
SECTION 400: CODES AND POLICIES

400.1

CODES (amended 09/04; 07/13 ASHRAE)

The following Codes and Regulations are used by the Bureau. The Professional will prepare all Documents in compliance with the latest edition of each and any revisions in effect. Special projects may necessitate compliance with additional codes, regulations or requirements. The Using Agency can be of assistance in specifying Code and Regulation requirements.

The Professional will adhere to the following abridged list of Codes and Regulations depending on the nature of the Project. In some instances, printed materials are available upon request; whereas, certain regulatory agencies require appointments to discuss specifics because no printed materials are available. It is assumed the Professional is familiar with all Codes and Regulations and will comply with all codes whether they are listed below or not. Professionals may hire, at their own expense, consultants to review documents for code compliance; the Bureau Staff will not review drawings or specifications for code compliance.

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| 1. International Building Code | 14. Mississippi Floodplain Regulations |
| 2. International Existing Building Code | 15. Information Technology Services (formerly Central Data Processing Authority)- <i>Computer Equipment Purchases and Telecommunication Purchases</i> |
| 3. International Plumbing Code | 16. Mississippi Department of Archives and History - <i>Historic Properties</i> |
| 4. International Mechanical Code | 17. Mississippi Department of Environmental Quality's Office of Pollution Control – <i>Air and Water</i> |
| 5. International Fuel Gas Code | 18. Mississippi State Department of Health's Health Facilities Licensure and Certification Division - |
| 6. International Electrical Code | <i>Minimum Standards of Operation for Home Health Agencies</i> |
| 7. ASHRAE 90.1-2010 (Energy Standard for Buildings) | <i>Minimum Standards of Operation for Personal Care Homes</i> |
| 8. International Fire Code | <i>Minimum Standards of Operation for Chemical Dependency Units</i> |
| 9. Mississippi Handicapped Law, Mississippi Code 1972, Annotated, Section 43-6-101 through 43-6-125 | <i>Minimum Standards of Operation for Mississippi Hospitals</i> |
| 10. Federal Register, Part III, Environmental Protection Agency 40 CFR Part 61, National Emission Standards for Hazardous Air Pollutants; Asbestos NESHAP Revision; Final Rule | <i>Minimum Standards of Operation for Psychiatric Hospitals</i> |
| 11. Mississippi Regulations for Accreditation and Certification of Asbestos Abatement Personnel (Mississippi Department of Environmental Quality) | <i>Minimum Standards of Operation for Ambulatory Surgical Facilities</i> |
| 12. Federal Register, Part IV, Department of Justice 28 CFR Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services; Final Rule | <i>Minimum Standards of Operation for Institutions for the Aged and Infirmed</i> |
| 13. Davis Bacon Act Regulations | |

400.2

PERMITS & LOCAL AUTHORITIES

Local building permits are not required. Local authorities have no jurisdiction over state-owned projects except where they have been specifically authorized to act on behalf of the State (i.e., local fire marshals and health officials). [Mississippi Supreme Court opinion, City of Jackson v. Mississippi State Building Commission et al, 350 So.2d 63 (1977)]

ROOFING POLICY

400.3

THE POLICY

In an attempt to alleviate various problems regarding low-sloping roofs and to standardize plans and specifications, the Bureau as the Owner has set forth the following policy for roofing new and existing buildings. The following guidelines delineate the Bureau's Roofing Policy and related forms.

Roof Policy Elements

- * Roof Requirements
- * Roof Guarantee
- * Roof Slopes
- * Roof Substrate
- * Roof Insulation
- * Roof Top Equipment
- * Flashings
- * Roof Planning and Surveying
- * Roofing Asbestos Testing
- * Roofing Bid Documents
- * Quality Assurance
- * Prebid Roofing Conference
- * Preroofing Conference
- * Roof Inspection
- * Roof Bond

A. ROOF REQUIREMENTS

1. The following three (3) types of roofing systems are approved. Any other type of roof system must have written approval from the Owner:

a. A four-ply fiberglass and bitumen hot-mopped applied built-up roofing system.

b. A modified bitumen roofing system shall be hot-mopped applied.

c. A single-ply polymeric roofing system including EPDM (ethylene propylene diene monomer); SPE (chlorosulfonated polyethylene); and CPA (copolymer alloy) can be loose laid, adhered or mechanically attached.

2. It shall be the responsibility of the Professional to choose the type of roof which will best suit the Project and to specify that the roof be furnished, installed and guaranteed as a system which may include vapor retarders, insulation, fasteners, bitumen, felts, membranes, flashings and/or other items which are

required by the proposed design. All materials used in the roofing system shall be specified to meet the latest available American Standards of Testing Materials (ASTM) for individual components of the roofing system. Certification from the roofing Manufacturer shall be furnished at the pre-roofing conference as well as when the material is delivered to the job site.

B. ROOF GUARANTEE

1. The four-ply built-up roof system and the modified bitumen system shall have a twenty (20) year unlimited Manufacturer's guarantee for water tightness covering material and Workmanship on the entire system.
2. The single-ply polymeric system shall have a fifteen (15) year unlimited Manufacturer's guarantee for water tightness covering material and Workmanship on the entire system.
3. In addition to the above guarantee, the General Contractor and/or the Roofing Contractor shall provide a written guarantee agreeing to keep the roof free of leaks for a period of two (2) years beginning at the time of acceptance of the Project by the Owner.

C. ROOF SLOPES

1. All roof construction on new buildings shall have a built-in minimum slope to drains or eaves of a quarter of an inch (1/4") per foot.
2. All replacement roofs shall have a minimum slope of a quarter of an inch (1/4") per foot where feasible, however in no case shall the slope be less than one sixteenth of an inch (1/16") per foot.

D. ROOF SUBSTRATE

1. The type roof system selected shall be compatible with the substrate and shall be approved by the roofing material Manufacturer.

E. ROOF INSULATION

1. Roof insulation shall be of the type approved and guaranteed by the roofing Manufacturer for the roof assembly in which it is to be used. The required minimum "R" value shall be specified.
2. On replacement roof projects which do not have a sloping deck, tapered insulation shall be used where feasible.

F. ROOF TOP EQUIPMENT

1. On all new construction, the installation of equipment on roofs shall not be permitted. Where equipment must be installed on a roof, such as kitchen exhaust hood, it shall be approved by the Owner and shall be installed in accordance with the National Roofing Contractors Association (NRCA) design details which shall be such that reroofing can be easily accomplished without the removal of the equipment.
2. Where equipment must be periodically serviced, easy access and traffic pads shall be provided.

G. FLASHINGS

1. Flashings shall be included in the Roof Warranty and shall be applied by an applicator approved by the Manufacturer of the roofing material.
2. In reroofing projects existing metal flashings which are not to be replaced may be exempted from the Warranty.

H. ROOF PLANNING AND SURVEYING

1. A report shall be prepared by the Professional which shall include the following items:
 - a. New Construction
 - (1) Fire Code protection requirement and the required hourly fire resistance rating of the assembly
 - (2) UL roof assembly number
 - (3) Type of roofing and flashing system recommended with justification for its use
 - (4) Roof Area
 - (5) Cost Estimate

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- b. Existing Construction
 - (1) Determination of roof construction (core where necessary)
 - (2) Asbestos survey and testing
 - (3) Visual roof analysis inspection
 - (4) Moisture analysis
 - (5) Code requirements (UL roof assembly number, if applicable)
 - (6) Provide Class A type roof, or match existing roof
 - (7) Recommendations by the Professional as to repair or reroof
 - (8) Cost Estimate
 - c. The necessary forms to complete the roof analysis and inspection are included in **Appendix 400**.
2. Two (2) copies of this report will be submitted to the Bureau.

