

**RECENT CHANGES TO THE FACILITIES MANUAL**

<b>CHANGE NUMBER</b>	<b>PUBLICATION DATE</b>	<b>REVISION DATE</b>	<b>SUMMARY</b>
12-004-D	04/06/2012	04/06/2012	<b>Records Retention</b> Edits made to Vol.3, Part I, Chapter 3 to include links for information on Records Retention as available on the OP Information Technology Services website.
12-003-C	03/12/2012	03/07/2012	<b>Insurance Changes</b> <b>Builder's Risk</b> Per new Builder's Risk Policy, all construction contract families General Conditions revised to reflect Builder's Risk Coverage ends at Final Completion as listed on the NOC. <b>Additional Insured and Certificate of Insurance Form</b> UCIP and non-UCIP General Conditions revised for all construction contract families to edit additional insured language. Language edited in certificate of insurance as well-different provisions added for UCIP vs. non-UCIP certificate. Vol.5, Part II, Chapters 1 and 7 edited to reflect the above changes.
12-002-C	02/29/2012	02/24/2012	<b>Prequalification Documents-Confidentiality Information</b> Prequalification questionnaire revised so bidders can choose to mark certain information "confidential" when submitting the form. Prequalification Evaluation form revised to include point system or pass/fail evaluation on one form. All forms on prequal zipfile on UCOP Approved Contract Templates page. Outdated forms from the FM in forms of RDs removed in Volume 5.
12-001-C	02/10/2012	02/10/2012	<b>Instructions to Bidders-Blind bidding for Alternates &amp; Bid Protest Appeal timing</b> ITB (all contracts) and RFP (DB) revised to reflect identity of bidders to be concealed from person or persons selecting Alternates to determine the low bidder. Edited Bid Protest Appeal filing language for consistency (no change in procedure). Mini Form-edited ITB to reflect no public announcement of bid results is required. Editorial changes in Mini Form Supplementary Conditions & Bid Form. Vol.5, Part I, Ch.s 2, 5, 6 and 9 edited to reflect the above changes.
11-050-C	12/23/2011	12/23/2011	<b>Best Value Contractor Selection</b> Statute mandated guidelines added to Vol.5, Part I, Ch.1, Section 1.6. New section added on the approved contracts template page for BV Contract Modifications to various forms across all families. Best Practices for Best Value Selection added. Several templates added to assist in the process.
11-049-C	12/23/2011	12/23/2011	<b>Labor Compliance Program Modifications</b> New section added on the approved contracts template page for LCP contract modifications to the Supplementary Conditions in accordance with changes to State law (AB436). Vol.5, Part I, Ch.4, Section 4.5 revised to reflect information on debarred contractors. Vol.5, Part II, Ch.4, Section 4.2 revised to reflect requirement for UC to monitor and enforce payment of prevailing wage for State bond funded projects after 1/1/12.
11-048-C	12/20/2011	12/06/2011	<b>Certificate of Insurance – Additional Insured Coverage &amp; Professional Liability</b> Revised certificate of insurance added to all design and construction contract families - requirements for Additional Insured coverage and for contractual liability coverage under Professional Liability policies edited. <u>General Conditions</u> edited for all contract families for revised language.
11-047-P	09/15/2011	09/15/2011	<b>Guidelines for Acceptance of Construction Related Donations</b> Section 6.8.6 added to Vol2, Ch.6 in order to reference and link to Donation Guidelines (Opinion of Counsel Stephen Morrell). Links to Volunteer Labor (Vol4, Part I, Ch.5, Section 5.4.25) and Volunteer Waiver Forms (Vol4, Part I, Attachment 13) added.
11-046-P	09/09/2011	09/09/2011	<b>Informal Competitive Bidding Procedures</b> Revised Vol.5, Part I, Ch.1, Section 1.1 and 1.2 to include procedures for Informal Competitive Bidding.
11-045-C	09/07/2011	09/07/2011	<b>Builder's Risk Insurance Renewal</b> UC system-wide Builder's Risk Insurance Policy was renewed. The new coverage summary was added to all contract families; the revised application and the premium calculation sheet were added to Vol5, Part II, Ch.1, Section 1.6.4
11-044-P	08/26/2011	08/26/2011	<b>New (Revised) Seismic Safety Policy</b> A new combined policy for Seismic Safety was issued by the President's office replacing three (3) separate policies. Changes made to Vol.3, Part I, Ch.5, Section 5.3.
11-043-C	08/08/2011	08/08/2011	<b>Mini Form Contract—New Look</b> The Mini Form was converted from one big file to individual contract templates similar to other contract formats. No contract language changes made. PDFs for all forms created as well as a homepage for the Mini Form.
11-042-C	07/29/2011	07/25/2011	<b>Brief Form Contract – Various Forms</b> Editorial changes: Cost Proposal, Instructions to Bidders, Escrow Agreement and Selection of Retention Option revised in Brief Form to reflect those changes made in FM Revision #s FM 11-019-C, 24-C, and 25-C in LF and other contract families, but not made in the Brief Form at that time.
11-041-C	07/25/2011	07/25/2011	<b>General Conditions – Nondiscrimination Language</b> Revised nondiscrimination language in all contract families (construction and design contracts) to comply with law and to clarify requirements. Sections affected: LF 14.2.3.1, BF 14.1.1.1, MF 13.1, CM@R 14.2.3.1, DB 14.1.3.1, JOC 14.2.3.1, PSA VI.A.1, EDPA 11.1.1. <i>Additionally, JOC GC: Sections 9.5.2 and 9.5.3 revised to clarify procedure and timing for payment of Final Payment and release of Retention.</i> This revision was made in FM 11-018-C but got accidentally deleted in later revisions.
11-040-C	07/25/2011	07/25/2011	<b>Advertisement for Bids – EEO and Nondiscrimination Language</b> For all contract families, Advertisement for Bids modified to add equal employment opportunity / nondiscrimination language to strengthen provision; statement added that contract work is a public work subject to Labor Code sec. 1771 as required by Labor Code sec. 1781.
11-039-C	07/25/2011	07/12/2011	<b>Escrow Agreement – Address for Correspondence</b> Common Escrow Agreement form created for all contract families. OP address deleted from page 1 and the facility address clarified as address for all correspondence to avoid confusion for banks, resulting in statements, etc. being sent to OP instead of Facility.

