

SECTION 01 33 00

SUBMITTAL PROCEDURES

11/08

PART 1 GENERAL

The Contracting Officer may request submittals in addition to those specified when deemed necessary to adequately describe the work covered in the respective sections.

Units of weights and measures used on all submittals are to be the same as those used in the contract drawings.

Each submittal is to be complete and in sufficient detail to allow ready determination of compliance with contract requirements.

Contractor's Quality Control (CQC) System Manager and the Designer of Record, if applicable, to check and approve all items prior to submittal and stamp, sign, and date indicating action taken. Proposed deviations from the contract requirements are to be clearly identified. Include within submittals items such as: Contractor's, manufacturer's, or fabricator's drawings; descriptive literature including (but not limited to) catalog cuts, diagrams, operating charts or curves; test reports; test cylinders; samples; O&M manuals (including parts list); certifications; warranties; and other such required submittals.

Submittals requiring Government approval are to be scheduled and made prior to the acquisition of the material or equipment covered thereby. Picked up and disposed of in accordance with manufacturer's Material Safety Data Sheets (MSDS) and in compliance with existing laws and regulations samples remaining upon completion of the work.

1.1 DEFINITIONS

1.1.1 Submittal Descriptions (SD)

Submittals requirements are specified in the technical sections. Submittals are identified by Submittal Description (SD) numbers and titles as follows:

1.1.2 Approving Authority

Office or designated person authorized to approve submittal.

1.1.3 Work

As used in this section, on- and off-site construction required by contract documents, including labor necessary to produce submittals, construction, materials, products, equipment, and systems incorporated or to be incorporated in such construction.

1.2 SUBMITTALS

Government approval is required for submittals with a "G" designation; submittals not having a "G" designation are for Contractor QC approval.

The standard for submission of submittals is electronic format, except if hard copy is requested in the Task Order. The acceptable formats are ACAD for drawings (.dwg), MS Office, WINEST for estimates, MS Project, and Portable Document Format (PDF) files. PDF files of text should be searchable.

1.3 SUBMITTAL CLASSIFICATION

Submittals are classified as follows:

<TAI OPT="DESIGN-BUILD">1.3.1 Designer of Record Approved (DA)

Designer of Record (DOR) approval is required for extensions of design, critical materials, any deviations from the solicitation, the accepted proposal, or the completed design, equipment whose compatibility with the entire system must be checked, and other items as designated by the Contracting Officer. Within the terms of the Contract Clause entitled "Specifications and Drawings for Construction," they are considered to be "shop drawings." Contractor to provide the Government with the number of copies designated hereinafter of all DOR approved submittals. The Government may review any or all Designer of Record approved submittals for conformance to the Solicitation, Accepted Proposal and the completed design. The Government will review all submittals designated as deviating from the Solicitation or Accepted Proposal, as described below. Generally, design submittals should be identified as SD-05 Design Data submittals.

1.3.2 Government Approved

Government approval is required for extensions of design, critical materials, deviations, equipment whose compatibility with the entire system must be checked, and other items as designated by the Contracting Officer. Government approval is required for any deviations from the Solicitation or Accepted Proposal and other items as designated by the Contracting Officer. Within the terms of the Contract Clause entitled "Specifications and Drawings for Construction," they are considered to be "shop drawings."

1.3.3 Government Conformance Review of Design (CR)

The Government will review all intermediate and final design submittals for conformance with the technical requirements of the solicitation. Review will be only for conformance with the applicable codes, standards and contract requirements. Generally, design submittals should be identified as SD-05 Design Data submittals.

1.3.4 Designer of Record Approved/Government Conformance Review (DA/CR)

1.3.4.1 Deviations to the Accepted Design

Designer of Record approval and the Government's concurrence are required for any proposed deviation from the accepted design which still complies with the contract before the Contractor is authorized to proceed with material acquisition or installation. Within the terms of the Contract Clause entitled "Specifications and Drawings for Construction", they are considered to be "shop drawings." If necessary to facilitate the project schedule, the Contractor and the DOR may discuss a submittal proposing a deviation with the Contracting Officer's Representative prior to officially

submitting it to the Government. However, the Government reserves the right to review the submittal before providing an opinion, if deemed necessary. In any case, the Government will not formally agree to or provide a preliminary opinion on any deviation without the DOR's approval or recommended approval. The Government reserves the right to non-concur with any deviation from the design, which may impact furniture, furnishings, equipment selections or operations decisions that were made, based on the reviewed and concurred design.

