



AIA[®] Document B142[™] – 2004 Exhibit B

Consultant's Services

for the following PROJECT:
(Name and location or address)

THE OWNER:
(Name, legal status and address)

THE CONSULTANT:
(Name, legal status and address)

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Consultation with an attorney is also encouraged with respect to professional licensing requirements in the jurisdiction where the Project is located.

TABLE OF ARTICLES

- B.1 SCOPE OF SERVICES
- B.2 PROJECT ADMINISTRATION SERVICES
- B.3 DATA-GATHERING SERVICES
- B.4 PROGRAMMING AND PLANNING SERVICES
- B.5 PROJECT CRITERIA DEVELOPMENT SERVICES
- B.6 BUDGETING AND COST ESTIMATING SERVICES
- B.7 DESIGN-BUILD PROCUREMENT SERVICES
- B.8 CONSULTING SERVICES IN CONNECTION WITH FINAL DESIGN DOCUMENTS PREPARED BY DESIGN-BUILDER
- B.9 CONSULTING SERVICES IN CONNECTION WITH CONSTRUCTION DOCUMENTS PREPARED BY DESIGN-BUILDER
- B.10 CONSULTING SERVICES IN CONNECTION WITH THE CONSTRUCTION OF THE PROJECT
- B.11 POST-CONTRACT COMPLETION
- B.12 OTHER SERVICES
- B.13 DESCRIPTION OF SERVICES

ARTICLE B.1 SCOPE OF SERVICES

The Consultant shall provide to the Owner only the services in this Exhibit B that are designated by a check or "X" in the box adjacent to the listed service.

(Designate the services the Consultant shall provide by placing a check or "X" in the box adjacent to the listed service. If necessary, provide expanded or modified descriptions of the designated services in the space provided or in Article B.13.)

ARTICLE B.2 PROJECT ADMINISTRATION SERVICES

- § B.2.1 Project Administration. Manage the Consultant's services and administer the Project to the point of design-build contract award, consult with the Owner during such period, attend Project meetings, communicate with members of the Project Team, and issue progress reports.
- § B.2.2 Discipline Coordination. Coordinate the services provided by the Consultant and the Consultant's sub-consultants with those services provided by the Owner and parties retained by the Owner.
- § B.2.3 Owner-Supplied Data Coordination. Coordinate information and data provided to the Consultant by the Owner with information and data developed by the Consultant in the performance of its services.
- § B.2.4 Agency Consultation/Review/Approval. Assist the Owner in connection with the Owner's responsibility for filing documents required for the approval of governmental authorities having jurisdiction over the Project.
- § B.2.5 Schedule Development/Monitoring. Prepare and periodically update the Project schedule in accordance with the schedule set forth in Section 2.3.4 of the Agreement which shall identify milestone dates for decisions and approvals required of the Owner, services furnished by the Consultant, completion of documentation provided by the Consultant, design-build proposal and contract award, completion of final design by the Owner's selected Design-Builder, commencement of construction and Substantial Completion of the Work.
- § B.2.6 Submissions to Owner. Submit appropriate documentation to the Owner at intervals appropriate to the Consultant's services for purposes of evaluation and approval by the Owner. The Consultant shall be entitled to rely on approvals received from the Owner in the further development of the Consultant's services.
- § B.2.7 Presentations. Present the Owner with an explanation of the Project and the progress of the Consultant's services.
- § B.2.8 Other Administration Services *(Identify)*

ARTICLE B.3 DATA-GATHERING SERVICES

§ B.3.1 Data-Gathering Services are to provide appropriate and sufficient information and a reasonable basis for subsequent programming, planning and Project Criteria development.

- § B.3.2 Unless otherwise defined by the Owner in writing, determine the extent and detail of the data to be gathered by the Consultant.
- § B.3.3 In a timely manner, advise the Owner of any additional data not the responsibility of the Consultant which, in the judgment of the Consultant, is required in connection with the Project.
- § B.3.4 Preparation of Draft Data Gathering Report. Prepare and deliver to the Owner, upon completion of data gathering, a written draft Data-Gathering Report identifying data gathered by the Consultant or provided to it by the Owner.
- § B.3.5 Preparation of Final Data Gathering Report. Revise the draft Data-Gathering Report in response to the Owner's comments and provide the Owner with such number of copies of the final Data-Gathering Report incorporating such revisions as the Owner requests.

