

RD3: GLOSSARY

INTRODUCTION

This glossary contains terms that have special meaning within the context of the *Facilities Manual (FM)*. Terms (in boldface italics) are presented below in preferred FM text style regarding capitalization, punctuation, and spelling. It should be noted, however, that similar terms, when appearing as part of a definitions list within a legal contract or agreement, are often given different treatments and meanings. In the event of a conflict between contract or agreement terms and these glossary terms, those residing in the contract or agreement being utilized take precedence.

TERMS AND DEFINITIONS

actual cost. The cost of the work based on payment to the contractor for the actual time spent by the contractor's employees and subcontractors and the materials actually used.

addenda. Written or graphic instruments prepared by the design professional (sometimes in conjunction with the University) and issued by the University prior to the date for receipt of bids. Addenda modify or interpret the bidding documents through additions, deletions, or corrections.

Agreement (construction). The contract between the University and the contractor for construction of a project.

agricultural field station. A Facility administered by the University's Division of Agriculture and Natural Resources. Agricultural field stations are located throughout California.

alternate. A proposed change in the work, as described in a bid, which, if accepted, may result in a change to either the contract sum, contract time, or both.

annual announcement. An advertisement issued by the Office of the President listing, for each calendar year, the types of projects and types of consultant contracts with fees of \$100,000 or less anticipated during the year. The advertisement will be published per the advertising requirements in 2.2.1.

Application for Payment. The contractor's written request for payment. The Application for Payment itemizes the cost of the work in permanent place, as approved by the University's Representative, that has been completed in accordance with the contract documents.

arbitration. A method of settling claims or disputes between parties to a contract, whereby an arbitrator or a panel of arbitrators selected for specialized knowledge in the field in question hears evidence and renders a decision.

auxiliary enterprise. A non-instructional University support service funded by fees and user charges provided primarily to students, faculty, and staff. State funds are not used to support auxiliary enterprises. Auxiliary enterprises include the following:

- Student and faculty rental housing
- Parking facilities
- Student centers and bookstores
- Child care facilities
- Dining facilities associated with housing

- Recreation centers

base bid. The sum stated in a bid, as the base for which the bidder offers to perform the work described in the bidding documents, to which work may be added, or from which work may be deleted for sums stated in alternates.

Beneficial Occupancy. A stage in the work when the University occupies or otherwise uses all or any part of the work prior to Substantial Completion.

bid. A complete and properly signed offer to do the work for the sums stipulated therein, submitted in accordance with the bidding documents.

bidding documents. Documents given to bidders to enable them to prepare a bid. Bidding documents consist of the Cover Page, Certification, Table of Contents, Advertisement for Bids or Request for Bid, Project Directory, Instructions to Bidders, Supplementary Instructions to Bidders, Information Available to Bidders, Bid Form, Bid Bond, Agreement, General Conditions, Supplementary Conditions, Exhibits, Specifications, List of Drawings, Drawings, and Addenda.

California Code of Regulations (CCR). The publication known before January 1, 1988, as the California Administrative Code that is the official compilation of the adoption, amendment, or repeal of state agency regulations (many of which are applicable to University projects).

California Public Utilities Commission (CPUC). The commission with jurisdiction over matters concerning the operations of, and rates charged by, private utilities companies that serve the public throughout the state. The University's use of natural gas, electricity, and telecommunications services is subject to CPUC decisions affecting these services.

California State Contracts Register. On-line electronic publication of the California Department of General Services that lists services and construction contracts.

Capital Improvement Budget. The budget form, prepared for each capital improvement project, that itemizes estimated costs for each construction element (also called the project budget).

Capital Improvement Program (CIP). The University's project-by-project implementation of the master academic plans and long-range development plans at its Facilities. The Capital Improvement Program is published each year by the Office of the President and includes the current year's budget for capital improvements as well as the budget for the three-year CIP.

capital improvement project. Land or real property, construction, or capital equipment for construction included as a project in the Capital Improvement Program.

Capital Renewal and Replacement. The University program for upgrading or replacing facilities, major building systems, and supportive infrastructures beyond the funding limitations of OMP or deferred maintenance as a project in the Capital Improvement Program.

