

## SECTION 013500

### DELEGATED DESIGN PROCEDURES

#### PART 1 – GENERAL

##### 1.1 GENERAL PROVISIONS

- A. The provisions in this Section shall apply to all Sections of the Specifications within this Project Manual that include Delegated Design requirements. All Contract Documents, including General and Supplementary Conditions, Drawings, and Divisions 01 Specification Sections apply and are made part of this Specification Section.
- B. RELATED SECTIONS: Includes, without limitation, the following:
  - a. Division 01 Section, "Submittal Procedures"
  - b. Division 01 Section, "Quality Control"

##### 1.2 DEFINITIONS

- A. Delegated Design:
  - a. Delegated Design is professional design services or certifications by design professionals pertaining to permanent project Work delegated to the Contractor by the CONTRACT AND GENERAL CONDITIONS and these Specifications.
  - b. The Contractor shall coordinate and assume or assign responsibility for design, engineering, calculations, permitting, submittals, fabrication, transportation, and installation.
- B. Delegated Design Components: Complete systems that perform their intended functions.
- C. Permit Authority: All authorities having local jurisdiction.
- D. Owner's Design Professional, Architect or Engineer of Record or their consulting engineer.
- E. Seal: Certification that drawings, computations and specifications were designed and prepared under direct supervision of a licensed Architect or Professional Engineer whose name appears thereon. Each seal shall be signed by the licensed design professional and dated.
- F. Delegated Design Component Review Stamp: Certification that Delegated Design drawings, computations and specifications have been reviewed for compatibility with design intent and the Contract Documents.

##### 1.3 CONTRACT REQUIREMENTS

- A. When Delegated Design is required, the Contract Documents may specify some requirements, including, without limitation, performance requirements, design intent, appearance requirements, minimum requirements and other requirements.
- B. Minimum Indicated Requirements: Provide specified minimum requirements even if the Delegated Design determines that a lower requirement will satisfy indicated Contract requirements.

##### 1.4 RESPONSIBILITIES

- A. Contractor's Responsibilities: With respect to each Delegated Design provision in any Section, the Contractor understands unequivocally that it is the Contractor's responsibility to provide an appropriately experienced, qualified, licensed, and registered design professional to perform the design services necessary to provide the design delegated to the Contractor.
- a. It is the Contractor's responsibility to coordinate and assume or assign complete responsibility for the design, calculations, submittals, fabrication, transportation, and installation of the Delegated Design portions or components as required in this Section.
  - b. The Contractor is responsible for submitting to the Permit Authority all Delegated Design documents required for the separate approval for each Delegated Design item, if required by Permit Authority in a manner that will not adversely affect Project's construction schedule.
  - c. Delegated Design components of this Work are defined as complete, operational systems, provided for their intended use.
  - d. Because the Contractor is solely responsible for Coordination and the Project Schedule, the Owner shall not be responsible for paying for any delays, additional materials or products, additional hours of Work, or overtime, restocking or rework required due to failure by the Contractor or the subcontractor to coordinate their Work with the Work of other trades on the project or to provide the Delegated Design portion or component in a timely manner to meet the schedule of the project.
    - i. Schedule design process and submittals required for Delegated Design portions to comply with the Project Construction Schedule.
    - ii. Allow sufficient time for Architect's review of Delegated Design submittals. Provide time estimate and coordination of schedule for review of Delegated Design submittals to Contractor
  - e. Because Delegated Design is the responsibility of the Contractor, the Contractor is to provide all resulting Work and materials required for the Delegated Design as part of the Contract Sum, and Contract Time.
  - f. Coordinate contents requiring Delegated Design with adjacent, interfacing or related systems whether designed by the Architect, Engineer of Record or others, or are Delegated Design components. Ensure complete, operational systems that perform their intended use are provided.
  - g. Engineer components of the Work requiring Delegated Design for wind, gravity, lateral and seismic loads and include design for life safety, sizing of supports, anchors, framing, connections, spacs and other characteristics required to meet or exceed requirements of applicable codes, standards, regulations, Permit Authorities, and design requirements of the Contract Documents.
    - i. Refer to Structural Drawings for load criteria. If load criteria is not indicated on the Structural Drawings, request criteria from Architect.
  - h. Ensure that the Delegated Design executes design intent as indicated in the Contract Documents.
- B. DELEGATED DESIGNER'S RESPONSIBILITY
- a. Minimum qualifications for each approved design professional selected by the Contractor, the Delegated Designer, include the following and may also be specified in the applicable Section.
    - i. Pennsylvania Licensed / Registered [discipline as applicable to scope of Delegated Design].
    - ii. Minimum five (5) years and five (5) similar projects of experience for both Delegated Designer firm and individual Delegated Designer in responsible charge of design.
    - iii. Minimum Professional Liability insurance: (\$1,000,000) per claim and (\$3,000,000) annual aggregate.
  - b. The Delegated Designer shall be solely responsible for the design's compliance with contractually required performance standards, design criteria, applicable codes, other public law requirements and sound professional practice standards, unless Contract Documents

