

# WAYNE STATE UNIVERSITY

DESIGN AND CONSTRUCTION SERVICES  
FACILITIES PLANNING AND MANAGEMENT  
5454 CASS AVENUE  
DETROIT, MICHIGAN 48202  
313-577-4310

## Construction by Tenants Within University Owned Buildings

January 31, 2005

Third Revision: October 28, 2009

### Policy

The University's stewardship role in protecting the health and safety of Students, Faculty, Employees, and visitors within our campus buildings, requires detailed University oversight of improvements to Wayne State University owned buildings by Tenants or other non-University entities. Adherence to this process will help to ensure that the improvements are in compliance with applicable laws, building codes, University Construction Design Standards, and aesthetic standards and expectations established by the University. The process will further ensure that Wayne State University is properly indemnified against claims should an event occur.

### Procedure

The University requires certain procedures be followed and information be provided *prior* to the initiation of any work within University owned facilities by non-University entities:

1. The WSU Design and Construction Services Department (D&CSD) shall be provided with a complete description of proposed work, including narratives, blueprints, design documents, elevations, proposed work schedule, impact upon other facility occupancy and systems, etc. as applicable, in advance of any demolition or construction activity. Proposed exterior signage must be presented in detail, including attachment methods and materials. Signage will be reviewed for acceptability to the building architecture and adjacent entities. No flashing or exterior neon signs will be permitted. Any costs associated with jurisdictional permitting shall be the responsibility of the tenant. Signage proposals are reviewed on a tenant by tenant basis. All tenant spaces with direct-to-outdoor exterior customer entrances shall be equipped with power

operated door operators manufactured and installed to be fully compliant with Americans with Disabilities Act (ADA) requirements. Responsibility for any new power door operators shall be the tenant's, including power and activating push buttons.

2. All designs shall be consistent with the Wayne State University Construction Design Standards, which can be downloaded, from the FP&M website at:

<http://www.facilities.wayne.edu/dcs.htm>.

A preliminary design review meeting will be held to establish the names of all participants; company name, individual name, address and phone numbers, and email address. A proposed design and construction schedule will be provided by the Tenant. Construction permitting, product submittal and plan review responsibilities of the Tenant will be delineated.

The University will correspond with the Michigan Bureau of Construction Codes and Fire Safety advising the agency of the upcoming project and requesting that the Construction Codes and Fire Safety department provide plan review, permitting, and inspection services to the Tenant and his/her contractor.

The Tenant will be responsible, with his/her designer and contractor, for the submission of plans, payment of fees, and correction of deficiencies noted by the Michigan Bureau of Construction Codes and Fire Safety plan review, permitting, and inspection process. All correspondence shall be copied to the Design and Construction Services Department; 5454 Cass Avenue; Detroit, Michigan 48202; attention: Randy G. Paquette, Senior Director.  
Phone (313) 577-0256 FAX (313) 577-1817

3. Subsequent to the WSU D&CSD's review and satisfactory response to any questions or concerns, the D&CSD further requires that the Tenant provide the names and contact information for all proposed contractors and receive a Certificate of Insurance from each contractor (including the Tenant's design professional) working on or within University property. The Certificate shall stipulate Wayne State University, and Wayne State University Board of Governors as an "additional named insured", and shall provide minimum requirements for coverage as promulgated by the Wayne State University Department of Risk Management.

#### **Insurance Requirements:**

##### Design Consultant's Insurance

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<u>Type of Insurance</u>	<u>Minimum Requirement</u>	
1.Comprehensive General Liability	Bodily Injury	\$ 500,000 each person \$1,000,000 aggregate
	Property Damage	\$ 500,000 each occurrence \$1,000,000 aggregate <u>or</u> \$2,000,000 combined single limit (CSL)
2.Fire Legal Liability		\$ 100,000
3.Comprehensive Automobile Liability (including Hired and non-owned vehicles)	Bodily Injury	\$ 500,000 each person \$1,000,000 each accident
	Property Damage	\$ 500,000 each accident <u>or</u> \$2,000,000 combined single limit (CSL)
4.Workers'Compensation	Statutory - Michigan	\$100,000 (Employer's Liability)
5.Property - All Risk	In an amount sufficient to cover the total value of the contractor's property in the care, custody or control of WSU.	

The Board of Governors, Wayne State University, shall be named as "additional named insured" but only with respect to accidents arising out of said contract.