Certificate for Payment. A written instrument issued by the University's Representative upon receipt of a contractor's Application for Payment. The Certificate for Payment is issued to the University and authorizes payment to the contractor for the amount the University's Representative determines to be properly due.

change order. A post-award modification to a construction contract. A change order may

clarify, revise, add to, or delete previous requirements of the work, adjust the contract sum, or adjust the contract time.

claim. A written demand or assertion by a contractor seeking adjustment or interpretation of the terms of the contract documents, payment of money, extension of time, or other relief with respect to the contract documents, or determination of other disputes or matters in question between the University and contractor regarding the contract documents or the performance of the work.

compensable delay. A delay in the completion of the work beyond the expiration date of the contract time and caused by the gross negligence or willful acts of the University, its employees, or the University's Representative. Compensable delays may entitle the contractor to an adjustment of the contract time and the contract sum.

construction. The act, art, or business of moving, demolishing, installing, or building a structure, facility, or system according to a plan or by a definite process. Construction consists of the application of any of these techniques to physical plant facilities such as structures, utilities, excavations, landscaping, site improvements, drainage systems and roads, and additions, deletions, or modifications of such facilities. Exterior and interior painting of new structures is a form of construction.

construction contract. The executed Agreement between the contractor (or contractors) and the University that sets forth the work required to construct a project, the contract time, liquidated damages, the contract sum, and the contract documents.

construction cost. The actual cost to the University for the construction portion of the total project cost. Construction cost is a line item in the project's Capital Improvement Budget. In the final project budget, the construction cost is the final, adjusted contract sum.

construction documents. All of the written and graphic documents prepared or assembled by the design professional for communicating the project design and contract administration. Construction documents include both the bidding and contract documents.

construction manager. The person or firm responsible for coordinating and managing all or part of the construction process, including the design and bidding phases, as a member of the construction team consisting of University personnel, the design professional, and the contractor. Services are provided by a licensed architect, registered engineer, or licensed general contractor and may include construction project design review and evaluation, construction mobilization and supervision, bid evaluation, project scheduling, cost-benefit analysis, claims review and negotiation, and general management and administration of a construction project. The Construction Manager may act as the University's Representative.

consultant. A person or firm engaged to render professional services to the University. Services may include, but are not limited to, architectural, landscape architectural, engineering, environmental, land surveying services, and real property development services.

consulting architect. An architect hired by the Facility to assist with general design standards and design reviews.

contract. (See construction contract.)

contract administration. The duties and responsibilities during the construction phase of a project as set forth in the design professional agreement and in the construction documents'

General Conditions. The person or firm responsible for contract administration is listed in the construction Agreement.

contract documents. Documents containing the legally enforceable requirements that become part of the construction contract when the Agreement is signed. Contract documents consist of the Agreement, General Conditions, Supplementary Conditions, Exhibits, Specifications, List of Drawings, Drawings, Addenda, Certificates of Insurance, Payment Bond, Performance Bond, List of Subcontractors, List of Changes in Subcontractors Due to Alternates, Notice to Proceed, various contract modifications, Notice of Completion, and all other documents identified in the Agreement.

contract schedule. The schedule that graphically shows each project work activity, the start and finish times required for each activity, and the interrelationships between all work activities. This schedule is made and used by the contractor to coordinate the work of the subcontractors.

contract sum. The amount of compensation stated in the Agreement for the performance of the work. The contract sum may be adjusted only by change order.

contract time. The number of days set forth in the Agreement within which full completion of the work must be achieved. The contract time may be adjusted only by change order.

contractor. The person or firm responsible for performing the work and identified as such in the Agreement.

core (and non-core) construction documents. The Instructions to Bidders and the General Conditions are considered core University construction documents and are not to be changed by the Facilities. These documents have been carefully prepared to coordinate and conform with the other construction documents. The remaining construction documents are considered non-core documents and require completion by the Facility or the contractor.

critical path. The optimum sequence of work activities which, if delayed or extended, will delay the scheduled completion of one or more of the milestones specified in the contract schedule, the scheduled completion of the work, or both.

day. The term day, as used in the bidding and contract documents, means calendar day, unless otherwise specified.

default. The failure to fulfill a condition of the contract documents.

delivery method. A term used to describe the process by which a capital improvement project proceeds from concept, through design and construction, to occupancy. Delivery methods include the following:

- Conventional (design-bid-build)
- CM at Risk
- CM/Multiple Prime Trade
- Design-build
- Turnkey
- Lease-back
- Other (These include joint ventures, leasing, tenant improvements, and purchase of developer-owned projects.)

