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The TEXT indicated with < > is to be selected or filled in by the Specifier to meet the requirements of the project.

If any of the SECTIONS (i.e. 1.02, 1.03, etc.) below are not required for the project do NOT delete the Section, but rather change the title of the Section to “NOT USED” (i.e. 1.02 NOT USED) so that numbering of specification references is preserved, and delete the specification language in this Section below the title.

PART 1 GENERAL

1.01 SECTION INCLUDES

- A. Substitutions.
- B. Contractor's representations.
- C. <Engineer duties.>
- D. UTILITIES' duties.

1.02 SUBSTITUTIONS

- A. For a period of <30> days after the effective date of the Contract, UTILITIES <and Engineer> will consider formal requests from CONTRACTOR for substitution of products in place of those specified. After end of that period, requests will be considered only in case of product unavailability or other conditions beyond control of CONTRACTOR.
- B. CONTRACTOR shall submit requests for substitution for consideration using the attached Product Substitution Request Form via PM SaaS, as specified in Section 01 33 12 – PM SaaS. Substitutions submitted by any other manner will not be considered by UTILITIES. CONTRACTOR shall limit each request to one proposed Substitution. CONTRACTOR shall submit the following supporting documentation with each Product Substitution Request Form:
 - 1. Complete data substantiating compliance of proposed substitutions with requirements stated in Contract Documents. The burden of proving a substitution complies with the Contract Documents and the risk of any non-compliance is on CONTRACTOR.
 - a. Product identification, including manufacturer's name and address.
 - b. Manufacturer's literature; identify:
 - 1) Product description.
 - 2) Reference standards.
 - 3) Performance and test data.
 - c. Samples, as applicable.
 - d. <Name and address of a minimum of <three (3)> similar projects on which product has been used, and date of each installation.>
 - 2. Itemized comparison of proposed substitution with product specified; list significant variations.
 - 3. Data relating to changes in construction schedule.
 - 4. Any effect of substitution on separate contracts.
 - 5. List of changes required in other work or products as a result of the substitution.
 - 6. Accurate cost data comparing proposed substitution with product specified. Change request for amount of any net change to Contract Price.
 - 7. Designation of required license fees or royalties.
 - 8. Designation of availability of maintenance services, sources, or replacement materials.

- C. Substitute products shall not be ordered or installed without CONTRACTOR submitting a Product Substitution Request Form via PM SaaS along with supporting documentation as set forth in this Section, as specified in Section 01 33 12 – PM SaaS, and CONTRACTOR receiving notification in writing of acceptance from UTILITIES <and Engineer>.
- D. UTILITIES <and Engineer> will determine acceptability of proposed substitutions requested by the CONTRACTOR via PM SaaS.

1.03 CONTRACTOR'S REPRESENTATION

- A. In submitting a Product Substitution Request Form, <CONTRACTOR> represents that:
 - 1. It has investigated the proposed product and has determined that it is equal to or superior in all respects to that specified.
 - 2. It will provide the same warranties or Bonds for substituted products as for the product specified or as required by UTILITIES.
 - 3. It will coordinate installation of accepted substitutions into the Work and will make such changes as may be required for Work to be complete in all respects.
 - 4. It waives claims for additional costs caused by substitution which may subsequently become apparent.
 - 5. Cost data is complete and includes related costs under its Contract, but not:
 - a. Costs under separate Contracts.
 - b. Engineer's costs for redesign or revision of Contract Documents.
 - 6. At UTILITIES' discretion, CONTRACTOR will reimburse UTILITIES for charges of Engineer or Engineer's consultants for evaluating any proposed substitute, whether proposed substitute is accepted or rejected.

1.04 ENGINEER DUTIES

- A. Engineer will review CONTRACTOR's requests for substitution as defined in Section 01 33 00 – Submittal Procedures with reasonable promptness and advise UTILITIES.
- B. Engineer will notify UTILITIES in writing of Engineer's decision to accept or reject requested substitution.

1.05 UTILITIES DUTIES

- A. UTILITIES will review CONTRACTOR's requests for substitution as defined in Section 01 33 00 – Submittal Procedures.
- B. UTILITIES will notify CONTRACTOR in writing of UTILITIES' decision to accept or reject requested substitution.

PART 2 PRODUCTS

NOT USED

PART 3 EXECUTION

NOT USED

END OF SECTION

PRODUCT SUBSTITUTION REQUEST FORM

To: _____

Project: _____

Specified Item: _____
Section Page Paragraph Description

The undersigned request consideration of the following:

PROPOSED SUBSTITUTION _____

Attached data includes product description, specifications, drawings, photographs, performance, and test data adequate for evaluation of the request; applicable portions of the data are clearly identified.

Attached data also includes a description of changes to the Contract Documents that the proposed substitution will require for its proper installation.

The undersigned certifies that the following paragraphs, unless modified by attachments are correct:

- 1. The proposed substitution does not affect dimensions shown on Drawings.
2. The undersigned will pay for changes to the building design, including engineering design, detailing, and construction costs caused by the requested substitution.
3. The proposed substitution will have no adverse effect on other trades, the construction schedule, or specified warranty requirements.
4. Maintenance and service parts will be locally available for the proposed substitution.

The undersigned further states that the function, appearance, and quality of the proposed substitution are equivalent or superior to the specified item.

Submitted by:

Signature _____

Firm _____

Address _____

Date _____

Telephone _____

Attachments

For use by UTILITIES and Engineer

Approved Approved as noted

Not Approved Received too late

By _____

Date _____

Remarks _____