

# Building Design and Construction Manual

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## CHAPTER 3 - GLOSSARY

**Fiscal Services** (formerly A&R) is part of the Office of General Services in the Department of Administration and is responsible for processing contract encumbrances and printing warrants for payment.

**Additional services** are professional services outside the scope of those services required by the program and are not included in the approved construction budget. These services include but are not limited to: programming, master plans, coordination with local jurisdictions, unanticipated construction phasing, renderings and models, landscape design not included in the budget, formal presentations outside those required in each phase, off site utilities, fire modeling, LEED certification and special discipline consultation. Refer to DCC Form 103 A/E Services List for the list of services.

**Agency:** See Owner.

**Agency architect/engineer** is an employee of a state agency who possesses a valid Kansas license and serves as the project architect/engineer for small capital improvement projects. ([K.S.A. 75-1254](#)).

**Alternate bid** is an amount listed on the bid form for the contractor to add or deduct from the amount of the base bid.

**Alternative Project Delivery.** An integrated comprehensive design and construction process, including all procedures, actions, sequences of events, contractual relations, obligations, interrelations and various forms of agreement all aimed at the successful completion of the design and construction of buildings and other structures whereby a construction manager or general contractor of building design-build team is selected based on a qualifications and best value approach.

**Ancillary technical services** are services such as surveying, geological/soils/subsurface investigation, acoustics, HVAC testing and balancing, hazardous materials survey and abatement, building commissioning and any other testing and consulting services, ([KSA 75-3784](#)).

**A/E Fee Guidelines** Using Criteria for: Cost/Complexity/Type/Services (See Chapter 5), is a tool developed in a matrix format to assist the Negotiating Committee and the design team to define and quantify the project design services and to establish a point of beginning to negotiate a fee for a project.

**Bid Documents** are the detailed drawings, specifications and reports, and addenda defining the scope of the work, issued during the bidding process.

**Bidding Phase** begins when the code footprint, if required, is approved by OFPM and the KSFM and the construction documents are completed and approved by the agency and OFPM for distribution to contractors. The bidding phase is a period of time established for the publishing of "bid-ready" construction documents and addenda to interested bidders and for interested bidders to request additional information and tour the project site.

Building **design-build** means a project for which the design and construction services are furnished under one contract.

**Capital Improvement Project** is the study and/or construction of a new, an addition(s) to, an alteration(s) or repair(s) of a facility, parking lot or infrastructure.

**Code Footprint** is a building and life safety code compliance document that contains both graphic and narrative information and that meets the requirements of ([K.A.R. 22-1-7](#)).

**Code Only** services are provided to projects not bid through OFPM (i.e. in-house construction and on-call construction), to projects funded without State General Funds (i.e. endowment and gift money).

**Complexity Factor** is one (1) of five (5) levels of difficulty or complexity to be assigned to a project based on the general project type and specific project requirements.

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**Construction Administration** is oversight of construction by the project architect/engineer for conformance with the plans and specifications, including resolution of problems and discrepancies.

**Construction Documents** are the detailed drawings, and specifications defining the scope of the work for the design of the project.

**Construction Management At-risk Services (CMAR).** The services provided by a firm, which has entered into a contract with the agency to be the construction manager or general contractor for the value and schedule of the contract for a project. The firm is to hold the trade contracts and execute the work for a project in a manner similar to a general contractor, and is required to solicit competitive bids for the trade packages developed for the project and to enter into the trade contracts for a project with the lowest responsible bidder therefore. Construction Management at-risk services may include, but are not limited to scheduling, value analysis, system analysis, constructability reviews, progress document reviews, subcontractor involvement and prequalification, subcontractor bonding policy, budgeting and price guarantees, and construction coordination. ([K.S.A. 75-37,141 et. seq](#))

**Construction Management Services** may include detailed cost estimating, critical path method scheduling and monitoring, drafting contract documents for necessary phasing and grouping, drafting contracts and change orders, full-time inspection and checking and approving shop drawings, color schedules, and materials. ([K.S.A. 75-1265](#))

**Construction services** means the process of planning, acquiring, building, equipping, altering, repairing, improving, or demolishing any structure or appurtenance thereto, including facilities, utilities or other improvements to any real property, excluding highways, roads, bridges, dams, turnpikes or related structures, or stand-alone parking lots.