11-038-C	07/12/2011	07/08/2011	<b>Waiver &amp; Release on Progress and Final Payment</b> Word "subcontractor" deleted from all forms in all contract families to allow for use by contractor and subcontractor; Application for Payment # added to all forms. Forms have been consolidated such that same forms are applicable to all contract families.
11-037-C	07/08/2011	07/08/2011	<b>Equal Employment Opportunity Language in Advertisements for Bids</b> Language added in Advertisements for Bids regarding Equal Employment Opportunity. Bidders may be required to show evidence of its EEO policy. All contract families updated.
11-036-C	07/08/2011	07/08/2011	<b>JOC Sample Scope Revisions</b> Sample scope descriptions revised in Agreement. The previous scope examples were vague and misleading and they should not be used as samples. New examples have been added.
11-035-C	07/08/2011	07/08/2011	<b>Insurance Changes (all construction and design contract documents)</b> Revised Supplementary Conditions to require UC be named as additional insured on General Liability and Business Auto Policies. Added new ACORD certificate of insurance form; revised special provisions on Certificate of Insurance to comply with BUS-63
11-034-P	07/06/2011	07/06/2011	<b>Small Business Enterprise (SBE) Information</b> Revised the time of collection of information for contracts awarded to SBE, WBE and DVBE from the end of the project to the time of award.
11-033-P	07/06/2011	07/06/2011	<b>Consultant Selection</b> Revised Vol.3, Part I, Ch.2, Section 2.2 to reflect the change in Delegation of Authority for appointment of Design Professionals (DA 2220). Flowchart created by UCSB, edited by UCOP added as well to clarify the process.
11-032-D	06/21/2011	06/21/2011	<b>Navigational Changes-Vol. 3, 4 and 5</b> Various chapters converted from PDFs to HTMLs and links fixed on new HTML files for ease of navigation and consistency throughout the Facilities Manual.
11-031-P	06/20/2011	06/17/2011	<b>Record Retention</b> Vol. 3, Part I, Ch. 6: Amended and updated to coordinate with and link to current policy documents
11-030-P	06/20/2011	06/17/2011	<b>Equipment Purchase</b> Vol. 4, Part 1, Ch. 3, Section 3.1.4 revised to add requirement that language of BUS-43, Exhibit C, Appendix A, Article 9 be added in its entirety to all contracts, purchase orders and sub-agreements for the purchase of equipment, materials or supplies
11-029-C	06/17/2011	06/16/2011	<b>PSA-Confidential Information &amp; Insurance Limits</b> Added language in Section III.K. to clarify consultant's obligation regarding confidential information when legal process demands disclosure. Added "minimum" in Section V.B.1.c. to per claim & aggregate limits for Professional Liability Insurance.
11-028-P	06/14/2011	06/14/2011	<b>Code and Regulatory Compliance</b> Various changes to applicable codes and regulations in Vol. 4, Ch. 4
11-027-P	06/10/2011	06/10/2011	<b>Assignment of Construction Contracts</b> Vol. 5, Part II, Ch. 1. Section 1.4: Reference added to the Accounting Manual. RD2.40 "Assignment of Subcontractors" deleted
11-026-C	06/06/2011	06/06/2011	<b>UCIP Cost Proposal</b> Insurance & Bonds percentage revised from 2% to 0.75%. Added contractor certification that no cost for insurance provided by University is included. UCIP Safety and Health Declaration-- Corrected misspelling
11-025-D	06/06/2011	06/06/2011	<b>Equipment Rental Rates &amp; Definition of Contract</b> General Conditions and Cost Proposal revised to specify the reference for the maximum rental charge shall be those published by CalTrans at <a href="http://www.dot.ca.gov/hq/construc/equipmnt.html">http://www.dot.ca.gov/hq/construc/equipmnt.html</a> General Conditions revised for definition of "Contract" to reference definition in Article 2 or 3 of Agreement. Editorial changes to definition of "Contract" in Agreement.
11-024-C	06/06/2011	06/06/2011	<b>Retention-Risk of Bank Failure</b> General Conditions modified so the Contractor and its surety shall be at risk for failure of the bank selected for deposit of the retention. Added same language to Escrow Agreement for Deposit of Securities and Selection of Retention Options. Section 5.5.2 revised to reflect same language. Section 5.2 Percent of retention changed from 10% to 5% to conform to law.
11-023-C	06/06/2011	06/06/2011	<b>CMA Ownership of Documents</b> Revised Article 8 to clarify UC's ownership of all documents, materials and systems created for a Project and CM's obligation to deliver them.
11-022-D	06/06/2011	06/06/2011	<b>Compensable Delay Language (Bid Form)</b> Article 7 in Bid Form (for LF and BF) revised for correct language and reference to CM at Risk language taken out.
11-021-C	06/06/2011	06/06/2011	<b>Information Available to Bidders</b> Comment #2 of the Cover Sheet for Information Available to Bidders changed to reflect that "all relevant information <u>must</u> be provided".
11-020-C	05/27/2011	05/25/2011	<b>JOC Contract Templates</b> Clarified contract with altered JOC terminology; a "Proposal" is renamed as a "Schedule of Values". "Proposal" suggested a negotiation process. Non-prepaid price limited to <10% or \$100,000. Included an "Inspection Acceptance" form.
11-019-C	05/27/2011	05/25/2011	<b>Instructions to Bidders</b> <ul style="list-style-type: none"> <li>· Revised section 7.2.3 procedure for sending Notice of Appeal of Facility decision on bid protest;</li> <li>· Section 5.3.4 clarified that email bid submission is invalid;</li> <li>· Section 3.1.1 bid docs available only in complete sets.</li> <li>· Cover sheet revised advising that the Facility determine the date of the protestor's receipt of the Facility's decision on the bid protest, since the time within which an appeal must be filed is measured from that date of receipt.</li> </ul>
11-018-C	05/27/2011	05/25/2011	<b>General Conditions</b> <u>For LF, BF, CM@Risk and DB (with and without UCIP):</u> <ul style="list-style-type: none"> <li>· Sections 9.5.1 and 9.8 revised to provide procedure for payment of Final Payment and release of Retention</li> <li>· Subsection 7.3.2.7 revised so machinery and equipment rental charges shall not exceed the rates authorized by the California Department of Transportation</li> <li>· Subsection 9.5.2 added so Contractor and its surety shall be at risk of failure of the Escrow Agent selected</li> <li>· Definition of "Contract" revised in Section 1.1.8 to reference definition of the term in Article 2 or 3 of the Agreement.</li> </ul>