1.3.4.2 Substitutions

Unless prohibited or provided for otherwise elsewhere in the Contract, where the accepted contract proposal named products, systems, materials or equipment by manufacturer, brand name and/or by model number or other specific identification, and the Contractor desires to substitute manufacturer or model after award, submit a requested substitution for Government concurrence. Include substantiation, identifying information and the DOR's approval, as meeting the contract requirements and that it is equal in function, performance, quality and salient features to that in the accepted contract proposal.

1.3.5 Designer of Record Approved/Government Approved (DA/GA)

In addition to the above stated requirements for proposed deviations to the accepted design, both Designer of Record and Government Approval and, where applicable, a contract modification are required before the Contractor is authorized to proceed with material acquisition or installation for any proposed deviation to the contract (the solicitation and/or the accepted proposal), which constitutes a change to the contract terms. Within the terms of the Contract Clause entitled "Specifications and Drawings for Construction", they are considered to be "shop drawings". The Government reserves the right to accept or reject any such proposed deviation at its discretion.

1.3.6 Information Only

Submittals not requiring Government approval will be for information only. For Design-build construction all submittals not requiring Designer of Record or Government approval will be for information only. They are not considered to be "shop drawings" within the terms of the Contract Clause referred to above.

1.4 PREPARATION

1.4.1 Transmittal Form

The individual task order under this contract will indicate if the contractor is to use QCS or electronic forms for the submittals. Use the attached sample transmittal form (ENG Form 4025) for submitting both Government approved and information only submittals in accordance with the instructions on the reverse side of the form. These forms will be furnished to the Contractor or are included in the QCS software that the Contractor is required to use for this contract as appropriate for each task order. Properly complete this form by filling out all the heading blank spaces and identifying each item submitted. Exercise special care to ensure proper listing of the specification paragraph and sheet number of the contract drawings pertinent to the data submitted for each item.

1.5 INFORMATION ONLY SUBMITTALS

Normally submittals for information only will not be returned. Approval of the Contracting Officer is not required on information only submittals. The Government reserves the right to require the Contractor to resubmit any item found not to comply with the contract. This does not relieve the Contractor from the obligation to furnish material conforming to the plans and specifications; will not prevent the Contracting Officer from requiring removal and replacement of nonconforming material incorporated in the work; and does not relieve the Contractor of the requirement to furnish samples for testing by the Government laboratory or for check testing by the Government in those instances where the technical specifications so prescribe.

1.6 Submittal format

1.6.1 Drawings

The submission of drawings will be in an electronic drawing file in ACAD format and a second electronic copy in PDF format (to facilitate review by personnel who do not have ACAD software). See A/E/C CADD Standard Release 3.0 for detailed standards for the drawings. The reference is located at <http://www.wbdg.org/ccb/AECCADD/aecaddstd.PDF>. Contractor shall also provide one hard copy on ANSI size D as-builts in addition to the electronic versions.

1.6.2 Other submittals

For catalog cuts, illustrations, printed specifications, or other data submitted inapplicable portions shall be marked out and applicable items such as model numbers, sizes, and accessories shall be indicated by arrow or highlighted. The submittals will be provided in electronic (.pdf) format.

1.7 VARIATIONS / SUBSTITUTION REQUESTS

Variations from contract requirements require Government approval pursuant to contract Clause FAR 52.236-21 and will be considered where advantageous to Government.

1.7.1 Considering Variations

Discussion with Contracting Officer prior to submission, will help ensure functional and quality requirements are met and minimize rejections and re-submittals. When contemplating a variation which results in lower cost, consider submission of the variation as a Value Engineering Change Proposal (VECP).

Specifically point out variations from contract requirements in transmittal letters. Failure to point out deviations may result in the Government requiring rejection and removal of such work at no additional cost to the Government.

1.7.2 Proposing Variations

When proposing variation, deliver written request to the Contracting Officer, with documentation of the nature and features of the variation and why the variation is desirable and beneficial to Government. If lower cost is a benefit, also include an estimate of the cost savings. In addition to documentation required for variation, include the submittals required for the item. Clearly mark the proposed variation in all documentation.

Check the column "variation" of ENG Form 4025 for submittals which include proposed deviations requested by the Contractor. Set forth in writing the reason for any deviations and annotate such deviations on the submittal. The Government reserves the right to rescind inadvertent approval of submittals containing unnoted deviations.

1.7.3 Warranting That Variations Are Compatible

When delivering a variation for approval, Contractor warrants that this contract has been reviewed to establish that the variation, if incorporated, will be compatible with other elements of work.

1.7.4 Review Schedule Is Modified

In addition to normal submittal review period, a period of 15 working days will be allowed for consideration by the Government of submittals with variations.