I. ROOFING ASBESTOS TESTING

1. All testing should be conducted and performed as stated in the *ACM Abatement Policy*. [See **Section 400.4**.]

J. ROOFING BID DOCUMENTS

1. For new construction and complete tear-off of existing roofs, the Professional shall specify in the Bid Documents the roof as a system and shall include all items which are to be covered under the Roof Warranty.
2. When required, the Professional shall state in the Section, *Instructions to Bidders*, that upon award of Contract the General Contractor and/or Roofing Contractor shall provide the Owner with the installed price of the roofing system. If more than one (1) building is involved, each building shall be listed separately.
3. Items to be included/stated in Bid Documents:
 - a. Prebid Conference: This conference is to be set at least seven (7) days prior to the bid opening. The date is to be stated in the specifications.
 - b. Installer Submittals: Within five (5) days after bids have been opened, the low Bidder shall provide the Bureau with a letter from the Manufacturer of the roofing system stating that the low Bidder is an authorized installer. The letter should also list three (3) projects installed by the low Bidder's firm which used the type roofing specified in the Bid Documents. The Roofing Contractor shall also provide a sample copy of the Manufacturer's Roof Warranty.
 - c. Roofing Manufacturer: The Bidder is to state the name of the Manufacturer of the roofing system to be install.
4. Removal of ACM will be a part of the Contract and must be incorporated into the Bid Documents. [See **Section 400**.]

K. QUALITY ASSURANCE

1. The Roofing Contractor shall have been in business not less than five (5) years.
2. Within five (5) days after bids have been received, the low bidder shall provide the Owner with the following information:
 - a. A letter from the Roofing Manufacturer stating that the bidder is an authorized installer.
 - b. A sample copy of the Manufacturer's Warranty for the specified roofing system.

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- c. A list of three (3) projects installed by his firm which used the type of roofing system specified.

L. PREBID ROOFING CONFERENCE

1. At least seven (7) days prior to bidding of a reroofing project, a prebid conference shall be held at the Project site. Attendance is not a prerequisite for bidding; however, it is strongly recommended.

M. PREROOFING CONFERENCE

1. On new and reroofing projects, prior to ordering roofing materials, a preroofing conference shall be initiated by the Professional.
2. At such time, the Roofing Contractor shall provide a list of materials to be used, Manufacturer's installation instructions as well as the Manufacturer's certification confirming that the materials to be used on the Project meet the specified American Standard Testing Materials [ASTM] Standards and a statement that the materials can be warranted by the Roofing Manufacturer.
3. On reroofing projects, the following personnel shall be in attendance:
 - a. Professional
 - b. Owner's Staff Inspector
 - c. Using Agency's Representative
 - d. Roofing Contractor
 - e. Roofing Manufacturer's Representative
4. On new roofing projects, the following personnel shall be in attendance:
 - a. Professional
 - b. Owner's Staff Inspector
 - c. Using Agency's Representative
 - d. Roofing Manufacturer's Representative
 - e. General Contractor
 - f. Roofing Contractor
 - g. Deck Contractor
 - h. Mechanical Contractor

N. ROOF INSPECTION

1. Inspections shall be made by the Manufacturer's technical representative, as necessary, to obtain the Roof Guarantee.
2. The Professional, or Representative, shall inspect the roof as the Work progresses. In particular, inspections shall be at the following times and followed by a letter of confirmation:
 - a. Inspect the substrate before any roofing is done.
 - b. Inspect at the beginning of roofing installation to assure the approved materials are being properly installed.
 - c. Inspect, as necessary, the Work as it progresses, or when a problem arises.
 - d. Inspection at the completion of the Work in order to give final acceptance of the Project.

O. ROOF BOND

1. The Professional shall submit to the Owner the original Roof Bond and include all Close-out Documents.
2. The Bond will be in the name of the Bureau of Building, Grounds and Real Property Management acting on behalf of the State of Mississippi as the Owner.

ASBESTOS ABATEMENT POLICY

400.4 (amended April 2009 Scruggs to AG)

THE POLICY

Where Asbestos Containing Materials [ACM] must be removed, the following guidelines and procedures have been developed to manage this process:

ACM Guidelines

- * Asbestos Certification
- * Schedule
- * Asbestos Abatement Phases
- * Inspection/Sampling Testing Phase
- * Abatement Document Phase
- * Bidding Phase
- * Abatement Phase
- * Professional Consulting Services

A. ASBESTOS CERTIFICATION

1. The Professional is to secure the services of asbestos specialist(s) who possesses current *Project Designer* and/or *Project Inspector* certificate(s) issued by the Mississippi Department of Environmental Quality's Office of Pollution Control.

2. A copy of each Certificate will be attached to a comprehensive report submitted by the Professional to the Owner defining the ACM present, its type, location and approximate quantity.

3. If the Professional has an asbestos specialist on staff who possesses proper certification, the asbestos testing can be performed *in house*.

B. SCHEDULE

1. Upon execution of the *Standard Form of Agreement Between the Owner and the Professional*, the Professional will submit a *Schedule of Performance* for approval by the Bureau Staff. This *Schedule* will include allowances for time required by the Bureau and Using Agency for review and approval of the submissions. When the *Schedule* has been approved by the Bureau, it will not, except for reasonable cause, be exceeded by the Professional.

C. ASBESTOS ABATEMENT PHASES

1. Inspection/Sampling/Testing
2. Abatement Document
3. Bidding
4. Abatement

D. INSPECTION/SAMPLING/TESTING PHASE

1. The Professional will consult with the Owner to ascertain the applicable requirements of the Project.
2. The Professional shall perform a complete inspection of the Project to determine:
 - a. Types of Asbestos
 - b. Locations of Asbestos
 - c. Quantities of Asbestos
3. The Professional will secure the services of a testing laboratory qualified by the National Institute of Safety and Health [NIOSH] to conduct tests. Services should include:
 - a. Sample Collection

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- b. Analysis
 - c. Reporting
 4. The Professional, if qualified as a NIOSH laboratory, may conduct the asbestos sampling, analysis and reporting.
 5. The Owner will reimburse the Professional for the testing required by this phase.
 6. Four (4) copies of the comprehensive written report will be submitted to the Owner. Documents should include:
 - a. Drawings
 - b. Testing Laboratory Reports
 - c. Cost Options
 - d. Owner's Options
 7. The Professional will prepare and submit an estimate of the Project's total cost. The estimate should include:
 - a. Costs associated with removal of ACM
 - b. Costs associated with disposal of ACM
 - c. Replacement of any finishes or materials disturbed during the removal process
 - d. Testing
 - e. Monitoring
 8. The Professional will show progress to date and confirm the remainder of the Schedule.
 9. The Bureau must give written approval of the Inspection/Sampling/Testing Phase before the Professional proceeds with the next phase.

E. ABATEMENT DOCUMENT PHASE

1. (removed 7/9/09 per AG notification)
2. The Professional will prepare and submit four (4) copies of Working drawings and specifications for approval. Two (2) copies will be delivered to the Bureau and two (2) copies will be delivered to the Using Agency. The drawings and specifications should detail and prescribe:
 - a. The Work to be accomplished.
 - b. Protective measures in accordance with EPA guidelines.
 - c. Procedures for shutting down mechanical and electrical systems.
 - d. Phasing of Work, if required.
 - e. Outlining responsibilities for cleaning.
 - f. Outlining responsibilities for removing loose equipment.
3. After receiving a reviewed copy of the Abatement Documents from the Owner, the Professional will review and revise the documents. When the final revised copies are ready for distribution two (2) copies will be given to the Owner and two (2) copies to the Using Agency prior to release of documents for bids.
4. The Professional will provide complete sets of plans, specifications, and other bidding documents for bidding purposes.
 - a. The Professional will be reimbursed for printing the bid documents by the Owner, with cost approval prior to printing.
 - b. Costs of all plans and specifications, other than for bidding, will be at the Professional's expense.
5. The Professional will prepare and submit to the Owner a detailed construction cost analysis based on a quantity survey. The estimate will show an escalation projected from the date of the

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estimate to the projected bid date.

6. The Professional will agree that approval of the drawings and specifications by any person, body, or agency will not relieve him of the responsibility for the adequacy, fitness, suitability, correctness of design, and designing the Work in accordance with sound and accepted practices and in compliance with prevailing building codes, federal and state laws and regulations regarding asbestos abatement.