			<p><u>For Multiple Prime (with and without UCIP):</u></p> <ul style="list-style-type: none"> <li>· Sections 9.5.1 and 9.8 revised to provide procedure for payment of Final Payment and release of Retention</li> <li>· Section 7.3.2 "Cost of Extra Work" – added language that costs must be both reasonable and actually incurred</li> <li>· Section 4.4.4 "Assertion of Claims" – added language to clarify section for right to arbitrate.</li> </ul> <p><u>For JOC:</u></p> <ul style="list-style-type: none"> <li>· Sections 9.5 revised to provide procedure for payment of Final Payment and release of Retention</li> <li>· Articles 6 &amp; 13 and section 1.1.38 revised to clarify requirement of exclusive scope</li> <li>· Section 4.2.6.4 clarified to require the lowest of 3 bids for non-prepriced work</li> <li>· Various editorial and clarifying changes.</li> </ul>
11-017-P	05/23/2011	11/12/2010	<p><b>Prequalification into Confidentiality</b> Subsection 6 added to Vol.5, Part I, Ch. 4, Section 4.3.2 in order to provide guidance on the confidentiality of information provided by potential bidders during prequalification and response to a request under the California Public Records Act. The form (model 2.2) in RD2 updated as well.</p>
11-016-G	05/20/2011	05/04/2011	<p><b>JOC Guidelines</b> Added guidelines for Job Order Contracting as part of Vol. 4, Part II, Book 7, Section 1.3.7</p>
11-015-C	05/18/2011	12/21/2010	<p><b>Anti-collusion Language</b> Need for anti-collusion affidavit determined from the bidder. Language added to the Bid Form</p>
11-014-P	05/10/2011	05/09/2011	<p><b>UC Policies</b> Consolidated all Regents and Presidential Policies related to the Facilities Manual in one location- Vol. 1, Ch. 5; fixed links, deleted rescinded policies, updated obsolete policies with new</p>
11-013-G	05/02/2011	05/02/2011	<p><b>The American Recovery and Reinvestment Act of 2009 (ARRA) Guidelines</b> Broad guidelines, for construction projects funded through ARRA. Vol. 5, Part I, Ch. 3, Section 3.5.1</p>
11-012-C	04/19/2011	04/18/2011	<p><b>Conditional &amp; Unconditional Waiver &amp; release Upon Final Payment</b> Two forms added to the exhibits for LF, BF, CM@Risk, DB, JOC Contract templates.</p>
11-011-C	04/06/2011	04/06/2011	<p><b>Field Order Form</b> Updated notes section of the Field Order form in the Brief Form and Design-Build Form to reflect changes made in 2008. Notes are already current in the other forms of contracts.</p>
11-010-D	04/04/2011	04/04/2011	<p><b>Archives of Changes</b> All hyperlinks removed in the arch_chngs.pdf. The search engine was producing false positive results from links in the <a href="#">Archive of Changes</a> document, showing bad/outdated links.</p>
11-009-D	04/04/2011	04/04/2011	<p><b>Volunteer Labor</b> "Volunteer Labor"/ "Waiver of Liability, Assumption of Risk, and Indemnity Agreement" for adult and minor volunteer participant. When receiving volunteer services, UC still requires agreements. Vol. 4, Ch. 5, Added Section 5.4.25 and RD 6.13</p>
11-008-D	04/04/2011	04/04/2011	<p><b>Prevailing Wage Rates Language edit</b> Vol. 5, Part II, Ch. 4 Section 4.2.1 Point 4 wording changed from "maintenance" to "construction"</p>
11-007-D	04/04/2011	04/04/2011	<p><b>Statement of Experience</b> Statement of Experience need not be used with the Mini Form. Vol. 5, Part I, Ch. 8, Section 8.5.3</p>
