in compliance with the directives and guidelines of the Contract Compliance Division of the Michigan Civil Rights Commission.

**Commented [JJM21]:** The only real need for this form is to get the description of the Base Bid, Alternates, and potentially the Unit prices.

I think it's worth exploring getting this information in a spreadsheet that can be imported. (Especially true if there are multiple unit prices and we opt to start collecting.

**PROPOSAL FOR GENERAL CONSTRUCTION**

The Undersigned acknowledges the receipt of the following addenda:

Commented [JJM22]: This is handled in the upper form.

Addendum No. \_\_\_\_\_ Date

\_\_\_\_\_ choose DATE

\_\_\_\_\_ choose DATE

\_\_\_\_\_ choose DATE

The undersigned identifies the assignment of the following key personnel to this project if awarded the work:

Constructor's Representative: \_\_\_\_\_  
(As defined in Article 3.4.4 of ConsensusDocs 200- Standard Agreement and General Conditions Between Owner and Constructor)

Constructor's Safety Representative: \_\_\_\_\_  
(As defined in Article 3.11.4 of ConsensusDocs 200- Standard Agreement and General Conditions Between Owner and Constructor)

Commented [JJM23]: Could be a good way to organize

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

I  
Federal Identification Number: \_\_\_\_\_

\_\_\_\_\_  
Individual, Partnership, Corporation \_\_\_\_\_

\_\_\_\_\_  
By: Authorized Signature of Bidder \_\_\_\_\_

\_\_\_\_\_  
Business Address \_\_\_\_\_

\_\_\_\_\_  
Telephone Number \_\_\_\_\_

\_\_\_\_\_  
E-mail address \_\_\_\_\_