- require a different or higher performance standard.
- c. The Contractor and Delegated Designer shall be solely responsible for the Delegated Design's integration and coordination with the balance of the Contract Documents, as well as constructability issues with respect to the Work subject to the Delegated Design. The Owner and Owner's Design Professional shall not be responsible for paying for any delays, additional product, materials, hours or Work due to failure to Contractor or Delegated Designer to properly integrate and coordinate the Work.
  - d. If the Delegated Designer determines or believes the performance standards or design criteria are not clear, the Delegated Designer shall submit a written request for clarification to the Owner or the Owner's Design Professional.
  - e. The Delegated Designer shall be solely responsible for reviewing submittals from the Contractor or the Contractor's subcontractors with respect to Work within the scope of the Delegated Design and for the submittals' compliance with the Delegated Design requirements and compliance with contractually required performance standards, design criteria, applicable codes, other public law requirements and sound professional practice standards if prepared by others.
  - f. The Delegated Designer shall prepare and sign and seal all drawings, calculations, specifications, certifications, shop drawings and other submittals prepared by such professional.
  - g. The Delegated Designer shall issue a certificate in the following form, as may be adjusted to reflect the specific discipline of the delegated design:

"The submitted design satisfies contractually-required performance standards or design criteria, applicable codes and sound professional practice standards and the undersigned designer understands and acknowledges that he/she is exclusively and professionally responsible for the design notwithstanding design review, collaboration, or other role or participation of the Owner's Design Professional or others in the design development and review process; and that the Owner and such others are entitled to rely upon the accuracy, completeness, reliability, quality, suitability, and constructability of the design and further rely upon the terms of the certification and the undersigned designer's representation that it has satisfied all contractual and professional practice, code and other public law requirements in the development of the design."

- h. The Delegated Designer shall periodically perform field reviews of Delegated Design Work, including the review of associated mock-ups where applicable, at locations where the Work is in progress, fabrication and installation of Delegated Design Work, and provide submission of field review reports after each visit to Owner's Design Professional or Permit Authority as required.
  - i. Provide field reviews at intervals as necessary and appropriate to progress of the Work related to Delegated Design components and determine if Work related to Delegated Design components is proceeding in general conformity with Contract Documents, including reviewed shop drawings and design calculations.
  - ii. Include costs for field reviews, field reports and letters of general conformity in Contract Sum.
  - iii. Upon completion of Delegated Design components of the Work, prepare and submit to Owner's Design Professional and Permit Authority as required, certifying general conformity for Delegated Design components of the Work, certifying that they have been supplied and installed in accordance with the requirements of the Contract Documents and Permit Authority.
  - iv. Field Review Reports: Submit certified reports within three (3) days of Field Review, which include, at a minimum, the following:
    - 1. Dates: Date of Field Review, Date of Report issuance.

2. Project Identification: Name and contact information for the Owner, Architect, Contractor, Project and associated project numbers.
3. Delegated Designer: Name and contact information.
4. Record of temperature and weather conditions at time of Field Review.
5. Evaluation on whether reviewed Work complies with Delegated Design.
6. Photographs of the Work. Include overall and detail views with description and location of each image.
7. Names and contact information of individuals performing Field Review.
8. Detailed description of the Work at the time of Field Review.