- § B.3.6 Site Investigation

- § B.3.7 Site Surveying

- § B.3.8 Environmental Studies and Reports

- § B.3.9 Geotechnical Studies and Reports

- § B.3.10 Existing On-Site Utilities Survey

- § B.3.11 Existing Off-Site Utilities Survey

- § B.3.12 Existing Facilities Survey

- § B.3.13 Identification of Reviewing Agencies/Groups

- § B.3.14 Identification of Applicable Regulations

- § B.3.15 Marketing Studies

- § B.3.16 Economic Feasibility Studies

- § B.3.17 Project Financing Studies

- § B.3.18 Other Data-Gathering Services

ARTICLE B.4 PROGRAMMING AND PLANNING SERVICES

§ B.4.1 After acceptance by the Owner of the Data-Gathering Report, if any, and based on the mutually agreed-upon schedule and Project cost budget and budget for the Cost of the Work, provide the Programming and Planning Services designated below. The purpose of providing such services is to establish and document requirements of the Project, including, but not limited to design objectives, site planning and design concepts, facility planning and design concepts, approximate gross facility areas and space requirements, space adjacencies, flexibility and expandability requirements, and identification of special equipment and systems.

- § B.4.2 Review of Planning and Programming Requirements. Review planning and programming requirements with the Owner, identify and evaluate alternate concepts, and make recommendations to the Owner of those concepts which in the Consultant's judgment meet the Owner's requirements for the Project.
- § B.4.3 Preparation of Draft Program Document. Prepare and deliver to the Owner a written draft Program Document documenting all programming and planning requirements identified as being the responsibility of the Consultant as set forth below and those, if any, provided to the Consultant by the Owner or others, identified alternate concepts, and those concepts recommended by the Consultant with the reasons therefor.
- § B.4.4 Preparation of Final Program Document. Revise planning and programming requirements in response to the Owner's comments and, based upon the Owner's selected alternative, provide to the Owner such number of copies of the final Program Document incorporating all such revisions as the Owner shall request.
- § B.4.5 Space Adjacencies/Flow Diagrams
- § B.4.6 Site Analysis and Selection
- § B.4.7 Site Development Planning
- § B.4.8 Detailed Site Utilization Studies
- § B.4.9 Off-Site Utility Studies
- § B.4.10 Other Programming and Planning Services

ARTICLE B.5 PROJECT CRITERIA DEVELOPMENT SERVICES

- § B.5.1 Preparation of Draft Project Criteria Documents. After acceptance by the Owner of the Program Document, if any, and based on a mutually agreed-upon program, schedule, and Project cost budget and budget for the Cost of the Work, prepare draft Project Criteria documents describing the detailed Project Criteria for the Project. Project Criteria documents are intended to show or describe the character, scope, relationships, forms, size and appearance of the Project; major materials and systems and, in general, their quality levels, performance standards, requirements or criteria; and major equipment layouts in such detail as necessary to solicit and evaluate either competitive Design-Build bids or negotiated Design-Build proposals. Project Criteria documents may consist of, as appropriate, textual narratives, diagrams, specifications, plans, sections, elevations, equipment layouts, and other drawings, documents and materials, including, but not limited to, models, perspective sketches, electronic modeling or combinations of these media.
- § B.5.2 Preparation of Final Project Criteria Documents. Revise the draft Project Criteria documents in response to the Owner's comments and provide to the Owner such number of copies of the final Project Criteria documents incorporating all such revisions as the Owner shall request.
- § B.5.3 Revisions to Project Criteria Documents. Revise the Project Criteria documents to reduce the estimated Project cost and/or the Cost of the Work after receipt of Design-Build proposals or negotiations to within the budget for the Cost of the Work identified in Section A.1.5.
 - .1 Provide not more than () revisions over the duration of the Project.
- § B.5.4 Narrative of Program Requirements/Objectives
- § B.5.5 Narrative of Design Goals and Objectives
- § B.5.6 Project Concept Diagrams and Documents
- § B.5.7 Performance Specifications
- § B.5.8 Detailed Criteria:
 - § B.5.8.1 Project Use
 - § B.5.8.2 Project Space Requirements
 - § B.5.8.3 Building Systems Requirements

- § B.5.8.4 Building materials Requirements

- § B.5.8.5 Equipment Requirements

- § B.5.8.6 Project Schedule

- § B.5.8.7 Project Phasing

- § B.5.8.8 Project Performance Requirements

- § B.5.8.9 Project Expandability Requirements

- § B.5.8.10 Project Flexibility Requirements

- § B.5.8.11 Energy Requirements

- § B.5.8.12 MBE/WBE/DBE/Other Similar Requirements

- § B.5.8.13 Architectural Design

- § B.5.8.14 Structural Design

- § B.5.8.15 Mechanical Design

- § B.5.8.16 Electrical Design
- § B.5.8.17 **Fire Protection Design**
- § B.5.8.18 Civil Design
- § B.5.8.19 Landscape Design
- § B.5.8.20 Interior Design
- § B.5.8.21 Code Analysis
- § B.5.8.22 Accessibility Analysis
- § B.5.8.23 Other Detailed Criteria
- § B.5.8.24 Other Project Criteria Development Services

ARTICLE B.6 BUDGETING AND COST ESTIMATING SERVICES

§ B.6.1 Budgeting and cost estimating services are intended to provide a basis upon which evaluations of the Project Criteria development to date may be evaluated against the Owner's overall Project budget and budget for the Cost of the Work.