1.8 SUBMITTAL REGISTER

Prepare and maintain submittal register, as the work progresses. Do not change data which is output in columns (c), (d), (e), and (f) as delivered by Government; retain data which is output in columns (a), (g), (h), and (i) as approved. A submittal register showing items of equipment and materials for which submittals are required by the specifications is provided as an attachment. This list may not be all inclusive and additional submittals may be required. If required by task order, maintain a submittal register for the project in accordance with Section 01 45 01.10 USACE QUALITY CONTROL SYSTEM (QCS). The Government will provide the initial submittal register in electronic format with the following fields completed, to the extent that will be required by the Government during subsequent usage.

Column (c): Lists specification section in which submittal is required.

Column (d): Lists each submittal description (SD No. and type, e.g. SD-02 Shop Drawings) required in each specification section.

Column (e): Lists one principal paragraph in specification section where a material or product is specified. This listing is only to facilitate locating submitted requirements. Do not consider entries in column (e) as limiting project requirements.

Thereafter, the Contractor is to track all submittals by maintaining a complete list, including completion of all data columns, including dates on which submittals are received and returned by the Government.

The Designer of Record shall develop a complete list of submittals during design and identify required submittals in the specifications, and use the

list to prepare the Submittal Register. The list may not be all inclusive and additional submittals may be required by other parts of the contract. The Contractor is required to complete the submittal register and submit it to the Contracting Officer for approval within 30 calendar days after Notice to Proceed. The approved submittal register will serve as a scheduling document for submittals and will be used to control submittal actions throughout the contract period. Coordinate the submit dates and need dates with dates in the Contractor prepared progress schedule. Submit monthly or until all submittals have been satisfactorily completed, updates to the submittal register showing the Contractor action codes and actual dates with Government action codes. Revise the submittal register when the progress schedule is revised and submit both for approval.

1.8.1 Use of Submittal Register

Submit submittal register. Submit with QC plan and project schedule. Verify that all submittals required for project are listed and add missing submittals. Coordinate and complete the following fields on the register submitted with the QC plan and the project schedule:

Column (a) Activity Number: Activity number from the project schedule.

Column (g) Contractor Submit Date: Scheduled date for approving authority to receive submittals.

Column (h) Contractor Approval Date: Date Contractor needs approval of submittal.

Column (i) Contractor Material: Date that Contractor needs material delivered to Contractor control.

1.8.2 Contractor Use of Submittal Register

Update the following fields with each submittal throughout contract.

Column (b) Transmittal Number: Contractor assigned list of consecutive numbers.

Column (j) Action Code (k): Date of action used to record Contractor's review when forwarding submittals to QC.

Column (l) List date of submittal transmission.

Column (q) List date approval received.

1.8.3 Approving Authority Use of Submittal Register

Update the following fields.

Column (b) Transmittal Number: Contractor assigned list of consecutive numbers.

Column (l) List date of submittal receipt.

Column (m) through (p) List Date related to review actions.

Column (q) List date returned to Contractor.

1.8.4 Contractor Action Code and Action Code

Entries for columns (j) and (o), are to be used are as follows (others may be prescribed by Transmittal Form):

NR - Not Received

AN - Approved as noted

A - Approved

RR - Disapproved, Revise, and Resubmit

1.8.5 Copies Delivered to the Government

Deliver one copy of submittal register updated by Contractor to Government with each invoice request.

1.9 SCHEDULING

Schedule and submit concurrently submittals covering component items forming a system or items that are interrelated. Include certifications to be submitted with the pertinent drawings at the same time. No delay damages or time extensions will be allowed for time lost in late submittals. An additional 15 calendar days will be allowed and shown on the register for review and approval of submittals for food service equipment and refrigeration and HVAC control systems.

- a. Coordinate scheduling, sequencing, preparing and processing of submittals with performance of work so that work will not be delayed by submittal processing. Allow for potential resubmittal of requirements.
- b. Submittals called for by the contract documents will be listed on the register. If a submittal is called for but does not pertain to the contract work, the Contractor is to include the submittal in the register and annotate it "N/A" with a brief explanation. Approval by the Contracting Officer does not relieve the Contractor of supplying submittals required by the contract documents but which have been omitted from the register or marked "N/A".
- c. Re-submit register and annotate monthly by the Contractor with actual submission and approval dates. When all items on the register have been fully approved, no further re-submittal is required.
- d. Carefully control procurement operations to ensure that each individual submittal is made on or before the Contractor scheduled submittal date shown on the approved "Submittal Register."