#### C. ARCHITECT'S RESPONSIBILITY

- a. Any review, collaboration, or other role or participation in connection with the Delegated Design by the Owner, the Owner's Design Professional, or any consultant to either entity shall not relieve the Delegated Designer of its sole professional responsibility as stated herein.
- b. Any Delegated Design submittal review by the Owner's Design Professional is limited to evaluating compliance with performance standards and/or design criteria set forth in the applicable specification and the Contract Documents. Such review does not affect the Contractor's or the Delegated Designer's exclusive responsibility for the adequacy, completeness, suitability, reliability, conformity, and compliance with the contractually required performance standards, design criteria, applicable codes, other public law requirements and sound professional practice standards.
- c. The Architect's review of Delegated Design submittals shall be solely for the purpose of evaluating compliance with performance specifications and design intent and shall not shift the responsibility from the Contractor, the Delegated Designer or the assigned subcontractor to the Owner or to the Architect.
- d. The Architect and Owner shall rely on the completeness of the services, certifications and approvals performed or provided by the Delegated Design professional.

#### 1.5 SUBMITTAL PROCEDURES FOR DELEGATED DESIGN COMPONENTS

- A. Comply with Division 01 Section "Submittal Procedures"
- B. Affix a fully complete Division 00 Section "DELEGATED DESIGN SUBMITTAL FORM" to each submittal.
- C. The intent of the Submittals required by this Section is to provide for professional responsibility for design, review and acceptance of components of the Work forming a part of the permanent Work in accordance with contractually required performance standards, design criteria, applicable codes, the Building Code, other public law and sound professional standards, that has been assigned to a qualified, licensed, registered design professional, the Delegated Designer.
- D. This Section provides a standard form Letter of Commitment and a standard form Certificate, both of which should be adjusted to reflect the specific discipline and applicable Specification. The Letter of Commitment and Certificate are required to be signed and sealed by the Delegated Designer for all Delegated Design Work.
- E. Preliminary Design: Submit to Architect sketches and product data describing Delegated Designer's design prior to performing engineering calculations and shop drawings.
  - a. The purpose of the Preliminary Design submission is to avoid engineering and detailing an unacceptable design.
- F. Prior to Work proceeding, including fabrication, complete the following:
  - a. Submit complete, legible documents for Delegated Design components.
  - b. Architect and Permit Authority, as appropriate, accept Delegated Design documents.
- G. Submit permit submittal to Architect for review prior to submitting to Permit Authority
  - a. Architect will review and return to contractor for submittal to Permit Authority after Architect's review stamp reads "Approved" or "Approved as Noted".
  - b. Delegated Design permit submittal is in addition to product data, shop drawing and sample submittals required for construction.

- H. Design and Calculations: Engineer's seal and calculations are required for that portion of Work by engineer licensed to practice in the jurisdiction of this project's location.
  - a. Submittals without required calculations, without the Delegated Design Engineer's seal, or which have not been reviewed by Contractor will not be reviewed by Architect or Engineer of Record.
- I. Letter: Commitment Letter and Certificate at the end of this section.
- J. Field Reports: Portable Document Format (PDF)
- K. Delegated Design Submittals: Indicate design criteria, design assumptions, unless noted otherwise in the specific Specification Section.
- L. Delegated Design Shop Drawings: Show, without limitation, the following.
  - a. Illustrate fully requirements of Contract Documents
  - b. Correlate Shop Drawings detail references to Contract Document detail references
  - c. Use Architect's keynote / naming convention in submittal
  - d. Identify products, materials and equipment
  - e. Show methods of assembly, layout, dimensions, connections and other data required for fabrication, coordination and installation.
  - f. Show member sizes, loads, reactions, connections / anchors, dimensioned to column grid.
  - g. Show context, building structure, column grid lines and interfacing portions of the Work.
  - h. Provide large-scale drawings for fabrication of each item.
  - i. Provide installation templates for Work installed by other trades.
  - j. Take measurements in the field and verify all dimensions before submitting
  - k. Include plans, elevations, sections, details
  - l. Clearly indicate HSS [tube and pipe] seam locations
  - m. Reproductions of Contract Documents are not acceptable as Shop Drawings
  - n. Make notations of substitutions or deviations from requirements of Contract Documents in conspicuous manner on submittals.
- M. Additional Submittal Requirements: Comply with individual specification section requirements.
- N. Qualification Data: For qualified licensed Engineer
- O. Delegated Design Conference: Meeting Minutes, if conference is required in other Sections with Delegated Design components.

