

CONSTRUCTION: All state construction is governed by Title 61. Public Buildings and Public Works and Title 260 - 260 - Office of Management and Enterprise Services Chapter 65 - Construction and Properties. The Public Building Construction and Planning Act (61 O.S. §202-220). Sets the policies and procedures as required by statute and directs a team of professionals to assist state agencies in achieving their construction goals. The Public Building Construction and Planning Act, CAP awards and administers consultant and construction management contracts, as well as contracts for construction (61 O.S. §208). Note that consultants and construction managers are selected according to the provisions of 61 O.S. §60 - §65, and construction contracts are awarded following the provisions of the Public Competitive Bidding Act of 1974 (61 O.S. §101-138). The term “consultant” includes architects, engineers and other recognized consultants that may be necessary to plan a construction project (61 O.S. §61). The term “construction” generally means the process of planning, acquiring, designing, building, equipping, altering, repairing, improving, maintaining or demolishing any structure or appurtenance thereto including facilities, utilities, or other improvements to any real property (61 O.S. §202).

Construction and Properties Insurance Requirements: Insurance meeting the minimum limits of coverage listed below shall be maintained in full force by Contractor for the duration of the Contract. Certificates of Insurance shall be furnished naming the Owner as the Certificate Holder prior to acceptance of the Contract or issuance of a Work Order. The following are minimum limits of insurance coverage. If higher limits or additional insurance provisions are stated in the Bid Solicitation, the requirements of the Solicitation shall be the minimum required based under Title 61:

- i. Workers' Compensation and Employers' Liability meeting statutory limits mandated by state and federal laws.
- ii. Commercial General Liability shall be \$100,000 (Each Occurrence) and \$300,000 (General Aggregate).
- iii. Automobile Liability (owned, non-owned and hired vehicles) shall be \$100,000 (Each Occurrence) and \$300,000 (General Aggregate), for bodily injury and property damage
- iv. Property Damage (for projects under \$50,000) shall be \$50,000 (Each Occurrence) and \$100,000 (General Aggregate).
- v. Builder's Risk (for projects \$50,000.00 and above) shall be \$50,000 (Each Occurrence) and \$100,000 (General Aggregate).

Bonds: Bonds are required for any contract where the firm, fixed price contract sum equals or exceeds fifty thousand dollars (\$50,000), or where an individual work order under a non-binding service or maintenance contract exceeds fifty thousand dollars (\$50,000) required based under Title 61 are:

Performance Bond for 100% of the value of the Contract to insure completion of the Work

Defect Bond for 100% of the value of the Contract to provide correction of defects in the construction and equipment for one year after acceptance of the Work; and

Payment Bond for 100% of the Contract to assure that the Owner is protected from the action of Subcontractors, suppliers and employees for unpaid debts of the Contractor. 5.9.2 All bonds shall be on the forms prescribed and issued by the Owner as attached to this Agreement

Irrevocable Letters of Credit may be used as a substitute for the required bonds, on the forms prescribed and provided by the Owner and issued by a financial institution insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.