§ B.6.2 The Consultant, when preparing estimates of overall Project cost and of the Cost of the Work, shall include contingencies for design, bidding and/or negotiation, and price escalation.

§ B.6.3 If the design-build contract award has not occurred within 90 days of the date shown on the schedule referred to in Section B.2.5, above, the overall Project budget and the budget for the Cost of the Work shall each be adjusted to reflect changes in the general level or prices in the construction industry.

- § B.7.3 Advise on Contract Form and Conditions
- § B.7.4 Identify Proposer Criteria/Qualifications
- § B.7.5 Proposer List
- § B.7.6 Evaluations of Proposers
- § B.7.7 Recommendation of Selected Proposers
- § B.7.8 Determination of Proposal Submission Requirements
- § B.7.9 Preparation of Request for Proposals
- § B.7.10 Reproduction and Distribution of Proposal Documents
- § B.7.11 Maintain Distribution/Deposit/Retrieval Log
- § B.7.12 Respond to Questions Regarding Project Criteria Intent
- § B.7.13 Evaluate Requests for Project Criteria Modifications
- § B.7.14 Preparation/Distribution of Addenda

- § B.7.15 Attend Proposers Conference

- § B.7.16 Evaluation of Proposals

- § B.7.17 Recommendation of Selected Proposal

- § B.7.18 Design-Build Contract Award

- § B.7.19 Other Design-Build Procurement Services

ARTICLE B.8 CONSULTING SERVICES IN CONNECTION WITH FINAL DESIGN DOCUMENTS PREPARED BY DESIGN-BUILDER

- § B.8.1 Respond to Questions. Respond to questions regarding the intent of the Project Criteria documents.

- § B.8.2 Review Documents Prepared by Design-Builder. Review design documents prepared by the Design-Builder for the limited purpose of evaluating conformance with the information given and the design concept expressed in the Design-Build Documents.

- § B.8.3 Recommendations for Payment. Recommend to the Owner amounts due the Design-Builder on the basis of (1) the payment provisions of the Design-Build Contract, (2) the data comprising the Design-Builder's Application for Payment, and (3) an evaluation of the extent, on a percentage basis, of the Design-Builder's progress toward completion of the final design documents in accordance with the provisions of the Design-Build Contract. Such recommendation shall not constitute a representation that the Consultant has evaluated the Design-Builder's final design documents for their technical accuracy, conformance with applicable codes and regulations, or for any purpose other than as set forth above.

- § B.8.4 Advise and Consult with the Owner

- § B.8.5 Attend and Participate at Project Meetings

- §B.8.6 Other Consulting Services

ARTICLE B.9 CONSULTING SERVICES IN CONNECTION WITH CONSTRUCTION DOCUMENTS PREPARED BY DESIGN-BUILDER

- § B.9.1 Respond to Questions. Respond to questions regarding the intent of the Project Criteria documents.
- § B.9.2 Review Documents Prepared by Design-Builder. Review construction documents prepared by the Design-Builder for the limited purpose of evaluating conformance with the information given and the design concept expressed in the Design-Build Documents.
- § B.9.3 Recommendations for Payment. Recommend to the Owner amounts due the Design-Builder based on (1) the payment provisions of the Design-Build Contract, (2) the data comprising the Design-Builder's Application for Payment, and (3) an evaluation of the extent, on a percentage basis, of the Design-Builder's progress toward completion of the construction documents in accordance with the provisions of the Design-Build Contract. Such recommendation shall not constitute a representation that the Consultant has evaluated the Design-Builder's construction documents for their technical accuracy, constructability, conformance with applicable codes and regulations, or for any purpose other than as set forth above.
- § B.9.4 Advise and Consult with the Owner
- § B.9.5 Attend and Participate at Project Meetings
- § B.9.6 Other Consulting Services