F. **BIDDING PHASE**

1. Following the Owner's approval of the Abatement Document Phase, the Professional will assist the Owner in:
 - a. Obtaining bids
 - b. Awarding a Contract
 - c. Preparing Construction Contracts
2. The Professional will attend the bid opening and furnish a bid tabulation sheet in accordance with the Bureau's format. [See **Appendix 400.**]
3. Immediately after receipt of bids, the Professional will submit to the Owner a certified tabulation of all bids received accompanied by a recommendation as to the award of Contract.
4. Following the award of Contract, the Professional will prepare four (4) copies of updated construction documents (specifications) and four (4) copies of reduced plans. Each copy will be marked *OFFICIAL CONTRACT DOCUMENTS* and will include:
 - a. Executed Bid Proposal Form (Photocopy is acceptable)
 - b. Agreement Form (With original signatures)
 - c. Contract Bond (With original signatures)
 - d. Power of Attorney (No riders)
 - e. Insurance Certificates (Completed with no alterations)
 - f. Bulletins, addenda, and supplemental drawings
5. Reduced copies will be distributed as follows:
 - a. Owner - two (2) copies.
 - b. Contractor - one (1) copy.
 - c. Professional - one (1) copy.
 - d. Owner's Representative - one (1) copy.
6. The Professional will provide the Attorney General's Special Counsel any information required after the award of Contract.

G. **ABATEMENT PHASE**

1. The Professional's relationship to the General Contractor is outlined in the General Conditions of the Contract between the Owner and the Contractor and is modified by any *Supplementary Conditions*.
2. The Professional will perform the following services during the Construction Phase:
 - a. Complete administration of all construction Contracts
 - b. Issue certificates for payment
 - c. Examine and approve shop drawings and correct shop drawings when necessary for conformance with the design intent
 - d. Make revisions, corrections, or clarifications in the Contract Documents by bulletins or change orders, together with all correspondence and clerical work in connection with bulletins and change orders

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- e. Provide sufficient on-site investigation to substantiate any of the above
 - f. Accept the completed Project, together with such certificates, manuals, and guarantees as provided in the Contract Documents
3. The Professional will collect, maintain and house weekly payrolls from all Contractors and Subcontractors for compliance with the labor standard provisions in the Contract.
 4. The Professional will be responsible for conducting field inspections as needed.
 - a. The Professional will maintain a log of all visits to the site by the Consultants and the Professional's firm
 - b. This log will be submitted once a month to the Owner apprising the Owner of the progress and condition of the Work
 5. The Professional will be the interpreter of the requirements of the Contract Documents and judge of the performance thereunder of the Contractor.
 6. The Professional will not issue any verbal or written orders for omissions from, additions to, or changes in the Construction Contract until approved in writing by the Owner.
 7. The Professional will determine the amounts owed to the Contractor based on inspections at the site and evaluations of the Contractor's applications for payment.
 8. The Professional will recommend, for the Owner's approval, the issuance of certificates for payment in such amounts as provided in the Contract Documents.
 9. The issuance of certificates for payment will not be a representation that the Professional has made any examination to ascertain how and for what purpose the Contractor has used the monies paid on account of the Contract sum, other than to secure certification under oath that all Materialmen, Laborers, and Subcontractors have been paid by the Contractor.
 10. Daily air monitoring and final air clearance testing will be included in the Contractor's responsibility in the Abatement Documents.
 - a. The Contractor will select, supervise and pay for all job air monitoring
 - b. If for any reason, this is omitted from the Contractor's responsibility, the Professional will provide the air monitoring services without additional cost to the Owner
 11. If the Asbestos Hazard Emergency Response Act [AHERA] regulations require a final air clearance test by an independent testing laboratory not associated with the Contractor, the Professional will obtain that final test and the Owner will reimburse the Professional directly for the expense of obtaining these services, provided the selection and costs are preapproved by the Owner in writing.
 12. The Professional and Consultants will conduct a semi-final inspection when the Work has been completed.
 - a. When these items have been corrected by the Contractor, the Professional, Consultants and Bureau Staff Inspector will conduct a final inspection.
 13. Upon completion of the Project, the Professional will provide the Owner with two (2) sets of record documents which include:
 - a. Changes caused by Addenda
 - b. Field changes
 - c. Change Orders
 - d. Observed changes by the Professional, Contractor, or Subcontractors
 14. The Professional will provide the Attorney General's Special Counsel any information required at the end of the Contract.
 15. During the Warranty period, the Professional will Work with the Owner's Representative to secure remedies of defects that become apparent.
 - a. The Professional will make, along with the Owner's Representative, a Warranty inspection prior to the expiration of the Warranty period and report observed discrepancies to the

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H. PROFESSIONAL CONSULTING SERVICES

1. If the Professional renders basically abatement services, all plans, specifications, detailed drawings and miscellaneous services required for architectural or engineering Work will be accomplished by the Professional at no additional cost to the Owner.

TESTING POLICY

400.5 THE POLICY

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| * Survey/Investigation/Testing
* Testing Process |
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A. SURVEY/INVESTIGATION/TESTING

1. The following list of services may be secured in order to prepare the design and Construction Documents:
 - a. Soil investigation
 - b. Foundation reports
 - c. Topographic information
 - d. Subsurface conditions
 - e. Land Survey
2. The Professional will be reimbursed from the Project's contingency funds and not from the Professional's fee.
3. These reimbursements will be made directly to the Professional only upon written approval by the Bureau.

B. TESTING PROCESS

1. The Professional is solely responsible for securing one (1) detailed written proposal which includes Scope, Cost and Time for the Work to be performed.
2. The Professional is to exercise great care in the selection, review and recommendation of any service provided.
3. This proposal will be forwarded to the Bureau, accompanied by a letter of request and recommendation.
4. The Bureau Staff will review and recommend the proposal for approval.
5. If, however, the Bureau Staff finds the proposal unacceptable, it may be rejected and another proposal requested.
6. Only one (1) payment will be made at completion of the Work.
7. The Professional will forward the following information to the Bureau in order to process the reimbursement:
 - a. Letter stating completion of services
 - b. One (1) original final invoice and four (4) copies
 - c. One (1) set of data regarding the services provided
8. A separate letter and invoice for each service must be submitted for reimbursement.
9. All items delineated above refer to design related information and do not refer to any construction information.



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PROFESSIONAL SELECTION POLICY

400.6 (amended April 2009 \$1,000,000 to \$2,000,000)

THE POLICY

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| <ul style="list-style-type: none">* Projects less than \$2,000,000* Projects more than \$2,000,000 |
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A. PROJECTS LESS THAN \$2,000,000

Projects containing less than an initial total project budget of \$2,000,000 may use the professional selection process if the Bureau deems it necessary; however, it is not mandatory. The selection process is normally as follows:

1. After a Project is initiated, the Using Agency will designate an agency contact person for all future Bureau activities. This contact person will submit a list containing three (3) professional firms, in the order of preference, for the design of the Project.
2. These names will be submitted to the Governing Board, or Department Head. The Governing Board, or Department Head, will review the recommendations and transmit its recommendation to the Bureau for consideration.
 - a. The Bureau may select one (1) of the professional firms submitted. Or, as the contracting agency, the Bureau reserves the right to substitute another firm. After the selection has been made, the Professional, the Governing Board, and the Using Agency will be informed.

B. PROJECTS MORE THAN \$2,000,000

Projects with more than an initial total project budget of \$2,000,000 must follow the professional selection process outlined below:

1. **Project Initiation:** After a Project has been initiated by the Bureau, the need for professional services for that Project will be made public. The method of public announcement will be one, or more, of the following:
 - a. Placing copies in the reception room of the Bureau's office
 - b. Placing a copy on the 15th floor lobby bulletin board
 - c. Publication in a professional society publication
 - d. Direct mail-out
 - e. Daily newspaper
2. **Response:** Any individual, firm or corporation desiring to respond to the publication and provide Professional services for a Project must give the Bureau written notification of interest. This response must be received at the Bureau's office on, or before, the date established in the public notice. The response is to be as follows:
 - a. **Yearly:** In order to be considered for any current project, individuals, firms and corporations should have on file a current Bureau of Building's *M54 Architect-Engineer and Related Services Questionnaire*. [See **Appendix 400.**] A brochure from the firm or corporation may be included, if desired. This file will be updated in March of each year.
 - b. **Specific Project:** Any individual, firm, or corporation desiring to provide professional services for a specific project must respond to the public notice by writing a letter indicating interest. A separate letter for each Project is required. General letters listing

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more than one (1) Project will not be considered. Any additional required submissions, other than the letter indicating project interest, will be listed in the public notice. In most cases, additional data will be required such as a *M55 Architect-Engineer Related Services for Specific Project Questionnaire* form [See **Appendix 400.**] or the submission of the complete design team including structural, asbestos, mechanical and electrical consultants. Joint ventures of professionals are acceptable and the responsibilities of all parties involved should be stated in the letter of interest.