11-006-P	04/04/2011	04/04/2011	<p><b>Competitive Bidding</b> The Regents rescinded the outdated competitive bidding policy in January of 2007. The policy was superfluous since UC follows competitive bidding as obligated by statute. Vol. 1, Ch. 5</p>
11-005-P	04/04/2011	04/01/2011	<p><b>UC Governance and Org</b> Updates reflect most recent UC governance &amp; organization. Vol. 1, Ch. 3</p>
11-004-P	03/24/2011	03/21/2011	<p><b>Faculty as Consulting Architects</b> The Regents rescinded the policy forbidding UC architects to work on UC projects in January of 2007. Any architect may compete for a project. Links to DA 2134 replaced with DA 2220. Vol. 3, part I, Ch. 2, Section 2.12 deleted.</p>
11-003-D	02/18/2011	02/18/2011	<p><b>Navigation and link improvements of Volume 3</b> Updated and reformatted the welcome pages, corrected bad links.</p>
11-002-D	01/10/2011	01/10/2011	<p><b>Builder's Risk Insurance Program</b> Increase of water damage deductible effective on projects with coverage inception on or after February 1, 2011. Updated file <a href="http://www.ucop.edu/facil/fmc/facilman/volume4/part2/long/ex12.pdf">http://www.ucop.edu/facil/fmc/facilman/volume4/part2/long/ex12.pdf</a> <a href="http://www.ucop.edu/facil/fmc/facilman/cm_risk/E13_SBR.pdf">http://www.ucop.edu/facil/fmc/facilman/cm_risk/E13_SBR.pdf</a></p>
11-001-D	01/04/2011	01/04/2011	<p><b>University Governance and Organization</b> Updated Vol. 1, Ch. 3 to update and reflect current UC organization. <a href="http://www.ucop.edu/facil/fmc/facilman/volume1/ch3.html">http://www.ucop.edu/facil/fmc/facilman/volume1/ch3.html</a></p>
10-006-D	10/20/2010	10/20/2010	<p><b>Navigation and link improvements</b> Updated and reformatted the Approved Contracts Template table to access UCIP specific files.</p>
10-005-P	10/01/2010	10/01/2010	<p><b>University Controlled Insurance Program (UCIP)</b> Updated and reformatted the Approved Contracts Template table to access UCIP specific files. <a href="http://www.ucop.edu/facil/fmc/facilman/dcpdocs/welcome.html">http://www.ucop.edu/facil/fmc/facilman/dcpdocs/welcome.html</a></p>
	10/01/2010	10/01/2010	<p><b>Added UCIP instructions</b> <a href="http://www.ucop.edu/facil/fmc/facilman/ucip/welcome.html">http://www.ucop.edu/facil/fmc/facilman/ucip/welcome.html</a></p>
	10/01/2010	05/28/2010	<p><b>Added UCIP specific contract zip files to:</b> <a href="http://www.ucop.edu/facil/fmc/facilman/dcpdocs/">http://www.ucop.edu/facil/fmc/facilman/dcpdocs/</a></p> <ol style="list-style-type: none"> <li>i. mp_ucip_5-28-10.zip</li> <li>ii. lf_ucip_5-28-10.zip</li> <li>iii. db_ucip_5-28-10.zip</li> <li>iv. cm_ucip_5-28-10.zip</li> <li>v. e01c_ucip_man_5-21-10.pdf</li> </ol>
	10/01/2010	03/08/2010	<p><b>Added JOC Template Contracts</b> <a href="http://www.ucop.edu/facil/fmc/facilman/dcpdocs/">http://www.ucop.edu/facil/fmc/facilman/dcpdocs/</a></p> <ol style="list-style-type: none"> <li>i. joc_30810.zip</li> </ol>
10-004-D	9/29/2010	09/10/2010	<p><b>UC Labor Compliance Program</b> SBX2-9 Regulation requirements replacing 2009 LCP. Interim document until DIR approves. <a href="http://budget.ucop.edu/dc/documents/lcp.pdf">http://budget.ucop.edu/dc/documents/lcp.pdf</a></p>
10-003-D	08/31/2010	06/17/2009	<p><b>UC Labor Compliance Program</b> Approved 2009 LCP replacing 2003 LCP <a href="http://budget.ucop.edu/dc/documents/lcp.pdf">http://budget.ucop.edu/dc/documents/lcp.pdf</a></p>
10-002-D	08/30/2010	08/30/2010	<p><b>RD2.43 Builder's Risk Program Application</b> Replaced the three forms with one editable PDF document.</p>