ARTICLE B.10 CONSULTING SERVICES IN CONNECTION WITH THE CONSTRUCTION OF THE PROJECT

- § B.10.1 Respond to Questions. Respond to questions regarding the intent of the Project Criteria documents.
- § B.10.2 Review Documents Prepared by Design-Builder. Review submittals required by the Design-Build Documents previously reviewed and approved by the Design-Builder, such as Shop Drawings, Product Data, and Samples, but only for the limited purpose of evaluating conformance with the information given and the design concept expressed in the Design-Build Documents.
- § B.10.3 Site Visits for Selected Purposes. Visit the site to review selected issues with the Owner and the Design-Builder, but only for the limited purpose of evaluating conformance of the Work with the Design-Build Documents.
- § B.10.4 Recommendations for Payment. Recommend to the Owner amounts due the Design-Builder on the basis of (1) the payment provisions of the Design-Build Contract, (2) the data comprising making up the Design-Builder's Application for Payment, and (3) an evaluation of the extent that the Work, on a percentage basis, has progressed to the point indicated in accordance with the provisions of the Design-Build Contract. Such recommendation shall not constitute a representation that the Consultant has (1) evaluated the quality of the Work or made exhaustive or continuous inspections to check the quantity of the Work, (2) reviewed construction means, methods, techniques, sequences or procedures. (3) reviewed copies of requisitions received from the Design-Builder's Contractor(s) and material suppliers and other data requested by the Owner to substantiate the Design-Builder's right to payment, or (4) ascertained how or for what purpose the Design-Builder has used money previously paid on account of the Contract Sum.

- § B.10.5 Substantial Completion and Final Completion Inspections. Conduct inspections to determine the date or dates of Substantial Completion and the date of Final Completion. Inspections shall be conducted with the Owner's Designated Representative to check conformance of the Work with the requirements of the Design-Build Documents and to verify the accuracy and completeness of the list submitted by the Design-Builder of Work to be completed or corrected.
- § B.10.6 Recommendation for Final Payment. Recommend to the Owner the final amount due the Design-Builder on the basis of (1) the payment provisions of the Design-Build Contract, (2) the data comprising making up the Design-Builder's final Application for Payment, and (3) a final inspection indicating the Work complies with the requirements of the Design-Build Contract. Such recommendation shall not constitute a representation that the party making the recommendation has (1) evaluated the quality of the Work or made exhaustive or continuous inspections to check the quantity of the Work, (2) reviewed construction means, methods, techniques, sequences or procedures, (3) reviewed copies of requisitions received from the Design-Builder's Contractor(s) and material suppliers and other data requested by the Owner to substantiate the Design-Builder's right to payment, or (4) ascertained how or for what purpose the Design-Builder has used money previously paid on account of the Contract Sum.
- § B.10.7 Advise and Consult with the Owner
- § B.10.8 Attend and Participate at Project Meetings
- § B.10.9 Other Consulting Services

ARTICLE B.11 POST-CONTRACT COMPLETION

- § B.11.1 Attend Meetings. Attend and participate at meetings subsequent to Substantial Completion of the Work.
- § B.11.2 Administer Remedial Work of Design-Builder. Administer and assist the Owner in coordinating remedial work required of the Design-Builder after Substantial Completion of the Project.
- § B.11.3 Warranty Review Services. Consult with the Owner during the duration of warranties in connection with inadequate performance of materials, systems and equipment under warranty; inspect selected materials, systems and equipment prior to expiration of the warranty period(s) to ascertain their adequacy of performance; and document defects or deficiencies and assist the Owner in preparing instructions to the Design-Builder for correction of noted defects.
- § B.11.4 Post-Contract Completion Evaluation Services. One year following Substantial Completion of the Project, conduct a Project evaluation, interview appropriate supervisory, operating and maintenance personnel of the Owner, and analyze operating costs and related cost data for evaluation of (1) the initial Project programming versus actual facility use, (2) functional effectiveness of planned spaces and relationships, and (3) the operational effectiveness of systems and materials installed.
- § B.11.5 Advise and Consult with the Owner

- § B.11.6 Other Post-Contract Completion Services

ARTICLE B.12 OTHER SERVICES

- § B.12.1 Special Studies
- § B.12.2 Tenant-Related Services
- § B.12.3 Project Promotion/Public Relations
- § B.12.4 Leasing Brochures
- § B.12.5 Special Furnishings Design
- § B.12.6 Furniture, Fixtures and Equipment Services
- § B.12.7 Special Disciplines Consultation
- § B.12.8 Special Building Type Consultation
- § B.12.9 Fine Arts and Crafts Consultation
- § B.12.10 Graphic Design Services

- § B.12.11 Renderings

- § B.12.12 Model Construction

- § B.12.13 Still Photography

- § B.12.14 Audio-Video Services

- § B.12.15 Computer Animation Services

- § B.12.16 Energy Studies

- § B.12.17 Quantity Surveys

- § B.12.18 Other Services

ARTICLE B.13 DESCRIPTION OF SERVICES

(In the space below, provide expanded or modified descriptions of the services designated above, add other services as space permits, or refer to an attachment to this document.)