design. The various services required to produce drawings and other documents that fix and

describe the size and character of an entire project; the architectural concept of a building as represented by site plans, floor plans, elevations, renderings, and other drawings.

design development. A project design phase in which all design decisions need to be completed. The design professional further develops the schematic design and architectural detailing and ensures that basic technical issues are resolved and are capable of technical description. Plan arrangements, specific space accommodations, equipment and furnishings, building design, materials and colors, and complete definitions of systems serving the project are developed.

design development documents. These documents record all decisions made by the design team prior to preparation of the construction documents, and they include architectural documents, engineered systems documents, and supporting data. The design development documents are formally presented to and approved by the University, thus completing the design development phase.

design professional. An architect or engineer (person or firm) qualified and duly licensed to perform architectural or engineering services under contract to or employed by the University. The design professional prepares and signs the construction documents.

Detailed Project Program (DPP). A document describing a project in detail; an explanation of how and why a project is being developed that provides the designers with a Facility's standard architectural and engineering criteria, and shows how the project meets the University's and Facility's goals. The DPP may be prepared by a planning department, by a design professional, or by another consultant.

electronic publication. A website or other electronic communication accessible to all members of a professional society or organization. In order to be included within this definition, an electronic publication of a professional society or organization must maintain a frequency of publication, in the case of a method other than a website, (e.g., e-mail communication), of not less than every two weeks or in the case of a website, must be updated not less than every two weeks.

Environmental Impact Report (EIR). A Facility-prepared report that documents in detail the probable environmental impact of a proposed project. The EIR process includes publication and public review of a draft report. The final EIR incorporates responses to all comments received during the review period and also proposes measures designed to mitigate significant environmental impacts and a program for monitoring mitigation measures.

Environmental services. Services performed in connection with project development and permit processing in order to comply with federal and state environmental laws including the processing and awarding of claims pursuant to Chapter 6.75 (commencing with Section 25299.10) of Division 20 of the Health and Safety Code.

excusable delay. A delay in the completion of the work caused by conditions beyond the contractor's control and without the fault or negligence of the contractor. Excusable delays may entitle the contractor to an extension of contract time, but shall not entitle the contractor to any adjustment of the contract sum.

executive. When the term "executive" is applied to design professionals, the term refers to the primary design professional on the project, licensed in the state of California, who is both liable and accountable for the overall project design. There may be other design professionals

on the project, but they are not responsible for the overall design.

facility. A building, structure, site or ground improvement, or other item built or installed to serve the University's mission of providing academic, scientific, and public service. (See also Facility.)

Facility. A University of California campus, laboratory, unit of the Division of Agriculture and Natural Resources, or the location of any other administrative unit. (See also facility.)

Facility Audit and Inspection Program. A University program to inspect facilities in order to identify, prioritize, and categorize projects as deferred maintenance, Capital Renewal and Replacement, or Special Repairs.

field observation. A duty of the University's Representative to observe tests and inspections and to make acceptances required by the contract documents.

field order. A written instrument, issued by the University's Representative, describing a change in the work and estimated adjustments of the contract sum and contract time. A field order may be issued before all terms of the change are fully agreed to by the University and the contractor but are not to be issued when the scope of the work and an estimated cost can be determined.

field station. An experimental University Facility administered by a campus, laboratory, or other administrative unit.

Final Completion. That time when the work is fully completed and in accordance with the contract documents, as determined by the University's Representative.

General Funds. Funds in the budget for current operations and support from the state or from University sources.

geotechnical engineer. A person or firm that analyzes and inspects excavations, grading, compaction of soils, and the soil itself.

design professionals. Licensed architects, landscape architects, and engineers (civil, structural, mechanical, and electrical).

hazardous substances. Materials identified by the California Department of Industrial Relations as potential safety and health hazards.

hazardous waste. Waste products including infectious and toxic waste, chemicals, and radioactive elements that cannot be handled through regular refuse disposal procedures due to the hazardous nature of these waste products.

hearing officer. The person appointed by the Chair of the University's Construction Review Board to conduct an informal hearing and to make a decision on a request for subcontractor substitution, a bid protest, or a contractor disqualification.