3. **Short List:** A Preselection Committee will review all letters of interest and related data or information submitted. The Committee selects from all the submissions a *short list* for consideration. The *short list* must have at least three (3) names, but may have a maximum of five (5). If less than three (3) are received, all submissions will be considered. The Preselection Committee is composed of the following representatives:
 - a. Two (2) from the Institution, Agency or Department
 - b. One (1) from the Governing Board (if there is no Board, this member is omitted)
 - c. Deputy Director of the Department of Finance and Administration who is responsible for the Division of General Services
 - d. Director of the Bureau of Building, Grounds and Real Property Management
 - e. Assistant Director of the Bureau of Building, Grounds and Real Property Management
 - f. Maximum of two (2) staff members of the Bureau of Building, Grounds and Real Property Management
 - g. Two (2) staff members of the Department of Archives and History, if the facility is listed on the *National Register of Historical Places* or the *Mississippi Historical Landmarks*
4. **Attendance:** A minimum of four (4) Committee members must be present for the selection process. The Bureau of Building staff members are responsible for eliminating all submissions not meeting the project qualifications prior to the Preselection Committee's meeting. This process may be handled by committee meeting, conference call, or a telephone poll.
5. **Notification:** After a *short list* has been established by the Preselection Committee, those selected for interviews will be notified by the Bureau.
6. **Selection:** The Selection Committee composed of the following voting members, may choose to select the Professional directly from the *short list* without benefit of interviews, or they may hold separate interview with each Professional on the *short list*:
 - a. Two (2) from the Institution, Agency, Department or Governing Board
 - b. Deputy Director of the Department of Finance and Administration who is responsible for the Division of General Services
 - c. Director of the Bureau of Building, Grounds and Real Property Management and one (1) staff member; or, two (2) staff members of the Bureau
7. **Voting:** A minimum of three (3) Committee members must be present; and if for any reason a tie vote results, the Director of the Bureau of Building will decide between the two (2) Professionals receiving the most votes.
8. **Delegation of Vote:** Any voting member of the Selection Committee previously noted in 6.a, 6.b, or 6.c, may designate another party to cast their vote. This Designee may be a representative of a local or non-traditional public entity, or a party having a special expertise regarding the area in which the facility will serve. The Selection Committee Member will request the records of the proceedings state their vote has been designated and indicate the Designee.
9. **Omitting Interviews:** If the formal interview process is omitted, one or more of the following should take place prior to selection:

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- a. Each short list professional will be interviewed over the phone.
 - b. Each voting member of the Selection Committee will be consulted in person, or by phone, to ascertain their preference.
 - c. The Bureau Director will waive a selection based on the information at hand plus the performance of the firms under consideration.
10. **Motion to Reconsider:** The Director of the Bureau of Building may, at his discretion, rule that the Selection Committee's decision will be held on a *motion to reconsider* and reconvene the Selection Committee normally within five (5) working days after the Selection Committee's decision. At this reconvened meeting, the Committee may allow the first vote to *stand*, or the Committee may *throw it out* and take another vote.

The interviews are open to other representatives of the Institution, Agency or Department; however, they will not participate in the selection voting. The Bureau of Building, Grounds and Real Property Management is responsible for establishing any evaluation criteria when needed for each submission. This may change according to Project need.

C. **PROFESSIONAL REVIEW**

The Professional's performance will be evaluated twice during the lifespan of the Project. The review will be performed by the Using Agency, Bureau Staff and the Bureau Director. The first review will be upon the award of a construction Contract, or upon abandoning the Project. The second review will be at the completion of the construction Contract. [See **Appendix 400.**] The Bureau Staff will be responsible for initiating the evaluation.

The Using Agency and Professional may obtain results of the evaluation upon written request. In addition, the evaluations regarding past performances may be consider when the Professional is being interviewed for future work with the Bureau.

REIMBURSEMENT POLICY

400.7

REIMBURSEMENT TO A USING AGENCY

When a Using Agency serves as the Professional or the Contractor on an *in house* Project, reimbursements may be made for, but not limited to, the following:

1. Materials (Construction, only)
2. Furniture
3. Equipment
4. Labor (Non-Agency Personnel)

The Bureau will not reimburse Using Agencies for, but not limited to, the following:

1. Expendable items
2. Commodities
3. Restocking of materials and equipment in the Using Agency's warehouse
4. Labor regularly employed by the Using Agency (especially, staff, faculty and maintenance employees)
5. Vehicular expenses
6. Travel expenses
7. Tools

The Bureau reserves the right to review each request for reimbursement and approve or reject any portion or all of the request. Each request must be submitted separately on the *Standard Reimbursement Form* [See **Appendix 400.**] with supporting data attached. Submissions should include one (1) original and four (4) copies. Omission of the original or any of the copies will result in rejection of the request. Failure to complete the form will result in the return of the form.

The Using Agencies should request reimbursement(s) in increments larger than \$1,000.00.

400.8

REIMBURSEMENT TO A PROFESSIONAL

During the course of a Project, the Professional shall reimburse for expenses outlined in the *Standard Form of Agreement Between the Owner and the Professional*. These reimbursements may be made for, but not limited to: topographical information; subsurface conditions; asbestos and/or hazardous material inspection/sampling testing; printing Contract Documents; renderings and/or models; permanent reproducible transparencies; final independent air clearance tests. A separate invoice on each item shall be submitted when requesting reimbursement(s). The Professional shall not be reimbursed for any travel or living expense incurred personally, by Associates and/or Consultants. In addition, all requests for reimbursement must be received with or prior to the final request for payment.

PROFESSIONAL CONTRACT REVIEW & APPROVAL PROCEDURES

400.9 THE PROCEDURES

In 1994, the Legislature authorized the Department of Finance and Administration through the Bureau of Building, Grounds and Real Property Management to review and preapprove all architectural or engineering service contracts entered into by any state entity (agency, institution, commission, or board) regardless of the source of funding to defray the costs of construction or renovation projects for which services are to be obtained.

Exceptions are:

1. **Institutions of Higher Learning:** Any projects funded from self-generated funds.
 - a. However, DFA should have the authority to obtain annual information on all building, construction and renovation projects including duties, responsibilities and costs of any architect or engineer hired by IHL.
2. **Community & Junior Colleges:** Any projects funded from local funds or other non-state sources which are outside DFA's appropriations or as directed by the Legislature.
3. **State Military Department:** Any projects funded from federal funds or other non-state sources.

The following procedures have been developed by the Bureau in order to review and preapprove all architectural or engineering service contracts entered into by any state entity as authorized by state law in 1994. [Mississippi Code, 1972 Annotated, Section 31-11-7]

- | |
|--|
| <ul style="list-style-type: none">* Definitions* Inclusions* Exclusions* Submission Procedure* Contract Forms* Approval* Disapproval* Contract Changes* Effective Date |
|--|

A. **Definitions:**

1. **Contracts:** Contracts entered into by a Using Agency for architectural and/or engineering services which provide professional design and construction administration.

2. **State Funds:** Any monies appropriated and authorized by the Mississippi Legislature; such as, general funds, grants, gifts, fees, federal, or bonds.

3. **Self-generated Funds:** Any monies received by a Using Agency whose amount, authorization and/or origin

are not enumerated by legislative action.

4. **Local Funds:** Any monies resulting from the action of cities, counties or districts; such as, general funds, grants, gifts, fees, federal or bonds.