**Consultant** is an individual or firm that is contracted by the project architect/engineer firm to assist the project architect/engineer in the delivery of professional services.

**Contract Documents** are the bid documents, construction contract, Notice to Proceed, change orders, all correspondence, substantial completion certificate, punch list, occupancy certificate, project completion certificate, and contractor affidavit.

**Department of Administration** shall have and exercise administrative functions of the state, in the manner as provided by law, in relation to various functions including but not limited to, accounting & fiscal matters, purchasing, personnel, maintaining records of state property, issuing warrants to be paid out of the state treasury, surplus property and building design and construction. ([K.S.A. 75-3707](#))

**Design-builder** means any individual, partnership, joint venture, corporation or other legal entity that furnishes the architectural or engineering services and construction services, whether by itself or through subcontracts.

**Design & Construction (DC)** is a group within OFPM representing the Secretary of Administration in matters of code enforcement, building design and construction. This group is responsible for compiling and enforcing the Building Design and Construction Manual.

**Design criteria consultant** means a person, corporation, partnership, or other legal entity duly registered and authorized to practice architecture or professional engineering in this state pursuant to ([K.S.A. 74-7003](#)), and amendments thereto, and who is employed by contract to the agency to provide professional design and administrative services in connection with the preparation of the design criteria package for alternate delivery projects.

**Design Development** consists of drawings and other documents to fix and describe the size and character of the projects as to architectural, structural, mechanical, and electrical systems.

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**Design Team** is an architectural/engineering firm contracted with the State of Kansas and includes all consultants hired by the firm to provide design services for a state agency.

**OFPM Inspector** is a OFPM employee who inspects capital improvement projects, ensuring construction is in accordance with approved code footprints, building codes, and accessibility laws. ([K.S.A. 75-1262](#)) The OFPM Inspector also provides supplementary inspection services on negotiated and full service projects.

**OFPM Project Number** is a six-digit number prefixed by an "A-", used and issued by OFPM for each capital improvement project, gift projects, ancillary services project, miscellaneous studies/reports and additional services provided by OFPM.

**Electronic documents** for OFPM review are to be in .PDF or .DOC/.DOCX or .DWG format sent on CD/DVD only.

**Evaluations** are reviews of the performance of project architects/engineers in the areas of design, construction documents and construction administration; and the performance of all construction contractors.

**Fee Negotiation Checklist** is a list of services required for a specific project and is to aid the agency and architect/engineer in the fee negotiating session. Initially prepared by the agency then reviewed and agreed to by the architect/engineer.

**Facilities and Property Management, Office of** (OFPM) is the Office of the Department of Administration responsible for assisting and supporting state agencies with building construction projects and with the operation and maintenance of the Department of Administration owned buildings in the Capitol Complex. When referenced in this manual, OFPM is the general entity with all the responsibilities assigned to the office.

**Facility Conservation Improvement Program** (FCIP) is a program administered by the Kansas Corporation Commission ([www.kcc.state.ks.us/energy/fcip](http://www.kcc.state.ks.us/energy/fcip)) to fund projects such as new lighting technologies, boilers, chillers, energy management controls.

**Firm** is an individual, firm, partnership, corporation, association or other legal entity, which is permitted by law to practice the profession of architecture, engineering or land, surveying. ([K.S.A. 75-1251](#))

**File Transfer Protocol** (FTP) is a standard network protocol used to copy a file from one host to another over the Internet.

**Full Services** are services provided by OFPM that exceed the minimum compliance reviews, inspections and cover all phases of design and construction, including quality control check, full document review, full site inspections and full compliance review and inspections. Reference Chapter 11 for the complete list of services provided.