#### 1.6 QUALITY ASSURANCE

- A. In addition to requirements specified herein, comply with Quality Assurance requirements specified in other Sections with Delegated Design components.
- B. Documentation: Comply with the following:
  - a. Uniform Drawing System
  - b. Minimum Text Size: 1/8 inch
  - c. Legible when microfilmed
  - d. Other requirements by Permit Authority
  - e. Drawings are to be professionally drawn and domestically produced.
- C. Design Requirements: Refer to requirements within individual specification sections.
- D. Permit Authority Requirements:
  - 1. Comply with Permit Authority policies regarding Delegated Design components of building projects.
  - 2. Delegated Design Drawings: Design drawings clearly and legibly showing all members, dimensions, connections, materials used, and indicating how the part is attached to the main structure. Confirm with permitting agency for required number of permit review sets required.
    - a. Drawings shall be prepared, designed, and sealed by an Engineer licensed to practice in the jurisdiction of this project's location.
    - b. Drawings shall be signed indicating General Design Conformance by Architect or Engineer of Record.
    - c. Shop drawings or erection drawings are not acceptable as Delegated Design drawings.
  - 3. Delegated Design Calculations: Provide, at a minimum, the following criteria, design

assumptions, substantiating computations, and such additional data sufficient to show the correctness of the Delegated Design and compliance with the structural provisions of the Building Code. Confirm with permitting agency for required number of calculation sets required.

- a. Calculations shall be prepared and sealed by the Delegated Design Engineer who prepared and sealed the drawings.
- b. Calculations shall be signed by the Architect or Engineer of Record indicating acceptance of design concepts, loading criteria, and compatibility of designs.
4. Submit a Contractor Design Summary Sheet (when required by Permit Authority) listing Delegated Design subcontractors and their registered Delegated Designer's name and phone number prior to permit issuance.

#### 1.7 SUBSTITUTIONS

- A. Items Required to be Submitted as a Substitution: Any construction / assemblies engineered by the Contractor which deviates from Contract Document requirements
- B. Substitution Requirements: Comply with all procedures and requirements specified in Division 01 Section "Substitutions"
- C. Notwithstanding any other provisions, the Delegated Designer has reasonable discretion to substitute if the substitution complies with the performance specifications and design intent.

#### 1.8 PERFORMANCE & DESIGN CRITERIA REQUIREMENTS

- A. Provide products and systems complying with specific performance and design criteria indicated where professional design services or certifications by a design professional are specifically required of Contractor by Contract Documents.
- B. If design criteria indicated is insufficient to perform services or certification required, submit a written request for additional information to the Owner or Owner's Design Professional.
- C. Delegated Design submittals are not required for components of Work requiring engineering for temporary Work (for example: crane hoisting, engineered lifts, false work, shoring, concrete formwork) that would normally form a part of the Contractor's scope of Work.

#### 1.9 DELEGATED DESIGN CONFERENCE

- A. Conduct conference when conference is required in other Sections with Delegated Design components.
- B. Agenda: At a minimum, include the following:
  - a. Review Delegated Design General Provisions Specification Section
  - b. Review Specification Sections requiring Delegated Design
  - c. Review related Contract Documents, including drawings
  - d. Schedule: Project, submittals, fabrication and installation time.
  - e. Coordination: Review interfaces with other Work. If conflicts are identified, develop corrective action.
- C. Meeting Participants: At a minimum, include the following:
  - a. Architect
  - b. Contractor
  - c. Delegated Designer
  - d. Subcontractor / fabricator / installer of Work
  - e. Subcontractor / fabricator / installers of interfacing Work.
- D. Meeting Chair: Architect
- E. Meeting Minutes: By Contractor. Distribute to Meeting Participants within 2 days after meeting.
- F. Schedule Meeting: Contractor schedules meeting after coordination with Architect's schedule. Schedule meeting after Delegated Designer is hired by Contractor, and before start of their Work.
- G. Schedule Meeting Notification: At least 2 days before meeting.
- H. Any review, collaboration or other role or participation in connection with the Delegated Design by the Owner or Architect shall not relieve the Delegated Designer of its sole professional responsibility for the design.

## PART 2: PRODUCTS

### 2.1 COMMITMENT LETTER

- A. Submit a signed and sealed Commitment Letter on company letterhead addressed to the Architect, in accordance with format in Appendix A attached to the end of this Section prior to starting Work requiring design and seal of a professional engineer.

### 2.2 CERTIFICATE

- A. Submit a signed and sealed Certificate on company letterhead addressed to Architect, in accordance with format in Appendix B attached to the end of this Section on completion of Work requiring design and seal of the Designated Designer.