The Contractor shall either 1) require each of his Subcontractors to procure and to maintain during the life of his subcontract, Subcontractors' Comprehensive General Liability, Automobile Liability and Property Damage Liability Insurance of the type and in the same amounts as specified in the Subparagraph, or 2) insure the activity of his subcontractors in his own policy.

The University does not carry builder's risk insurance for the improvements made by Tenant, nor provide any insurance against materials or work in progress, for any perils. The Contractor or Tenant shall provide such coverage on behalf of the University, and shall provide evidence thereof.

4. Prior to the initiation of any construction or demolition work, the WSU D&CSD shall receive a comprehensive construction schedule, a set of construction documents, including specifications, and evidence that a valid

permit for construction has been issued by the State of Michigan Bureau of Construction Codes and Fire Safety. Copies of all correspondence with authorities having jurisdiction shall be copied to the WSU's D&CSD by the Tenant or Tenant's design and/or construction representative. When all requirements have been met, the University, through the D&CSD, will issue a formal approval to proceed with construction.

5. The Design and Construction Services department may assign a person to provide limited project monitoring and ensure that the University's interests are protected. This oversight shall not be confused with project management services; the University does not provide project management services for Tenant improvements, will not provide direction at the jobsite to Tenant's contractors or vendors, and will not receive materials on their behalf.
6. All construction documentation involving Tenant directed design changes, bulletins, or other "post approval" modifications to the project work shall be provided to the WSU D&CSD for concurrent review prior to the adoption of the proposed change.
7. **SPECIAL NOTE 1:** Contractors working directly for tenants on elements of the building and its appurtenances (excluding tenant's process equipment or moveable furnishings) are required to compensate all trade labor at or above the local prevailing wage rates. Evidence of this compliance shall be provided to the D&CSD. Required documentation will include a sworn statement acceptable to the University, copies of cancelled payroll checks, and a signed waiver from each employee compensated under the prevailing wage requirement. The Tenant will indemnify the University against any claims arising from Tenant's design and construction. Prevailing Wage requirements are applicable for all projects up to a project value of \$250,000; above which a Project Labor Agreement with local construction trade unions shall be required. Project value is the total of all design, furnishing, and construction costs combined.
8. **SPECIAL NOTE 2:** Projects which have a construction contract or purchase order to a contractor in the amount of \$50,000 or greater shall provide both a Performance Bond and a Materials and Labor Payment Bond equal to the amount of the contract or purchase order value. The Tenant, through his/her contractor shall be responsible for the cost of the bonds and shall ensure that the bonds are issued to and delivered to Wayne State University.
9. A comprehensive emergency contact list shall be provided before initiation of, and maintained throughout construction.

10. All work shall be in conformance with MIOSHA construction requirements and WSU safety requirements, as delineated by the WSU Office of Risk Management, such as hot work permits, posting of fire watch, proper notification of utility interruptions; compliance and inspection by the WSU Office of Environmental Health and Safety, etc. Where Tenant improvements require addition, deletion, or alteration of fire alarm and detection, fire suppression, building security, exit or egress lighting, or other life safety system, Tenant will be responsible for all costs associated therewith, and shall obtain construction permits for such changes and shall ensure that any such work is completed by fully licensed contractors.
11. Tenant's contractor shall comply with all university rules and regulations regarding construction on the campus of Wayne State University. Notable areas of concern include:
  - construction parking,
  - location of construction dumpster,
  - storage of or staging of materials,
  - access to the building,
  - coordination and 72 hour advance notification of utility, building system or safety system shutdown,
  - hot work permitting,
  - progress inspections by authorities having jurisdiction,
  - etc.
12. Finally, upon completion of the work, the University must be provided with the following:
  - a. A properly executed Certificate of Occupancy provided by the State of Michigan Office of Fire Safety, or the Wayne State University Office of Risk Management, along with valid final inspection reports which clearly establish a full and complete installation and compliance with codes;
  - b. Comprehensive as-built information for all architectural, mechanical, and electrical installations or changes which will become a part of the facility;
  - c. Operations and maintenance manuals, and safety related information applicable to the work. (The scope of this information will be determined on a job by job basis.)

Compliance with these requirements is the sole responsibility of the Tenant and his/her agents. Failure to adhere to these requirements will result in the immediate cessation of work, until the appropriate requirements are met.