<TAI OPT="DESIGN-BUILD">1.9.1 Government Reviewed Design

The Government will review all 30 percent, 90 percent, and 100 percent design submittals for conformance with the technical requirements of the solicitation. Government review is required for deviation from the

completed design. Review will be only for conformance with the contract requirements. Included are only those construction submittals for which the Designer of Record design documents do not include enough detail to ascertain contract compliance. The Government may, but is not required, to review extensions of design such as structural steel or reinforcement shop drawings.

1.10 GOVERNMENT APPROVING AUTHORITY

When approving authority is Contracting Officer, the Government will:

- a. Note date on which submittal was received.
- b. Review submittals for approval within scheduling period specified and only for conformance with project design concepts and compliance with contract documents.
- c. Identify returned submittals with one of the actions defined in paragraph entitled "Review Notations" and with markings appropriate for action indicated.

Upon completion of review of submittals requiring Government approval, stamp and date approved submittals. An electronic copy will be returned to the Contractor. If the Government performs a conformance review of other Designer of Record approved submittals, the submittals will be so identified and returned, as described above.

1.11 DISAPPROVED OR REJECTED SUBMITTALS

Contractor shall make corrections required by the Contracting Officer. If the Contractor considers any correction or notation on the returned submittals to constitute a change to the contract drawings or specifications; notice as required under the clause entitled, "Changes" is to be given to the Contracting Officer. Contractor is responsible for the dimensions and design of connection details and construction of work. Failure to point out deviations may result in the Government requiring rejection and removal of such work at the Contractor's expense.

If changes are necessary to submittals, the Contractor shall make such revisions and submission of the submittals in accordance with the procedures above. No item of work requiring a submittal change is to be accomplished until the changed submittals are approved.

1.12 APPROVED /ACCEPTED SUBMITTALS

The Contracting Officer's approval or acceptance of submittals is not be construed as a complete check, and indicates only that<TAI OPT="CONSTRUCTION"> the general method of construction, materials, detailing and other information are satisfactory<TAI OPT="DESIGN-BUILD">design, general method of construction, materials, detailing and other information appear to meet the Solicitation and Accepted Proposal. Approval or acceptance will not relieve the Contractor of the responsibility for any error which may exist, as the Contractor under the Contractor Quality Control (CQC) requirements of this contract is responsible for design, dimensions, all design extensions, such as the design of adequate connections and details, etc., and the satisfactory construction of all

work. After submittals have been approved or accepted by the Contracting Officer, no resubmittal for the purpose of substituting materials or equipment will be considered unless accompanied by an explanation of why a substitution is necessary.

1.13 APPROVED SAMPLES

Approval of a sample is only for the characteristics or use named in such approval and is not be construed to change or modify any contract requirements. Before submitting samples, the Contractor to assure that the materials or equipment will be available in quantities required in the project. No change or substitution will be permitted after a sample has been approved.

Match the approved samples for Materials and equipment incorporated in the work. If requested, approved samples, including those which may be damaged in testing, will be returned to the Contractor, at his expense, upon completion of the contract. Samples not approved will also be returned to the Contractor at its expense, if so requested.

Failure of any materials to pass the specified tests will be sufficient cause for refusal to consider, under this contract, any further samples of the same brand or make of that material. Government reserves the right to disapproved any material or equipment which previously has proved unsatisfactory in service.

Samples of various materials or equipment delivered on the site or in place may be taken by the Contracting Officer for testing. Samples failing to meet contract requirements will automatically void previous approvals. Contractor to replace such materials or equipment to meet contract requirements.

Approval of the Contractor's samples by the Contracting Officer does not relieve the Contractor of his responsibilities under the contract.

1.14 WITHHOLDING OF PAYMENT

Payment for materials incorporated in the work will not be made if required approvals have not been obtained. No payment for materials incorporated in the work will be made if all required Designer of Record or required Government approvals have not been obtained. No payment will be made for any materials incorporated into the work for any conformance review submittals or information only submittals found to contain errors or deviations from the Solicitation or Accepted Proposal.

1.15 STAMPS

Stamps used by the Contractor on the submittal data to certify that the submittal meets contract requirements is to be similar to the following:

CONTRACTOR	
(Firm Name)	
_____	Approved
_____	Approved with corrections as noted on submittal data and/or attached sheets(s)
SIGNATURE: _____	
TITLE: _____	
DATE: _____	

For design-build construction, both the Contractor Quality Control System Manager and the Designer of Record are to stamp and sign to certify that the submittal meets contract requirements.

PART 2 PRODUCTS

Not Used

PART 3 EXECUTION

Not Used

-- End of Section --