**Joint Committee on State Building Construction** (JCSBC) is composed of five members of the Senate and five members of the House of Representatives. JCSBC's duties are to study all five-year capital improvement and facilities plans and capital improvement budget estimates; make recommendations on these five year plans to the Senate Ways and Means Committee and the House Appropriations Committee; monitor the progress of all capital improvement projects or major repairs; and review all change orders greater than \$125,000. ([K.S.A. 75-1264](#))

**Kansas Licensure** is a professional license issued by the Kansas State Board of Technical Professions required by professionals intending to procure state work and used for sealing the contract documents. ([K.S.A. 74-7003](#))

**Kansas Register** is a weekly publication compiled by the Secretary of State, which includes all advertisements for contracts for architectural, engineering and ancillary services, construction, repairs and improvements. Subscription information can be obtained online at [www.kssos.org](http://www.kssos.org), by e-mail at [kansasregister@kssos.org](mailto:kansasregister@kssos.org), or by telephone (785-296-3489).

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**Fire Marshal's Office, Kansas State (KSFM)** shall adopt reasonable rules and regulations, consistent with the provisions of this act, for the safeguarding of life and property from fire, explosion and hazardous materials. ([K.S.A. 75-1510](#)). Visit the KSFM website at <http://www.kansas.gov/firemarshal/>.

**Large Capital Improvement Projects** are building construction projects whose total project funds exceed \$750,000 in general construction or \$500,000 in engineering construction. ([K.S.A. 75-1253](#))

The **Leadership in Energy and Environmental Design (LEED)** Green Building Rating System™ is a third-party certification program and the nationally accepted benchmark for the design, construction and operation of high performance green buildings. LEED provides building owners and operators with the tools they need to have an immediate and measureable impact on their buildings' performance.

**Limited Services** are services provided by OFPM that include review and inspection for code, ADAAG and life safety compliance.

**Negotiating Committee** is comprised of three individuals or their designees. 1) the head of the state agency for which the proposed project is planned, 2) the head of the institution for which the proposed project is planned, and 3) the secretary of administration, or a person designated by the secretary, who shall act as chairperson of the committee. When the proposed project is not planned for an institution, the state agency head shall designate a second person in lieu of the head of an institution. ([K.S.A. 75-1251](#))

**Occupancy** is based on the compliance of all life safety, code and accessibility issues of the project outlined in Chapter 7.

**On-Call** architectural or engineering services are provided by project architects or project engineers for state agencies with small capital improvement project costs whose total project funds do **not** exceed \$750,000 in general construction or do not exceed \$500,000 in engineering construction.

**Owner** is the State Agency / Agency who is responsible for the project programming and funding.

**Owner's Representative** is authorized by the Owner to act on the Owner's behalf for the project.

**Partial Occupancy** is based on the compliance of all life safety, code and accessibility issues for a specific area of the project outlined in Chapter 7.

**Partnering** is a process agreed to by the state agency, OFPM and the contractor for the sole purpose of enhancing communication throughout the design and construction of the project.

**OFPM architect/engineer** is an employee of the Office of Facilities and Property Management who provides planning, architectural or engineering services to agencies on funded/unfunded capital improvement projects ([K.S.A. 75-1269](#)).

**Program** is a document from the Owner outlining the project's objectives, constraints, spaces, spatial relationships, activities, functions, projected costs and schedule for construction of the project. Info such as topography, subsurface, utilities, landscaping, existing facilities, future uses, flexibility, expandability, equipment, systems, maintenance, site requirements, vehicular traffic, parking, delivery and pedestrian circulation may also be included. ([K.S.A. 75-1255](#) and [K.S.A. 75-3742](#))

**Program Services** are services common to most state tax-funded building design and construction projects and are tied to the capital improvement project's approved construction budget. Reference DCC Form 103 Project A/E Services List for any other services.