B. **Inclusions:** If State funds support part, or all, of the Project and one or more of the following conditions are met, the Project's Professional Contract shall be submitted to the Bureau for review and preapproval:

1. Architectural services will result in new construction, renovation, or repair of a building whose total construction contract is in excess of \$25,000.
2. Engineering services will result in new construction, renovation, or repair of a building whose total construction contract is in excess of \$25,000.
3. Landscape architectural services will result in new construction, renovation, or repair of a

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building whose total construction contract is in excess of \$25,000.

4. Interior design services will result in new construction, renovation, or repair of a building whose total construction contract is in excess of \$25,000.
5. Special consulting services whose scope of work directly impacts on the construction, renovation, or repair of a building whose total contract costs is in excess of \$25,000.

C. **Exclusions:** If one or more of the following conditions are met, the Project's Professional Contract shall not be submitted to the Bureau for review and preapproval:

1. Self generated, or local funds, support the entire Project.
2. City, municipality, school districts, or county projects supported entirely by local or self-generated funds.
3. Community and Junior College projects supported entirely by local or self-generated funds.
4. All State of Mississippi Military Department projects funded by federal funds or non-state funds; however, any Projects funded by State appropriations will be submitted.
5. All Department of Transportation projects and State-Aid Road Projects; however, any project involving a building facility will be submitted.
6. All Department of Environmental Quality projects, except building construction projects. Engineering contracts dealing with environmental quality aspects shall not be submitted.
7. All Projects resulting from Title 37, Chapter 47 of the **Mississippi Code 1972, Annotated** (State Aid for Construction of School Facilities).

D. **Submission Procedure:** One (1) photo copy of the proposed Professional Contract (no original) shall be submitted prior to signing by the Owner to the Bureau at the following address:

Attention: Professional Contract Review
Bureau of Building, Grounds and Real Property Management
501 North West Street, Suite 1401B
Woolfolk Building
Jackson, MS 39201
Phone: 601/359-3621 Fax: 601/359-2470

Faxes are acceptable if followed by a mailed copy. Complete and submit with a copy of the Professional's Contract, the *Professional Contract Review Form*. [See **Appendix 400**.] This Form will expedite the process and also serve as the approval response form from the Bureau. Allow ten (10) working days for processing. After execution of the Professional's Contract a signed copy should be mailed to the Bureau for recording, auditing and reporting purposes.

E. **Contract Forms:** Bureau Staff and legal support are familiar with the *Standard AIA Form of Agreement Between the Owner and the Professional* and the Bureau's *Standard Form of Agreement Between the Owner and the Professional* [See **Contracts** section.] Should either of these forms be used, approval should be expeditious. If other forms are used, more than ten (10) working days will be involved for review and approval.

F. **Approval:** If approved, the Bureau will return the *Professional Contract Review Form* to the Institution/Agency/Department and request an executed copy.

G. **Disapproval:** It is not the intent of the Bureau to dictate contractual conditions, but will disapprove submissions if any of the following are present:

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-
1. Unusual conditions which are not normally included in a Professional Contract.
 2. Provisions which impose unfair conditions on either the Owner or the Professional.
 3. Fees which are excessively high, or low, as related to the normal fees necessary to provide quality services for the particular type project.
 4. Bureau Staff will examine additional services closely and may request additional information and justification for its inclusion. Fee charges for additional services will be of particular interest.
 5. Contract forms which are not suitable for Project requirements.
- H. **Contract Changes:** Any changes to the Contract after execution should be submitted in the same manner for approval.
- I. **Effective Date:** Any Professional Contract entered into from and after July 1, 1994 shall be submitted to the Bureau for approval.

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INFORMATION SYSTEMS POLICY

400.10 (added 1/25/01)

THE POLICY

In an attempt to standardize and coordinate the responsibility for communication systems to serve State-owned facilities, the Bureau of Building, Grounds and Real Property Management (BOB), as the Owner, has set forth the following policy for site and building communication systems. The following guidelines delineate the Bureau's Information Systems Policy and related forms.

<p>Information Systems Policy Elements</p> <ul style="list-style-type: none">* Information Technology Service (ITS)* Long Range Plan* Project Initiation* Planning/Construction/Inspection Options* Construction Coordination* Fees* Total Project Budget* Change Orders* Forms/Samples	<p>A. ABBREVIATIONS</p> <p><i>BOB</i> Bureau of Building, Grounds and Real Property Management</p> <p>UA Using Agency</p> <p>ITS Information Technology Service</p> <p>SAF Standard Approval Form - Bureau of Building, Grounds and Real Property Management</p> <p>PPRB Public Procurement Review Board</p> <p>GS General Services</p>
--	---

1. INFORMATION TECHNOLOGY SERVICE (ITS)

1. ITS is the State Agency established by law responsible for the design and construction of communication systems including telephone and data systems in State-owned facilities. ITS has produced a Procurement Handbook which is available on the internet at www.its.state.ms.us for the use and information of the various Using Agencies (UA).

2. LONG RANGE INFORMATION PLAN

1. ITS requires the UA to have on file in the ITS Office a current up-to-date long range plan.

3. BOB COMMUNICATIONS PROJECT INITIATION - STANDARD APPROVAL FORM (SAF)

At an appropriate time in an on-going building project, usually at the Schematic Design Phase, the BOB will initiate, as required, a communications project which expands the scope of the related building project to include voice and data systems (communications). The intent is to initiate an accompanying communications project applicable to the building project.

- i.e. GS# 100-100 New Building
 GS# 100-101 Communications/New Building

Some projects may not require the initiation of a new project and the scope-of-work for communications may be included in the initial building project. Options are outlined in Paragraph E.

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ITS will be listed on all communications projects as the Professional.

4. PLANNING/CONSTRUCTION/INSPECTION OPTIONS

1. OPTION 1: ITS INVOLVEMENT IN THE PROJECT

- (1) This option requires a CP-28 ITS Procurement Request Form to be prepared, executed and submitted/transmitted to ITS by the BOB.

In order to prepare this CP-28, the BOB requests the UA=s letter outlining:

- (1) Scope-of-Work: Detail project requirements, special equipment, fixture count, fixture locations and related data outlining the work to be accomplished.
- (2) Schedule: Communications contract time frame - when will completed building be put into use and systems required to operate.
- (3) UA Contact Person: The person at the UA who is responsible for making communications decisions and who is most familiar with the project.
- (4) Funds: Indicate source of funds - bond fund, outside funds and/or other funds available, which will establish a beginning budget.

This UA letter will become an attachment to the submitted CP-28 as prepared by the BOB and executed by the BOB Director. The budget and schedule must be recorded.

The Bureau of Building will submit the completed CP-28 to ITS. Copies will be furnished to the UA and other Project Professionals.

ITS will define whether the UA is an Operational Customer or Support Services Customer. Operational Customers receive detail services and continuing service, maintenance, procurement and billing services from ITS. Support Service Customers receive limited services from ITS following the completion of the CP-1 scope-of-work. With the UA, ITS will define and coordinate the requirements, systems, scopes-of-work, budgets, time schedules and other coordination requirements for the on-going building project.

Following the submitted CP-28, ITS will initiate a CP-1 Acquisition Approval Form and transmit to the BOB. An estimated communication's contract time should be included. This CP-1 will become the basis of an award of a public contract by the Public Procurement Review Board (PPRB). Notice of PPRB acceptance of the CP-1 will be forwarded to ITS, UA and other Project Professionals. ITS will issue the Communication Contractor's Notice to Proceed and include an estimated contract time and Contractor billing procedures, including invoice and pay application routing. By submitting the CP-1, ITS indicates the required coordination with the Building Professional has been accomplished.

The design and construction of communications work can then begin and proceed as designed, directed, authorized, coordinated, inspected and approved by ITS.

When there are multiple prime Contractors on the same building project (Building

Section 400: Codes and Policies

Contractor and Communications Contractor), coordination and cooperation are very important. Communications Contractor coordination is the responsibility of ITS - compliance with the CP-1 and/or contracts. Any required Communication Contractor coordination or ITS coordination with the Building Contractor should be the responsibility of the project's Architect/Engineer - the Building Professional.