			<a href="http://www.ucop.edu/facil/fmc/facilman/volume5/model43.pdf">http://www.ucop.edu/facil/fmc/facilman/volume5/model43.pdf</a>
10-001-D	05/06/2010	02/12/2010	<b>Brief Form</b> compensable delay language and patient confidentiality clause.
09-004-P	04/15/2009	04/15/2009	<b>Volume 3, Part I language updated removing EDPA versions</b>
09-003-D	01/16/2009	01/16/2009	<b>Language referring to the separate EDPA versions was removed</b>
09-002-D	02/06/2009	02/06/2009	<b>Volume 3, Part II – Exhibit G – Update of Reimbursement allowances</b> <a href="http://www.ucop.edu/facil/fmc/facilman/volume3/part1/exg.pdf">http://www.ucop.edu/facil/fmc/facilman/volume3/part1/exg.pdf</a>
09-001-P	01/20/2009	01/16/2009	<b>Volume 3, Part I – RD 1.4 List of Electronic Publications for the Annual Announcement</b> <a href="http://www.ucop.edu/facil/fmc/facilman/volume3/part1/figure4.pdf">http://www.ucop.edu/facil/fmc/facilman/volume3/part1/figure4.pdf</a>

### **ARCHIVE OF CHANGES TO THE FACILITIES MANUAL**

A complete list of archive changes can be found at [http://www.ucop.edu/facil/fmc/facilman/documents/arch\\_chngs.pdf](http://www.ucop.edu/facil/fmc/facilman/documents/arch_chngs.pdf)

The changes listed above are numbered sequentially by using the following format:

**11** - **001** - **D or P or C or G**  
 {year} {change number} {letter designating whether a change  
 is to a document, policy/instruction, contract or guidelines}

Changes to contract templates that correct errors or otherwise do not modify the terms of the contract and are labeled "D"

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