

**READ THIS FIRST**

This Project Spec Document may need additional modifications to suit your project. It is recommended that you proofread each section, paying attention to any “Notes” boxes such as this one--you should remove these “Notes” sections as you go. Also, do a search for all bracket characters “ [ ] “ as they are used to show you areas containing options or project specific details (you can use Microsoft Word’s Find feature {Ctrl-F} to jump to an open bracket “ [ “ character quickly). Again, these bracket characters should be removed.

It is important that every paragraph be numbered to allow for easy referencing. If you use the document’s built in styles and formatting your outline should be fine (turn on the formatting toolbar by going to View > Toolbars > Formatting). Most paragraphs will use the style “Numbered Material” and can be promoted (Shift) or demoted (Shift-Tab).

You should not have to manually enter extra spaces, carriage returns or outline characters such as A, B, C, or 1.01, 1.02; the formatting will do this for you. The entire document is 11 pt. Arial. If you paste items in, you may need to reapply the “Numbered Material” format.

**PART 1 GENERAL**

**1.01 SUMMARY**

- A. This Section describes product options available to the Contractor, plus procedures for securing acceptance of proposed substitutions during construction in coordination with the requirements set forth in the General Conditions.

**1.02 SUBSTITUTION REQUIREMENTS**

- A. If the Contractor wishes to furnish or use substitute materials, equipment, or processes in connection with this Contract, the Contractor shall make a written application to the Engineer for consideration of the substitute, together with a certification by the Contractor that the proposed substitute will adequately perform the functions called for in the project design, is of similar and equal substance to the equipment, material, or process named, is suited to the same use, complies with all codes, laws, or regulations affecting the Work and is capable of performing the same function as the materials, equipment, or process named in the Contract Documents. Substitutions shall be provided at no additional cost or time impact to the project. The Contractor is responsible to coordinate all associated Work that may be affected by the substitution. The application shall also state whether or not acceptance of the substitute will require a change in the Contract Documents to adapt the design to the substitute and whether or not the use of the substitute is subject to payment of any license fee or royalty by the Contractor.
- B. All variations of the proposed substitute from the materials, equipment, or process named in the specifications shall be identified in the Contractor’s application, including variations between maintenance, repair and replacement service entities.
- C. Should any proposed product substitution require any re-design Work by the Design Consultant or the Design Consultant’s consultants to accommodate the substitute product, costs for such re-design Work shall be the responsibility of the Contractor.

**1.03 SUBMITTALS**

- A. Substitution submittal procedure:

1. All substitution submittals shall be accompanied by the attached Substitution Request Form completely filled out in CMS. Limit each request form to one proposed substitution.
2. Submit complete sets of substitution request forms and supporting data as required by Section 01 33 00 - Submittals.
3. Clearly indicate with red arrows on the supporting data the proposed substitution and accessories.

**1.04 EVALUATION AND REVIEW**

- A. The evaluation and acceptance or rejection of the proposed substitute shall not be grounds for an increase in the Contract Time or the Contract Sum.
- B. The Engineer may require that the Contractor furnish, at no additional expense to the Port, additional data concerning the proposed substitute. The Engineer will be allowed a reasonable time within which to evaluate the proposed substitute. The Engineer will be the sole judge of the acceptability of the proposed substitute.

**1.05 TIME**

- A. The Contractor shall allow forty-five (45) days for review and evaluation of requests for substitutions.

**PART 2 PRODUCTS - Not Used**

**PART 3 EXECUTION - Not Used**

**PART 4 MEASUREMENT AND PAYMENT**

**4.01 GENERAL**

- A. No separate measurement or payment will be made for the Work required by this section. The cost for this portion of the Work will be considered incidental to, and included in the payments made for the applicable bid items in the [Schedule of Unit Prices] [Lump Sum price] bid for the Project.

End of Section
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## Section Substitution Request Form

TO:

PROJECT NAME:

We hereby submit for consideration, the following product instead of the specified item for the above project:

Section	Paragraph	Specified Item
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Proposed Substitution:

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ATTACH COMPLETE DIMENSIONAL INFORMATION, ENGINEERING CALCULATIONS, AND TECHNICAL DATA INCLUDING LABORATORY TESTS, IF APPLICABLE.

INCLUDE COMPLETE INFORMATION ON CHANGES TO DRAWINGS OR SPECIFICATIONS WHICH PROPOSED SUBSTITUTION WILL REQUIRE FOR ITS PROPER INSTALLATION.

SUBMIT WITH REQUEST ALL NECESSARY SAMPLES AND SUBSTANTIATING DATA TO PROVIDE EQUAL QUALITY, PERFORMANCE, AND APPEARANCE TO THAT WHICH IS SPECIFIED. CLEARLY MARK MANUFACTURER'S LITERATURE TO INDICATE EQUALITY IN PERFORMANCE. DIFFERENCES IN QUALITY OF MATERIALS AND CONSTRUCTION SHALL BE INDICATED.

THE UNDERSIGNED STATES THAT THE FOLLOWING PARAGRAPHS, UNLESS MODIFIED ON 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 AFFECT ON OTHER TRADES, THE CONSTRUCTION SCHEDULE, OR SPECIFIED WARRANTY REQUIREMENTS.
4. MAINTENANCE AND SERVICE PARTS WILL BE LOCALLY AVAILABLE FOR THE PROPOSED SUBSTITUTION.
5. THE PROPOSED SUBSTITUTION WILL HAVE NO AFFECT ON APPLICABLE CODES.
6. THE MANUFACTURER'S GUARANTEE OR WARRANTIES OF PROPOSED PRODUCT IS EQUIVALENT TO; OR EXCEEDS THAT OF THE SPECIFIED PRODUCT.

List of names and location of three similar projects on which product was used, date of installation, and Architect's name and phone number.

**CERTIFICATION OF EQUAL  
PERFORMANCE AND ASSUMPTION OF LIABILITY FOR EQUAL PERFORMANCE:  
UNDERSIGNED**

**ATTESTS THAT FUNCTION AND QUALITY ARE EQUAL TO OR SUPERIOR TO  
SPECIFIED ITEMS**

Submitted By:

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Name

Title

*Above must be a person having authority to legally bind Contractor's firm to the above terms.*

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Firm

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Address

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City / State

Zip

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Telephone

Date