**Project Acceptance Record.** An official notification issued at various junctures of the project by OFPM on behalf of the state. It is issued when the code footprint is accepted, when the construction documents are accepted, when the energy code submittal is accepted, when the fire alarm drawings are accepted, when the sprinkler shop

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drawings are accepted, when the occupancy certificate is approved, and when the permit to build is identified, as noted in Building Code and ADAAG Reviews Chapter 7.

**Project Architect** is a firm contracted to a particular project to provide professional architectural services for a specific capital improvement project or for on-call architectural services, or is an individual employed by a state agency to provide architectural services on small projects. ([K.S.A. 75-1251](#))

**Project Completion** is when the construction is in accordance with the contract documents and all final paperwork is approved by OFPM.

**Project Engineer** is a firm contracted to a particular project to provide professional engineering services for a specific capital improvement project or for on-call engineering services, or is an individual employed by a state agency to provide engineering services on small projects.

**Project Manager** is an employee of any state agency, who possesses a Kansas license in the profession of either architecture or engineering and is responsible for facilitating building construction projects.

**Project Proposal** is the completion of State of Kansas Capital Improvement Project Qualifications Forms 051-054, and additional photographs and/or additional information relevant to the project.

**Project Team** consists of the state agency representatives and the project architect/engineer. On full or negotiated services, a OFPM architect/engineer will also be part of the project team.

**Procurement and Contracts (formerly Purchases)** is part of the Office of Business Process Improvement in the Department of Administration responsible for receiving and validating bids, and initiating the construction contract for building construction projects.

**Rebid** – project is being bid a second time without any revisions to the original bid documents.

**Record Documents**, are marked up drawings prepared by the construction contractor, which identify substantial changes incorporated into the work during construction; are revisions to the bid drawings by the project architect/engineer; bid specifications and attached reports; and addenda, field orders, change orders construction change directives, and critical correspondence during construction.

**Revised** – project is being bid a second time with revisions to the original bid documents.

**Revised Rebid** – project is being bid a third time after the first bid was rejected and after the second bid of revised documents was rejected. There are no revisions to the first revision of the original bid documents.

**Schematic Design** is the preliminary design stage of a project where the project architect/engineer shows the Owner several options for solving the project program.

**Secretary of Administration** is the head of the Department of Administration and oversees its organization and various functions as dictated by statute.

**Senior Architect – Construction & Compliance** is an individual who works for the Office of Facilities and Property Management and is authorized by the Kansas State Fire Marshal's Office to serve as the review official for all building construction project on state property.

**Small Capital Improvement Projects** are building construction projects whose total project funds do not exceed \$750,000 in architectural construction or \$500,000 in engineering construction. ([K.S.A. 75-1253](#))

**State Agency** "includes any state institution". ([K.S.A. 75-1251](#)) See definition of Owner.

**State Building Advisory Commission (SBAC)** "shall be composed of seven members" . . ." and shall be a part of the department of administration". "The secretary of administration shall be a member and shall serve as

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chairperson". The next member shall alternate between the head of the architecture program of Kansas State University and the University of Kansas. "The five remaining persons shall be appointed by the Governor". "At no time shall more than 3 of the 5 members appointed by the governor be members of the same political party at the time of appointment." At least one of the appointed members shall be a member of a building trades union and at least one shall be a member of an association of building construction contractors. ([K.S.A. 75-3780](#))

**Statement of Qualifications (SOQ)** for professional services is State of Kansas Professional Qualifications DCC Form 050.

**Substantial Completion** is the date when all life safety, code and accessibility issues comply with Chapter 7 requirements and the owner can occupy specific area(s) for their intended purpose or use; **and/or** is the date when all project warranties commence; **and/or** is the date when liquidated damages are no longer assessed.

**Successful Bid** is any bid that is awarded to a construction contractor.

**Technical Specifications** are Divisions 1 through 49 instructing the contractor of the specific construction materials, techniques and requirements required to meet the intent of the construction project.

**"Will"** and **"Shall"** are used interchangeably in this manual, as defined in The American Heritage® Book of English Usage 1996.

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**END OF CHAPTER 3**