Certain useful "tools" are a part of the Building Contractor's contract. These tools include:

- (1) Pre-Design Conference
- (2) Scheduled Schematic Document Reviews, Design Development Document Reviews and Contract Document Reviews
- (3) Pre-Bid Conference
- (4) Pre-Construction Conference
- (5) Monthly Construction Progress Meetings
- (6) Construction Schedules
- (7) Monthly Applications for Payment.

Any or all of these "tools" may be used to increase Contractor/Professional coordination and cooperation on the building project.

(b) SUMMARY: ITS INVOLVEMENT IN THE PROJECT:

- (1) Project Initiation - GS# on SAF - by BOB. ITS is communications Professional. Copy to ITS, Project Professional and UA.
- (2) Letter - UA to BOB outlining scope-of-work, budget, schedule and contact person.
- (3) Preparation of CP-28 by BOB. Copy to UA and Project Professionals.
- (4) Scope and Budget Outline - ITS to BOB for BOB and UA approval. Copy of approved to Project Professionals.
- (5) CP-1 from ITS to BOB-coordination with Building Professional accomplished. Copy to UA and Project Professional.
- (6) PPRB approval of CP-1. Copy to UA, Project Professional and ITS.
- (7) Notice to Proceed to Communications Contractor issued by ITS. Estimated contract time and billing procedures/route included. Copy to BOB, UA and Project Professional.
- (8) Review of project budget by BOB. Approval required. Copy of approval to ITS, UA and Project Professionals.
- (9) Design and construction of communications project by ITS. Communications contract coordinated with ITS and UA and with Building Professional as required. Building Contractor coordination with Building Professional, BOB, UA and ITS as required.
- (10) Payment of fees to ITS by BOB from project funds at the BOB - may be bond funds or outside funds deposited by the UA at the BOB.
- (11) Payment for construction to Communications Contractor by BOB after approved by ITS. May be bond funds or outside funds deposited by the UA at the BOB.
- (12) Any Change Orders approved by BOB and UA prior to any work at project site. Acceptance to communications project by BOB as recommended by ITS.

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(13) Acceptance of total project as recommended by project Building Professional.

5. OPTION 2: NO ITS INVOLVEMENT IN THE PROJECT:

- (1) Pre-established exemptions are outlined in Chapters 5, 6, and 7, ITS Procurement Handbook including:
 - (1) State Agencies: Exempt for proposed installations including acquisitions of equipment, materials and labor from \$0 to \$10,000 in value.
 - (2) IHL-Institutions of Higher Learning: Exempt for proposed installations including acquisitions of equipment, materials and labor from \$0 to \$50,000 in value.
 - (3) Community Colleges: Exempt for proposed installations including acquisitions of equipment, materials and labor from \$0 to \$50,000 in value.
- (2) This option requires an approved CP-5 Request for Exemption. The CP-5 is prepared by the UA and forwarded to ITS by the UA. Copies to BOB and project Building Professional.

ITS will review and respond by approving or disapproving the CP-5. A copy of this response should be forwarded to BOB and project Building Professional by the UA.

With the approved CP-5, the UA may then request the project Building Professional to include the desired scope-of-work in the planning and construction process. Before Building Professional includes the scope-of-work in the construction contract, the BOB and the UA must approve scope. This cope-of-work is usually bid as a part of the construction contract or may be a separate contract depending upon the estimated cost and the construction schedule as approved by BOB and UA.

(c) **SUMMARY: NO ITS INVOLVEMENT IN THE PROJECT:**

- (1) CP-5 prepared by UA and forwarded to ITS. Copy to BOB and Building Professional by UA.
- (2) ITS approval/disapproval CP-5. Copy to BOB and project Building Professional by UA.
- (3) Directions to project Building Professional by UA/BOB concerning the scope-of-work to be included in the planning and construction.
- (4) Accomplish work authorized by construction contract or separate contracts as approved by BOB and UA. All contracts are approved by PPRB if project funds are used. Work authorized and paid by the UA are separate contracts if no project funds are used.
- (5) Acceptance of project by BOB and UA as recommended by project Building Professional.

6. FEES

-
1. CP-5: Any fees charged by ITS associated with the CP-5 are the responsibility of the UA. These fees will not be paid with project funds at the BOB.
 2. CP-28/CP-1: Any fees charged by ITS associated with the CP-28/CP-1 may be included in the project budget and may be paid from project funds at the BOB or other funds transferred to the BOB by the UA. The required fees are listed by ITS on the Scope and Budget Summary and are approved by PPRB.

7. **TOTAL PROJECT BUDGET**

Once established by the CP-1, the contract amount for communications systems work will be included in the TOTAL PROJECT BUDGET - Standard Approval Form - Bureau of Building, Grounds and Real Property Management.

8. **CHANGES**

Any changes to the CP-1-schedule, construction cost and/or scope-of-work, etc., must be approved in advance of any construction work at the site by the BOB and UA. Any changes to ITS SCOPE AND BUDGET OUTLINE must be approved by the BOB.

9. **FORMS / SAMPLES**

- (1) CP-28 w/ UA Request Letter attached
- (2) ITS Scope and Budget Outline
- (3) CP-1
- (4) CP-5
- (5) PPRB Notice to ITS - Contract Award
- (6) ITS Notice to Proceed
- (7) ITS Change Order

ITS Procurement Request Form

CP-28

State Agencies, Universities and Community/Junior Colleges

Please complete the following information and submit to the Department of Information Technology Services (ITS). If you need assistance in completing this form, refer to Chapter 2 of the ITS Procurement Policies and Procedures Handbook.

Mississippi Department of Information Technology Services
301 North Lamar Street, Suite 508 § Jackson, Mississippi 39201-1495
Phone 601-359-1395 § Fax 601-354-6016

Name/Title:		Phone:		Fax:
Agency/Institution:			Department:	
Address: (Handmail <input type="checkbox"/> Yes <input type="checkbox"/> No) (Mailing List update? <input type="checkbox"/> Yes <input type="checkbox"/> No – If yes, attach the CP-3 Mailing List Update Form to this request.)			Building Location of items requested:	
			SAAS Provider Code:	
			SAAS Agency Code:	
			Long Range Plan Number(s):	
Quantity, Name, and Description of Items Requested: (Itemize each product requested. If more space is needed, summarize the acquisition here and itemize in an attachment.)				
Fiscal Year	Fund Number	% State Funding	Estimated Initial/Ongoing Costs	Acquisition Method(s)
Is funding definite? <input type="checkbox"/> Yes <input type="checkbox"/> No When do funds expire?				
Impact on State Computer Center? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please explain in your attached information.				

Detailed Information (Please attach detailed information covering the following aspects of this acquisition):

- Background; Applications; and Alternatives considered
- Evaluation and Cost Effectiveness of Alternatives Selected
- Functional Specifications; Selection Criteria
- Brand-specific requirements; Vendor literature; Vendors contacted

There is a charges for ITS procurement services associated with this request which will be billed to the requestor by ITS. Also, if proposals must be solicited for this request, the requestor is responsible for advertising costs and will be billed by ITS. By my signature I acknowledge that my agency/institution is responsible for these charges/costs.

Name (Agency Head / Institution President) Title Signature Date

Revised: 10/01/1997

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ITS Request for Exemption Form

CP-5

Use this form to request an exemption from ITS. See Chapter 4 of the ITS Procurement Handbook for additional information regarding this form.

Mississippi Department of Information Technology Services
 301 North Lamar Street, Suite 508 § Jackson, Mississippi 39201-1495
 Phone 601-359-1395 § Fax 601-354-6016

Name/Title:	Phone:	Fax:
Agency/Institution:	Department:	
Address: (Handmail <input type="checkbox"/> Yes <input type="checkbox"/> No)	Provider Code for ITS billing: _____ (If different from established default agency/institution Provider code)	
	Agency Fund Number: _____	
Vendors Contacted: (Use attachment if necessary)	Proposed Effective Through Date: Exemption should be effective through this date: _____. Please allow time for all expended invoices to be paid by this date.	

Quantity, Name, and Description of Items:
 (Itemize each product requested for exemption. If more space is needed, summarize the acquisition here and itemize in an attachment)

Background/Application/Alternatives: (Use attachment if necessary)

Fiscal Year	Fund Number (s)	% State Funding	Maximum Costs	Acquisition Method (s)

There is a charge for ITS procurement services associated with this request which will be billed to the requestor by ITS. By my signature I acknowledge that my agency/institution is responsible for these charges/costs.

