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LEGAL UPDATE

To: Superintendents, Member School Districts (K - 12)

From: Patrick C. Wilson, Senior Associate General Counsel
Susanne Reed, Of Counsel
Loren Soukup, Schools Legal Counsel

Subject: Revision of Construction Bid Documents
Memo No. 09-2010



Our office has revised the SCLS construction bid documents. These contract documents are for use by SCLS clients when bidding a typical "school building" project. Please contact one of our attorneys if you need a copy of the revised 2010 contract.

If you have an unusual construction project that includes, for example, extensive underground work, impacts to wetlands or endangered or threatened species, work in the coastal zone, or other atypical circumstances, additional documentation and permits may be needed for your project.

Summary of changes from the prior SCLS construction bid documents

The instructions to bidders section and other sections of the contract have been re-written to improve clarity.

Insurance limits have been raised to \$2,000,000 single coverage/\$4,000,000 total. You can change these amounts by addendum.

The procedure for contractor claims has been clarified.

The warranty is now integrated into the contract documents and need not be signed separately by the contractor.

A drug-free workplace certification has been added.

There is a new section requiring contractors to recycle construction debris to the extent feasible.

The bid, performance and payment bond language has been clarified.

If you have any questions or comments regarding the revised contract documents, please contact our office.