

## SECTION 01 25 00

### SUBSTITUTIONS AND PRODUCT OPTIONS

#### PART 1 - GENERAL

##### 1.01 PROCEDURE

- A. Contractors and/or suppliers may submit requests for approval of substitute products or materials. Requests shall be submitted within the specified time before the bid.
- B. No substitutions will be considered after the substitute deadline.
- C. Documentation may need to be sent to DPS for some products such as paint and finish hardware, floor finishes, etc.

##### 1.02 PRODUCT SUBSTITUTIONS REQUIRING PRE-BID SUBMITTALS

- A. Whenever a material or article is specified or described by using the name of a proprietary product or the name of a particular manufacturer or vendor, the specific item mentioned shall be understood as establishing type, function, dimension, appearance, and quality desired. Other manufacturer's products will be considered provided sufficient information is submitted to allow the Architect to determine whether products proposed are acceptable for use in project.
  - 1. Requests for substitutions must clearly state what is offered and be complete with full data, including illustrations, specifications, capacities, operational data and samples.
  - 2. Requests for Architect's acceptance of substitute products for those specified shall be according to the following:
    - (a.) Requests in writing shall be received by the Architect at least seven (7) working days prior to the bid opening.
    - (b.) Detailed, complete information for a specific product must be provided with each request in order to permit accurate evaluation. Submissions consisting only of general catalogues or vague, incomplete data will not be considered.
- B. It is the duty of the party making the request to provide sufficient information with the request. The Contractor shall identify each individual specified item and proposed substitute.
- C. The burden of proof of acceptability rests with the Contractor.
- D. Requests for approval of substitute items shall be categorically rejected if received after specified deadlines or if non-compliant with any conditions of this section or specification section of the product for which substitution approval is being requested.
- E. Acceptance of substitutions shall in no way be interpreted as a waiver from full compliance with other specification requirements, unless requests for approval of substitute items specifically request relief from specified requirements and the requested relief is specifically granted in the approving addendum.
- F. Rejection of a Request for Substitution may be for any reason including: product incompatibility, past record of performance for DPS, parts availability, manufacturer's representative's service performance, available colors or finishes or any other factor which impacts the aesthetics, maintainability, durability or serviceability of the product. Acceptability of proposed substitutions is at the sole discretion of the Owner.

**1.03 SAMPLES**

- A. Samples shall be provided for substitution requests of:
  - 1. Casework
  - 2. Carpet
  - 3. Chalkboard, Tackboard, Markerboard (trim only).
  - 4. Windows
  - 5. Samples may be requested for any other items if in the judgement of the Architect and/or Owner, such samples are needed to adequately judge acceptability.

**1.04 UTILITY REQUIREMENTS:**

- A. Any differences in utility requirements, hook up, fabrication, or construction between specified items and proposed substitutions shall be clearly identified in writing by the party making the request for approval of equals.
- B. When the Architect accepts a product proposed by a supplier as being "equal" to a product specified in the Contract Documents and such proposed product requires a different quantity and/or arrangement of any other part of the work from that specified, detailed, stated in the Approval, or indicated on the Contract Documents, the Contractor shall provide the same at his own cost and expense.

**1.05 NOTIFICATIONS**

- A. Materials and equipment accepted as substitutes for specified products will be listed in Addenda and distributed to all Construction Document holders of record. No other notification of the Architect's approvals will be issued. The Architect will not list products that are not accepted as substitutions.

**1.06 APPROVED MANUFACTURERS**

- A. Where various sections of these specifications list manufacturers as acceptable to provide products specified, the naming of a manufacturer herein:
  - 1. Indicates that said manufacturer is approved to provide a product that meets the detailed specified requirements. Acceptance of the manufacturer does not suspend any requirements of the specification unless specifically indicated in the authorizing addendum.
  - 2. Approval does not indicate any judgment on the capacity of the manufacturer to produce the quantity of product required for any specific project. The Contractor shall be responsible for determining the ability of any particular manufacturer to fulfill contractors delivery schedules, etc. as needed to complete the contract within the given contract time.

**END OF SECTION 01 25 00**