UNIVERSITY OF CALIFORNIA, SANTA BARBARA

OFFICE OF DESIGN & CONSTRUCTION SERVICES

April 25, 2016

TO:  D&CS Project Managers/University Representatives

FROM:  Jack Wolever, Director of Design & Construction Services

SUBJECT:  The University’s responsibility to create project-specific Bidding Documents.

A. WHEN ARE PLANS REQUIRED IN ORDER TO OBTAIN BIDS OR A PERMIT?

1. If bids are obtained for a project with an estimated construction cost in excess of $50,000, inclusive of labor, materials and fixed equipment, then plans and specifications must be prepared that are complete enough to allow a contractor to prepare its bid and know what to do after award of the contract. This requirement flows from the Public Contract Code, which reads in relevant part that:

   **PCC §10503.** Before entering into any contract for a project, the Regents of the University of California [i.e., the University] shall cause to be prepared estimates and either: (a) complete plans and specifications setting forth such directions as will enable a competent mechanic or other builder to carry them out; (b) documents for the solicitation of bids on a design-build basis; or (c) documents for the solicitation of bids under such other contracting mode as the Director approves and the regents determine to be in the best interest of the University.

2. If a building permit is required, regardless of project cost, it shall be accompanied by construction documents of sufficient clarity to indicate the location, nature and extent of the provisions of the work proposed and how it will conform to the provisions of the Building Code. This requirement is subject to a limited number of exemptions, including:

   **Exemption(s):** Permits are not required for painting, papering, tiling, carpeting, cabinets, counter tops, similar finish work, moveable fixtures, cases, counters, and partitions not over 5'-9" high. Minor repairs and maintenance are exempt from permits. (2013 CBC).

B. WHEN ARE PLANS REQUIRED TO BE PREPARED BY A LICENSED PROFESSIONAL?

1. If a project with an estimated construction cost in excess of $50,000 - inclusive of labor, materials and fixed equipment- then the Public Contract Code requires that the University shall cause to be prepared estimates and either: (a) complete plans and specifications; (b) documents for the solicitation of bids on a design-build basis; or (c) documents for the solicitation of bids under such other contracting mode as the Director approves and the regents determine to be in the best interest of the University. (see PCC §10503). The Business and Professions Code further requires that the documents be prepared by a licensed professional as required under the following code sections:
(a) **B&P Section §5536.1.** calls for plans and specs to be signed by the preparer. The preparer must be a licensed architect except for the exceptions laid out in B&P Section 5538 (see below), OR if the exemptions for engineers, landscape architects, and land surveyors in B&P Section 5537 apply. It's a misdemeanor for an unlicensed person to prepare plans and specs for projects that do not fall under the exceptions in §5537 and §5538.

(b) **B&P §5538.** This [section] does not prohibit any person from furnishing either alone or with contractors, if required by Chapter 9 (commencing with Section 7000) of Division 3, labor and materials, with or without plans, drawings, specifications, instruments of service, or other data covering such labor and materials to be used for any of the following:

(i) For nonstructural or nonseismic storefronts, interior alterations or additions, fixtures, cabinetwork, furniture, or other appliances or equipment.

(ii) For any nonstructural or nonseismic work necessary to provide for their installation.

(iii) For any nonstructural or nonseismic alterations or additions to any building necessary to or attendant upon the installation of those storefronts, interior alterations or additions, fixtures, cabinetwork, furniture, appliances, or equipment provided those alterations do not change or affect the structural system or safety of the building.

2. If a building permit is required, submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted. The construction documents shall be prepared by a registered design professional. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional. (2013 CBC).

**Exemption(s):** The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with the Building Code. (2013 CBC).

Thank you.