Initial Study. A study prepared by the Facility during a project's planning phase that classifies the project's probable environmental impact. The Initial Study identifies areas of environmental concern and assesses whether potential impacts are sufficient to require the preparation of an Environmental Impact Report. If no significant impacts exist, a Negative Declaration is prepared instead.

inspection. Detailed evaluation of the work.

inspection agency. A duly licensed person or firm specializing in construction inspections, including materials testing.

latent defect. A defect that is not visible or active during the course of construction or before Final Completion.

letter of instruction. Written instruction, issued by the University's Representative, that interprets or clarifies the contract documents without changing the scope of work or adjusting the contract sum or contract time and that is consistent with the intent of the contract documents.

liquidated damages. A fixed sum that is specified in the Agreement and which the contractor is assessed as a measure of damages that the University will suffer for each day the work remains incomplete beyond the expiration of the contract time.

long-range development plan (LRDP). A broad, comprehensive plan expressing policy as approved by The Regents on proposed future physical planning and development of a University Facility or its outlying areas.

lump-sum cost. A stipulated dollar amount for a project determined by including all work-related costs such as labor, materials, equipment rental, supervision, overhead, and profit.

maintenance. The ongoing upkeep of buildings, equipment, roads, grounds, and utilities required to keep a Facility in a condition adequate to support the University's academic, scientific, and public service functions.

maintenance, deferred. Maintenance, repair, and replacement work delayed from previous operating budget cycles due to a lack of funds.

maintenance, emergency. The repair or replacement of facility components or equipment requiring immediate attention because the functioning of a critical system is impaired or because health, safety, or security of life is endangered. Emergency maintenance supersedes all other categories of maintenance.

maintenance, planned. The upkeep of property, machinery, and facilities including buildings, utility systems, roads, and grounds. Planned maintenance is usually characterized by its routine or recurring nature. Its purpose is to keep facilities functional. (Planned maintenance is also called programmed or scheduled maintenance.)

maintenance, preventive. The periodic inspection, adjusting, minor repair, lubricating, reporting, and data recording necessary to minimize building equipment and utility system breakdowns and to maximize system and equipment efficiency.

Maintenance Workload Budgeting Standards. Common workload measures and standards of performance applied to the tasks of OMP functions. The standards, which suggest the estimated hours per year required to complete preventive maintenance and to perform repair and replacement at various Facilities, are intended to be used primarily for budgeting purposes to determine resource requirements for OMP functions.

major capital improvement project. New construction, substantial alterations, extensions, or improvements to existing structures with an estimated cost in excess of \$400,000.

mediation. A process that provides for the intervention of an acceptable and impartial third party who assists and persuades contesting parties to reach a mutually acceptable settlement of their differences through an appropriate means of reconciliation, interpretation, clarification, suggestion, and advice.

minor capital improvement project. New construction, substantial alterations, extensions, or improvements to existing structures with an estimated cost not to exceed \$400,000.

Negative Declaration. A Facility-prepared document stating that a proposed project has no probable significant environmental impact.

non-core construction documents. (See core (and non-core) construction documents.)

Notice of Completion. A notice filed by the University that signifies that the work has been completed in accordance with the terms of the contract.

observation. (See field observation.)

OMP. Operation and maintenance of plant.

OMP functions. Aggregations of the basic tasks required to perform Facility operations and maintenance (also called operational elements).

operating budget. A proposed plan of expenditure needed to operate the University for a fiscal period, excluding proposed expenditures for capital improvement projects.

operation. The methods used to carry out utility distribution, building locking and unlocking, transportation activities, energy conversion and conservation, and other support systems that are vital to the satisfactory functioning of the plant.

patent defect. A defect that is known or observable during the course of construction and before Final Completion.

plant. The tools, machinery, buildings, grounds, and equipment of a University Facility (also called the physical plant).

Plant Service. An optional OMP function that sets up an account to recharge users for funds expended by OMP on services performed by the other functions, for work included or not included in the operating budget. The purpose of Plant Service is to provide a uniform and consistent method of collecting and accounting for costs of all OMP functions through recharges.

prevailing wage rates. A set hourly rate of pay in the locality where the work is to be performed, for each craft required to perform the work. Prevailing wage rates are established by the California Department of Industrial Relations.

product data. Illustrations, standard schedules, performance charts, instructions, brochures, diagrams, and other information furnished by the contractor to illustrate or describe materials or equipment for some portion of the work.

programming. The process for defining project needs; programming includes cataloging the spaces and equipment needed, defining functional relationships, and identifying building systems requirements.

project. The erection, construction, alteration, repair, or improvement of any structure, building, road, or other improvement.

project budget. (See Capital Improvement Budget.)

project file. A Facility file containing the bidding documents, contract documents, forms, correspondence, and all other record items related to a project.

project manager. A duly licensed person or firm specializing in managing the design, contract administration, and inspection of projects.