_____ Name (Agency Head / Institution President) Title Signature Date

ITS USE	
<input type="checkbox"/> Exemption up to \$ _____	Project # _____
<input type="checkbox"/> Does not require ITS approval	Consultant _____
ITS Authorized Signature _____	Date _____ Effective through date _____

Revised: 05/01/199

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Sample

Scope/Budget Outline

This is not to exceed project estimate to be used for budgetary purposes. True costs will be detailed and communicated to the Bureau of Building as the project progresses.

Equipment of Work Description	Expenditure Document	Not to Exceed Cost Estimate
1) Remote Lucent G3 cabinet, electronic circuit packs, and 204 digital sets Includes equipment/installation	CP1	\$501,000.00
2) Cable System-voice and data connectivity material *1,020 data category 5 cables @ \$160.00/cable data cables tested @ 100 Mbs 1020 telephones cables @ \$90.00/cable Includes material/labor *MSDH may opt to facilitate data cable installation outside of this cost estimate.	CP1 ITS Service Invoice	\$275,000.00
3) Remainder of infrastructure fiber/copper redundant cabling Includes material/labor *ITS assumes this will be installed via our General RFP/RFQ process.	CP1*	\$ 55,000.00
4) Telephone sets: 200 Panasonic sets Includes equipment	ITS Invoice	\$ 11,204.00
5) G3 programming charges Includes telephone system/set programming	ITS Invoice	\$ 22,950.00
6) Misc. equipment/material (i.e., blue boards/66 blocks/riser cable/misc.)	ITS Invoice	\$ 5,000.00
7) BellSouth Trunking: 48 OGO;s; 48 DID=s; 48 DCS/Tie connections (Inbound/outbound trunking installation) Includes material/labor	BellSouth Invoice	\$ 28,000.00
	Total Estimated Cost	\$898,154.00

Form CP-1 **CP-1 Acquisition Approval Form**

Effective Date:: 10/05/1998

Expiration Date: 04/03/1999

Date Printed: 10/06/1998

Page 1
Dept. of Information Technology Services
301 North Lamar Street, Suite 508
Jackson, MS 39201-1495
(601) 359-1395

CP-1
Approval Number_____

Acquisition Method: PURCHASE/1-TIME

This is your authorization from ITS to issue a purchase order and/or make ongoing payments for the following configuration to the vendor listed at the prices itemized. Contracts, if any, have been signed by ITS and forwarded to the vendor. This procurement is contingent upon availability of funds and will not become final until vendor has received a purchase order from your agency. Keep this form with your financial records to provide an audit trail of ITS approval. Reference the CP-1 number and dates covered by the payment on each copy of your purchase order. Contact ITS for revised approval if: vendor or acquisition plan changes; there are major changes to the configuration; CP-1 has expired; or the total expended amount exceeds the CP-1 Life cycle limit. It is important to issue your purchase order number promptly upon receipt of this CP-1 because the vendor is not required to honor pricing indefinitely. The CP-1 may contain an expiration date which the vendor will honor pricing, in order to allow sufficient time to complete paperwork.

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FIN. & ADMIN. - BUREAU OF BUILDING ATTN: MR. BURTON SPENCER 501 NORTH WEST STREET, SUITE 1401B JACKSON MS 39201 HANDMAIL Location/Use information: EMCC GC# 204-033	PLACE ORDER TO: UPCHURCH TELECOM AND DATA INC P O BOX 301 GREENWOOD MS 38935-0301 MAKE PAYMENTS TO: UPCHURCH TELECOM AND DATA INC P O BOX 301 GREENWOOD MS 39835-0301
--	--

FUND NUMBER(S) 392R	SAAS AGCY CODE	MAX ANNUAL % INCREASE 0.00 %	CPI LIFEYCLE LIMIT 12449.66 1 PAYMENT	RFP NO(S) SOLE SOURCE/RFP NOT RQD		REV N	DIVISION DP
	SAAS VENDOR V0001141090			PRNO DAR-30341-3	ATHY D	DATE ISSUED 10/06/1998	

DESCRIPTION OF USE:
 INCREASE CAPACITY TO THE MAYHEW CAMPUS PBX TO ACCOMMODATE NEW TECHNOLOGY CENTER.

COMMENTS/SPECIAL INSTRUCTIONS:
 THIS EQUIPMENT ADD IS BEING PERFORMED BY VENDOR THAT CURRENTLY HAS MAINTENANCE CONTRACT.

QTY	PRODUCTS	EACH RETAIL	EACH NET	EXTENDED NET	MIN CODE	SAAS COMMODITY CODES:
1	NEC 1400 CAPACITY INCREASE		12,326.40	12,326.40	162	7255700000
	ONE TIME			12,326.40		

.....End of CP-
 1.....

APPROVED ITS DATE: 10/06/1998	DISTRIBUTION TO: FILE: DAR30341 DFA/FCD
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Need PPRB Notice of Award approval to ITS

Need ITS Notice to Proceed

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SUSTAINABILITY

400.11 (added 7/18/08)

SUSTAINABILITY POLICY

Sustainable design seeks to reduce negative impacts on the environment and optimize use of non-renewable resources. In order to optimize site potential, conserve water, minimize energy consumption, promote use of local and environmentally preferable products, the Bureau has set forth the following policy for sustainable design for state-funded buildings throughout the state, in accordance with the following 2008 Legislative mandate and in accordance with the Memorandum of Direction from the Department of Finance and Administration to the Bureau to comply.

Senate Bill 3007, Laws of 2008 (hereinafter referred to as SB3007, L'08): AN ACT TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ADOPT CERTAIN RULES AND REGULATIONS REGARDING ENERGY PERFORMANCE OF STATE-FUNDED BUILDINGS THROUGHOUT THE STATE; TO PROVIDE THAT EACH MAJOR FACILITY CONSTRUCTION PROJECT SHALL BE DESIGNED AND CONSTRUCTED TO EXCEED THE REQUIREMENTS OF THE ENERGY CONSERVATION GUIDES ADOPTED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION BY AT LEAST 30% UNDER CERTAIN CIRCUMSTANCES; AND FOR RELATED PURPOSES

A. SITE ISSUES

1. Development of inappropriate sites shall be avoided where possible.
2. Repair and renovation of existing facilities and/or expansion/redevelopment of currently developed sites shall be given preference to development of virgin sites.
3. Development of sites shall be executed with the goal of maximizing open and/or vegetative space and minimizing heat islands.
 - (a) Solar Reflectance Index for paving and roofing materials shall be a consideration for product selection.
 - (b) Inclusion of trees in parking lot designs which will provide shade within five (5) years of occupancy shall be a consideration.

B. WATER EFFICIENCY

1. Specification of indigenous and/or drought resistant plants shall be considered to reduce dependence on potable water irrigation systems.
2. High efficiency plumbing fixtures shall be specified where feasible. Waterless fixtures are not required or preferred.

C. ENERGY PERFORMANCE

1. Each major facility project shall be designed and constructed to exceed the baseline requirements of the Energy Conservation Code [See **400.1**] adopted by the Department of Finance and Administration/Bureau of Building, Grounds and Real Property Management by at least thirty percent (30%). [**SB3007, L'08**] For the purposes of this requirement, a major facility project is defined as:

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- (a) From July 1 through December 31, 2009, any new construction project larger than twenty thousand (20,000) gross square feet
 - (b) From January 1, 2010, through December 31, 2010, any new construction project larger than fifteen thousand (15,000) gross square feet
 - (c) From January 1, 2011, through December 31, 2011, any new construction project larger than ten thousand (10,000) gross square feet
 - (d) From January 1, 2012, and thereafter, any new construction project larger than five thousand (5,000) gross square feet
 - (e) Any repair and renovation project which involves more than fifty percent (50%) of the replacement value of the facility.
2. Exempt from this requirement are any major facility projects which do not have conditioned space as defined by ASHRAE 90.1. [SB3007, L'08]
 3. Exempt from this requirement are any major facility projects where compliance is not cost effective. For the purposes of this requirement, cost effectiveness shall mean payback within a seven (7) year time period. Documentation of such exemption, including justification and identification of reduced energy performance goal (if any), shall be recorded in the Minutes of the Governing Board having jurisdiction for the facility (for Bureau projects, documentation shall be via Standard Approval Form).
 4. Baseline requirements shall be as defined by the prescriptive compliance path of ASHRAE 90.1.
 5. Where performance above baseline is required, Energy Cost Budget Method of ASHRAE 90.1 shall be used to document compliance.
 6. All major facility projects shall be commissioned by a Commissioning Authority Professional independent of the Prime Professional for the project to assure that all energy related systems are installed, calibrated and perform according to project requirements and the Contract Documents. The Commissioning Authority Professional (individual and firm) shall be registered to practice engineering in the State of Mississippi and shall be either certified by the Building Commissioning Association as a certified commissioning professional and/or accredited by the University of Wisconsin-Madison as a commissioning process provider.

