

SECTION 01600 - PRODUCT REQUIREMENTS

PART 1 - GENERAL

1.1 SUMMARY

- A. This Section includes administrative and procedural requirements for selection of products for use in Project; product delivery, storage, and handling; manufacturers' standard warranties on products; special warranties; product substitutions; and comparable products.
- B. See Division 1 Section "Closeout Procedures" for submitting warranties for Contract closeout.
- C. See Divisions 2 through 16 Sections for specific requirements for warranties on products and installations specified to be warranted.

1.2 SUBMITTALS

- A. Substitution Requests: At least 15 days prior to bid opening, submit three (3) copies of each request to the Purchasing Office, Room 500, 2100 Clarendon Boulevard, Arlington, VA 22201. Identify product or fabrication or installation method to be replaced. Include appropriate Specification Section number.
 - 1. Documentation: Show compliance with requirements for substitutions and the following, as applicable:
 - a. Reasons why the specified product cannot be provided.
 - b. Coordination information, including a list of changes or modifications needed to other parts of the Work that will be necessary to accommodate proposed substitution.
 - c. Detailed comparison of significant qualities of proposed substitution with those of the product specified.
 - d. Product Data, including drawings and descriptions of products and fabrication and installation procedures.
 - e. Samples, where applicable or requested.
 - f. List of similar installations for completed projects with project names and addresses and names and addresses of Architects and owners, if requested.
 - g. Material test reports from a qualified testing agency indicating and interpreting test results for compliance with requirements indicated.
 - h. Statement of impact on the construction schedule. If specified product or method of construction cannot be provided within the Contract Time, include letter from manufacturer, on manufacturer's letterhead, stating lack of availability or delays in delivery.
 - i. Cost information, including a proposal of change, if any, in the Contract Sum.
 - j. Contractor's certification that proposed substitution complies with requirements in the Contract Documents and is appropriate for applications indicated.
 - k. Contractor's waiver of rights to additional payment or time that may subsequently become necessary because of failure of proposed substitution to produce indicated results.

2. Project Officer's Action: If necessary, Project Officer will request additional information or documentation for evaluation within five (5) business days of receipt of a request for substitution. Project Officer will notify Contractor of acceptance or rejection of proposed substitution within ten (10) business days of receipt of request, or five (5) business days of receipt of additional information or documentation, whichever is later.

- a. Form of Acceptance: Bid Amendment.
- b. Use product specified if Project Officer cannot make a decision on use of a proposed substitution within time allocated.

- B. Comparable Product Requests: At least 15 days prior to bid opening, submit three (3) copies of each request to the Purchasing Office, Room 500, 2100 Clarendon Boulevard, Arlington, VA 22201. Identify product or fabrication or installation method to be replaced. Include Specification Section number and title and Drawing numbers and titles. Comparable Product Requests may also be submitted to the Project Officer after Contract Award, and may or may not be considered at that time, at the Project Officer's discretion.

1. Project Officer's Action: If necessary, Project Officer will request additional information or documentation for evaluation within five (5) business days of receipt of a comparable product request. Project Officer will notify Contractor of approval or rejection of proposed comparable product request within ten (10) business days of receipt of request, or five (5) days of receipt of additional information or documentation, whichever is later.

- a. Form of Approval: Bid Amendment (if prior to pre-bid opening deadline), or returned submittal stamped "approved" or "approved as noted," (if after Contract Award).
- b. Use product specified if Project Officer cannot make a decision on use of a comparable product request within time allocated.

1.3 QUALITY ASSURANCE

- A. Compatibility of Options: If Contractor is given option of selecting between two or more products for use on Project, product selected shall be compatible with products previously selected, even if previously selected products were also options.

1.4 PRODUCT DELIVERY, STORAGE, AND HANDLING

- A. Deliver, store, and handle products using means and methods that will prevent damage, deterioration, and loss, including theft. Comply with manufacturer's written instructions.

1.5 PRODUCT WARRANTIES

- A. Warranties specified in other Sections shall be in addition to, and run concurrent with, other warranties required by the Contract Documents. Manufacturer's disclaimers and limitations on product warranties do not relieve Contractor of obligations under requirements of the Contract Documents.

1. Manufacturer's Warranty: Preprinted written warranty published by individual manufacturer for a particular product and specifically endorsed by manufacturer to Owner.
 2. Special Warranty (if required by other specification sections): Written warranty required by or incorporated into the Contract Documents, either to extend time limit provided by manufacturer's warranty or to provide more rights for Owner.
- B. Special Warranties (if required by other specification sections): Prepare a written document that contains appropriate terms and identification, ready for execution. Submit a draft for approval before final execution.
1. Manufacturer's Standard Form: Modified to include Project-specific information and properly executed.
 2. Specified Form: When specified forms are included with the Specifications, prepare a written document using appropriate form properly executed.
 3. Refer to Divisions 2 through 16 Sections for specific content requirements and particular requirements for submitting special warranties.
- C. Submittal Time: Comply with requirements in Division 1 Section "Closeout Procedures."