Project Planning Guide (PPG). A narrative and statistical document that systematically justifies and describes a proposed capital improvement project. The PPG establishes the scope and purpose of the project in relation to the Facility's academic plan.

project program. A document setting forth project requirements, constraints, and design objectives including space requirements and relationships, needed flexibility and expandability, special equipment and systems, and site requirements.

project representative. The design professional's or Facility's representative at the project site who assists in the administration of the construction contract.

punch list. A list of items to be completed or corrected by the contractor before Substantial Completion can be established. The punch list is prepared by the University's Representative.

quality management. A program established to achieve the level of quality agreed to by the eventual users of, and those responsible for, a University project.

record documents. Copies of the Drawings, Specifications, and all other contract documents that reflect the changes that have occurred since these documents were issued to bidders.

Regents' Funds. Funds for current non-budgeted operations, capital improvement projects, or other non-budgeted purposes, provided by The Regents of the University of California, from various sources. Regents' Funds include the following:

- Endowments
- Gifts
- Laboratory management fees from the U.S. Department of Energy
- Contracts and grants overhead
- Investments

replacement. Substituting systems or components no longer usable or adequate with items of the same kind.

responsible. The term responsible, as applied to bidders, means a bidder who is able to satisfactorily perform the work, as determined by the University.

responsive. The term responsive, as applied to a bid, means that the form and content of the bid meets the University requirements set forth in the bidding documents.

retention. A portion of the cost of the work in place withheld by the University from the contractor's progress payments.

samples. Physical examples that illustrate materials, equipment, or workmanship, and that

establish standards by which the work will be judged.

schematic design. The first phase of a project's design process; preparation, by the design professional, of drawings and other documents illustrating the scale and relationship of project components.

schematic design documents. Documents typically including drawings, outline specifications, calculations, a cost estimate, sketches, and a color rendering or model used to illustrate the schematic design of a project.

shop drawings. Drawings, diagrams, schedules, and other data specifically prepared for the work, by the contractor or a subcontractor, to illustrate some portion of the work.

Special Repairs. Large-scale deferred maintenance projects or a group of similar deferred maintenance projects that are combined into one project. Special Repairs are coordinated through the Capital Improvement Program but are funded through the operating budget.

specifications. Written descriptions of the materials and processes for construction included in the construction documents. Specifications describe the technical requirements for construction.

stop notice. A legal notice submitted to the University by a construction subcontractor, supplier, manufacturer, distributor, or another party to withhold unexpended funds held by the University to satisfy claims regarding labor and materials furnished to the contractor for the work.

subcontractor. A person or firm that has a contract with the contractor.

submittals. Items submitted by the contractor to the University's Representative. Submittals include the contract schedule, submittal schedule, shop drawings, product data, samples, record documents, guarantees, and operating and maintenance data.

submittal schedule. A contractor-prepared schedule that directs contractor and subcontractor submissions of shop drawings, product data, samples, and other required items. This schedule includes the date the University's Representative should first receive submittals, the date by which the University's Representative is to approve submittals, and the date approved documents are to be returned to the contractor.

Substantial Completion. That stage in the progress of the work when the University's Representative determines that the work is complete and in accordance with the contract documents except for completion of minor items that do not impair the University from occupying and fully utilizing the work for its intended purpose.

testing laboratory. A laboratory retained to perform testing services required by the contract documents.

unexcusable delay. A delay in the completion of the work beyond the expiration of the contract time and resulting from causes under the control of the contractor.

unit price. An amount stated in a bid or later agreed upon as a price per unit of measurement for materials, equipment, services, or a portion of the work, as described in the bidding documents.

University. This word, when capitalized, means The Regents of the University of California.

University's Representative. The person or firm designated in the contract documents to serve as the official representative of the University in connection with a project and to perform contract administration.

value engineering. A process used to review a project's design to ensure that it provides the best use of available project funds (also called value management).

Work. Construction and services required by the contract documents, as amended by contract modifications, whether completed or partially completed, including all labor, materials, equipment, tools, and services provided or to be provided by the contractor to fulfill the contractor's obligations. The work may constitute the whole or part of the project.

Work Control. The processing and managing of work orders and regularly scheduled work. Work Control is a task category in the OMP function, Plant Administration.



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