D. PRODUCT SELECTION

1. Where materials, finishes, furnishings, and other products made in or incorporating materials produced in Mississippi meet project requirements, the Professional shall include such products in the specifications. [SB3007, L'08]
 - (a) Where both Mississippi manufactured products and non-Mississippi manufactured products are identified as equals, product origin shall not constitute a bid preference.
 - (b) Where only one Mississippi product meets project requirements, this shall not justify single source exception from bidding requirements. [Mississippi Code 1972, Annotated, Sec.31-7-13-m(viii)]
 - (c) A listing of Mississippi manufacturers is available from the Mississippi Development Authority www.mississippi.org
2. Where materials, finishes, furnishings, and other products with recycled content are available, are cost-effective and meet project requirements, Professional shall consider specifying these products over comparable products without recycled content.

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-
- (a) Where both recycled content products and products without recycled content are identified as equals, recycled content shall not constitute a bid preference.
 - (b) Where only one manufacturer meets recycled content goal, this shall not justify single source exception from bidding requirements. [**Mississippi Code 1972, Annotated**, Sec.31-7-13-m(viii)]
 3. Where materials, finishes, furnishings, and other products with low volatile organic compound emissivity are available, are cost-effective and meet project requirements, Professional shall consider specifying these products over comparable products with higher volatile organic compound emissivity.
 - (a) Where both low VOC products and higher VOC products are identified as equals, VOC emissivity shall not constitute a bid preference.
 - (b) Where only one manufacturer meets low VOC goal, this shall not justify single source exception from bidding requirements. [**Mississippi Code 1972, Annotated**, Sec.31-7-13-m(viii)]
 4. Where materials, finishes, furnishings, and other products containing rapidly renewable materials are available, are cost-effective and meet project requirements, Professional shall consider specifying these products over comparable products without rapidly renewable material content.
 - (a) Where both rapidly renewable content products and products without rapidly renewable content are identified as equals, rapidly renewable content shall not constitute a bid preference.
 - (b) Where only one manufacturer meets low rapidly renewable content goal, this shall not justify single source exception from bidding requirements. [**Mississippi Code 1972, Annotated**, Sec.31-7-13-m(viii)]

Section 400: Codes and Policies

CONTRACTOR PREQUALIFICATION POLICY

400.12 (added June 2013)

THE POLICY

A. MISSISSIPPI LANDMARKS

Contractors for projects . . . *that involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History . . . may be made from the lowest and best prequalified bidder . . .*, as follows: [Mississippi Code 1972, Annotated, Section 31-7-13(d)(iii)]:

1. **Advertisement for Prequalifications:** Once the Construction Documents have been approved, the Bureau will prepare and issue an *Advertisement for Prequalifications* published in the legal section of a newspaper published in the county or municipality in which such agency or governing authority is located. The Advertisement will run once each week for two (2) consecutive weeks with responses being opened not less than fifteen (15) working days after the last notice is published. The Mississippi Contract Procurement Center, Inc., will also be notified. [Mississippi Code 1972, Annotated, Section 31-7-13-c]
2. **Request for Prequalifications:** The Request for Prequalifications document, which will identify required documentation to be submitted and criteria for scoring, minimum score required, along with Construction Documents for the Project, will be made available to all interested Contractors. Contact and deposit information will be as identified in the *Advertisement for Prequalifications*.
3. **Response:** Any Contractor desiring to respond to the publication and become prequalified for a Project must give the Bureau written notification of interest. This response must be received at the Bureau's office on, or before, the date established in the public notice. Additional required documentation to establish Contractor's knowledge and experience in historical restoration, preservation and renovation, other than the letter indicating project interest, will be listed in the *Request for Prequalifications* document. Such documentation shall include, but not be limited to, qualifications of the Contractor's key personnel to be assigned to project and those of key entities proposed by Contractor for performance of required preservation trades.
4. **Short List:** A Preselection Committee will review all letters of interest and related data or information submitted. The Committee selects from all the submissions a *short list* for consideration. The *short list* shall consist of all responsive Contractors meeting the minimum score established in the Request for Prequalifications document. The Preselection Committee is composed of the following representatives:
 - a. Two (2) staff members of the Mississippi Department of Archives and History
 - b. Deputy Executive Director of the Department of Finance and Administration who is responsible for the Bureau of Building, Grounds and Real Property Management
 - c. Director of the Bureau of Building, Grounds and Real Property Management
 - d. Assistant Director of the Bureau of Building, Grounds and Real Property Management
5. **Attendance:** A minimum of four (4) Committee members must be present for the Preselection process. The Bureau of Building, Grounds and Real Property staff members are responsible for eliminating all submissions not meeting the project qualifications prior to the Preselection Committee's meeting. This process may be handled by committee meeting, conference call, or telephone poll.
6. **Notification:** After a *short list* has been established by the Preselection Committee, those selected for interviews will be notified by the Bureau.

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7. **Selection:** The Prequalification Committee composed of the following voting members, may choose to prequalify Contractors directly from the *short list* without benefit of interviews, or they may hold separate interview with each Contractor on the *short list*.
 - a. Two (2) staff members of the Mississippi Department of Archives and History
 - b. Deputy Executive Director of the Department of Finance and Administration who is responsible for the Bureau of Building, Grounds and Real Property Management
 - c. Director of the Bureau of Building, Grounds and Real Property Management
 - d. Assistant Director of the Bureau of Building, Grounds and Real Property Management
 8. **Scoring:** Following interviews, if held, Contractors shall be re-scored. No less than two (2) and no more than five (5) Contractors receiving the highest scores shall be prequalified for bidding of the project.
 9. **Interviews:** Interviews, if held, are open to other representatives of the Institution, Agency, or Department for which the project is being administered; however, they will not participate in the scoring.
 10. **Delegation of Scoring:** Any scoring member of the Prequalification Committee previously noted in 7a, 7b, or 7c may designate another party to submit their scores. This Designee may be a representative of a local or non-traditional public entity or a party having a special expertise regarding the scope of the project. The Prequalification Committee Member will request that the records of the proceedings state that their scoring has been designated and indicate the Designee.
 11. **Omitting Interviews:** If the formal interview process is omitted, one or more of the following should take place prior to selection:
 - a. Each short list Contractor will be interviewed over the phone
 - b. Each scoring member of the Prequalification Committee will be consulted in person, or by phone, to ascertain their preference
 - c. The Bureau Director will waive interviews based on the information at hand plus the performance of the Contractors under consideration.
 12. **Motion to Reconsider:** The Director of the Bureau of Building may, at his discretion, rule that the Prequalification Committee's decision will be held on a *motion to reconsider* and reconvene the Prequalification Committee normally within five (5) working days after the Prequalification Committee's decision. At this reconvened meeting, the Prequalification Committee may allow the first vote to *stand*, or the Committee may throw it out and re-score.
 13. **Advertisement for Bids:** Once Contractors have been prequalified in accordance with this policy, project will be advertised for bids, from said Prequalified Contractors, in accordance with Code 31-7-13(d)(iii) no earlier than fifteen (15) working days after bidders have been prequalified; and, in accordance with Section 600.37 and Code 31-7-13(c).

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