

Several changes were made to the ABA MSC that took effect September 2008. This newsletter is a brief review of these changes. Additional information regarding these issues may be provided by contacting the ABA Construction Section at 682-5574 or via our website at arkansasbuildingauthority.com.

Summary of Minimum Standards and Criteria Changes

- The general layout of the Section's within the MSC was revised. The Construction Section rules are now contained within Section Three.
- Updated rules to reflect legislative changes noted in our August 2007 Newsletter.
- Revisions regarding clean-up language and for uniformity:
 - Submit four original signature documents with backup for new contracts, change orders, substantial completion, and final completion documents.
 - Submission timeframes were made to be consistent. For example work days were changed to business days, etc.
 - Updated rules to conform with current policy and procedures. (example: SBS changed to ABA).
 - Revised the responsibility of disbursing fully executed contracts to the State Agency. The State Agency will disburse the capital improvement contracts to the Contractor and Design Professional.
 - Decreased the minimum amount of bidders for emergency work from four to three. However, we recommend agencies exceed this requirement whenever possible to stimulate the competitive process.
- For scheduling purposes, revised the amount of advanced notice required to be given to the Construction Section Inspector's to five calendar days prior to the date of any construction related meetings.
- Section 3-324 provides clarification regarding qualification of contractors. This section describes the Owner's responsibility and the type of criteria to review to determine if the lowest apparent bidder is the lowest responsible bidder prior to the award of the contract.
- Section 3-406 was revised to clarified Design Professional and Contractor responsibilities: The Design Professional shall issue a notice to proceed. Within ten (10) business days after the decision to proceed, the general contractor shall submit a complete breakdown of the project cost (schedule of values) and project schedule to the Design Professional who in turn shall provide such to the Construction Section. No payment shall be made to the contractor until the breakdown of project costs and project schedule are provided. The Contractor shall deliver to the Owner and Construction Section a copy of the Contract and Grant Disclosure Statement along with a statement of the listed Subcontractor's contract amounts.
- Section 3-500 Project Closeout: The CD Rom content to be provided to the Agency and Construction Section by the Design Professional has been revised. The Design Professional shall provide the following:
 - Complete bid proposals of all bidders;
 - Substantive correspondence relating to the project;
 - Complete pay applications and design professional inspection reports and photos;
 - Manuals, specification books;
 - All contractor warranty and equipment warranty documents;
 - Inspection and permit documents issued by Federal or State entities with approvals and/acceptance of Work;
 - All record documents; and
 - All equipment and system inspection and acceptance documents.
- Section 3-318 Contractor's Insurance Requirements: This section was revised to reflect current insurance terminology and minimum dollar amounts of insurance coverage. Pollution liability coverage was added to the requirements for all projects where this coverage would be applicable. The Owner is still required to set insurance coverage amounts for projects in excess of the minimum as needed to meet the desires of the Agency.