## PART 3: EXECUTION

### 3.1 IMPLEMENTATION

- A. Include summary of Work described in technical specification section as a part of the required Letter of Commitment.
- B. Prepare required submittals and present to Architect within sufficient time to allow for Architect's review for compliance with the performance specifications and/or design criteria without delay in project schedule.

### 3.2 SCHEDULING AND COORDINATION

- A. Comply with Permit Authority requirements current at time of submission.
- B. Submit material required by Permit Authority so that Permit Authority's review will not adversely affect construction schedule.
  - a. Prior to submittal, meet with Permit Authority to identify Delegated Design components and review submittal requirements.
- C. Complete submission of Delegated Design documents prior to issuance of the building permit, when required by Permit Authority.
  - a. Permit for Delegated Design must be issued and paid for prior to fabrication.
- D. Owner will not be responsible for paying for any delays, additional products, additional hours of Work, overtime, restocking or rework required due to failure by the Contractor to coordinate Delegated Design Work or to execute Delegated Design Work in a timely manner.

### 3.3 DELEGATED DESIGN SCHEDULE: Sections with Delegated Design components include but are not limited to the following:

1. Section 04 2000 - Unit Masonry: Anchors and Ties
2. Section 04 4313.13 - Anchored Stone Veneer
3. Section 04 7200 - Cast Stone Masonry
4. Section 05 1200 - Structural Steel
5. Section 05 4000 - Cold Formed Metal Framing
6. Section 05 5000 - Metal Fabrication
7. Section 05 5113 - Metal Pan Stairs
8. Section 05 5213 - Pipe and Tube Railings
9. Section 05 7300 - Decorative Metal Railings and Infill Panels
10. Section 07 4213.13 - Formed Metal Wall Panels
11. Section 07 5323 - Ethylene-Propylene-Diene-monomer (EPDM) Roofing
12. Section 07 8413 - Penetration Firestopping (engineer's judgements)
13. Section 07 8443 - Joint Firestopping (engineer's judgements)
14. Section 08 4113 - Aluminum-Framed Entrances & Storefronts
15. Section 08 4313 - Glazed Aluminum Curtain Walls
16. Section 08 8000 - Glazing

- 17. Section 11 0140 - Tieback and Lifeline Anchors
- 18. Division 21 - Fire Suppression
- 19. Division 22 - Plumbing
- 20. Division 23 - HVAC
- 21. Division 26 - Electrical
- 22. Division 27 - Communications
- 23. Division 31 - Earthwork
- 24. Division 32 - Exterior Improvements



## APPENDIX A

### 1.1 LETTER OF COMMITMENT

A: Submit a signed and sealed letter of commitment on company letterhead in the form as follows:

[Date]

[Address]

Re: Letter of Commitment for Delegated Designer of [System of Component of Work]

[Name of Project]

[Project Number]

[City, State, Zip Code]

As the retained registered professional engineer for design and field review of the above named component of Work and project, I hereby certify I am qualified, licensed and registered in Rhode Island to perform the following Work as required by Contract Documents. I will perform the Delegated Design in accordance with contractually required performance standards, design criteria, applicable codes, the Building Code, other public law and some professional standards.

I hereby certify that I will be responsible for above noted Work as described in Section [?????] – [Name of Section] of Project Manual, including requirements of addenda, change orders and change directives.

I shall also be responsible for field review of fabrication and erection of components as required to achieve substantial compliance with the Building Code and Contract Documents.

I will notify you in writing if my responsibility is terminated at any time during the course of Work covered by this Letter of Commitment.

Retained Professional Engineer Name [type written]

Retained Professional Engineer's Signature

Date

(Apply seal)

## APPENDIX B

### Certificate

Submit a signed and sealed Certificate in the following format on company letterhead, adjusted to reflect the discipline of the Delegated Designer of [System of Component of Work].

### Certificate

The submitted design for \_\_\_\_\_ satisfies contractually-required performance standards or design criteria, applicable codes and sound professional practice standards and the undersigned designer understands and acknowledges that he/she is exclusively and professionally responsible for the design notwithstanding design review, collaboration, or other role or participation by the Owner's Design Professional or others in the design development and review process; and that the Owner and such others are entitled to rely upon the accuracy, completeness, reliability, quality, suitability, and constructability of the design and further rely upon the terms of this certification and the undersigned designer's representation that it has satisfied all contractual and professional practice, code and other public law requirements in the development of the design.

Retained Professional Engineer Name  
Retained Professional Engineer Signature  
Date:  
(Apply Seal)

END OF SECTION