PART 2 - PRODUCTS

2.1 PRODUCT SELECTION PROCEDURES

- A. General Product Requirements: Provide products that comply with the Contract Documents, that are undamaged and that are new at time of installation.
1. Standard Products: Unless custom products or nonstandard options are specified, provide standard products of types that have been produced and used successfully in similar situations on other projects.
- B. Product Selection Procedures:
1. Sole-Source: Where Specifications name a single product and manufacturer without the words "or approved equal," provide the named product that complies with requirements.
 2. Product or Approved Equal: Where Specifications name a single product and manufacturer accompanied by the words "or approved equal," the specification establishes a minimum standard for design and quality. This should not be construed as eliminating from competition other products of equal or better quality that also satisfy the design intent of the project (as determined by the Project Officer). In this case, either provide the named product that complies with requirements, or submit a Comparable Product Request for consideration by the Project Officer.
 3. Product List: Where Specifications include a list of manufacturers and products, provide the specified quantity of one of the named products that complies with requirements. Product selected shall be compatible with products previously selected, even if previously selected products were also options. Alternatives not listed may be considered by the Project Officer at his discretion. To request consideration of an alternative not listed, submit a "Bidder Submission of Propose Equivalent" for consideration by the Project Officer.

2.2 PRODUCT SUBSTITUTIONS

- A. Timing: Project Officer will consider requests for substitution if received by the Purchasing Office at least 10 days prior to bid opening.
- B. Conditions: Project Officer will consider Contractor's request for substitution when the following conditions are satisfied. If the following conditions are not satisfied, Project Officer will return requests without action, except to record noncompliance with these requirements:
 - 1. Requested substitution offers Owner a substantial advantage in cost, time, energy conservation, or other considerations, after deducting additional responsibilities Owner must assume. Owner's additional responsibilities may include compensation to Landscape Architect/Engineer for redesign and evaluation services, increased cost of other construction by Owner, and similar considerations.
 - 2. Requested substitution does not require extensive revisions to the Contract Documents.
 - 3. Requested substitution is consistent with the Contract Documents and will produce indicated results.
 - 4. Substitution request is fully documented and properly submitted.
 - 5. Requested substitution will not adversely affect Contractor's Construction Schedule.
 - 6. Requested substitution has received necessary approvals of authorities having jurisdiction.
 - 7. Requested substitution is compatible with other portions of the Work.
 - 8. Requested substitution has been coordinated with other portions of the Work.
 - 9. Requested substitution provides a warranty comparable to the specified product.
- C. The Contractor shall provide the same guarantee for the proposed substitution as the specified product, and shall waive all claims for additional costs related to the substitution which consequently become apparent.
- D. The Project Officer and/or Project Officer retain(s) the right to reject any proposed substitution if, in his opinion, the proposed substitution does not conform to the design intent of the Project or the requirements of the Contract Documents.

2.3 COMPARABLE PRODUCTS

- A. Timing: Project Officer will consider requests for comparable products if received by the Purchasing Office at least 15 days prior to bid opening. Comparable Product Requests may also be submitted to the Project Officer after Contract Award, and may or may not be considered at that time, at the discretion of the Project Officer.
- B. Conditions: Project Officer will consider Contractor's request for comparable product when the following conditions are satisfied. If the following conditions are not satisfied, Project Officer will return requests without action, except to record noncompliance with these requirements:
 - 1. The proposed product shall not require extensive revisions to the Contract Documents, shall be consistent with the Contract Documents and will produce the indicated results, and shall be compatible with other portions of the Work.
 - 2. Provide a detailed comparison of significant qualities of proposed product with those named in the Specifications. Significant qualities include attributes such as performance, weight, size, durability, visual effect, and specific features and requirements indicated.

3. Provide evidence that proposed product provides a warranty comparable to the specified product.
 4. Provide a list of similar installations for completed projects with project names and addresses and names and addresses of Project Officers and owners, if requested.
 5. Provide samples, if requested.
- C. The Contractor shall provide the same guarantee for the proposed substitution as the specified product, and shall waive all claims for additional costs related to the substitution which consequently become apparent.
- D. The Project Officer and/or Project Officer retain(s) the right to reject any proposed product if, in his opinion, the proposed product does not conform to the design intent of the Project or the requirements of the Contract Documents.

END OF SECTION 01600