

TITLE 7 - STATE BUILDING DIVISION

CHAPTER 7 - FACILITY CONSTRUCTION PROJECTS

001. AUTHORITY. The responsibility of the State Building Division (SBD) for development of procedures in the construction process is contained in Neb. Rev. Stat. §§ 72-803, 81-1108.15, 81-1108.41, 81-1108.42, 81-1114.01, 81-1711, and 81-1712.

002. NEBRASKA CONSULTANTS' COMPETITIVE NEGOTIATION ACT.

002.01 For the purpose of the Nebraska Consultants' Competitive Negotiation Act, the Department of Administrative Services has jurisdiction over each project that has a construction cost or professional services cost greater than the amounts described in § 81-1712, as adjusted for inflationary and market changes. DAS will determine whether a project exceeds such cost by considering whether the project is:

- (A) A single construction project at one location;
- (B) A grouping of minor construction, rehabilitation, restoration, or renovation activities at one location; or
- (C) A grouping of substantially similar construction, rehabilitation, restoration, or renovation activities at multiple locations and is or will be performed by a contractor pursuant to one contract.

002.02 Agencies will submit to SBD information regarding the consultant's contract. This includes, but is not limited to, information pertaining to the funding source, a copy of the contract, a statement regarding compliance with law, and other information the SBD may request.

003. COMPREHENSIVE CAPITAL FACILITIES PLAN. As required by Section 81-1114.01, each department and agency of the state, prior to submitting a capital construction project in excess of the amount described in Section 81-1114.01, as adjusted for inflationary and market changes, will prepare a comprehensive capital facilities plan.

004. PROGRAM STATEMENT. In accordance with Neb. Rev. Stat. § 81-1108.15, the agency will submit to the SBD information regarding the program statement. This includes, but is not limited to, information concerning the funding and budget, project, comprehensive plan compliance, timeline, and other information the SBD may request.

005. PRE-CONSTRUCTION DOCUMENTS. Information to be submitted by the agency to the SBD include, but is not limited to, the following:

- (A) Plans and specifications;
- (B) Professional consultant's estimated total construction cost;

(C) Compliance with the approved program statement, preliminary plans, and

(D) Timeline.

006. CONSTRUCTION CONTRACTS. Bidding opportunities for construction contracts shall be advertised in a statewide and a local publication once a week for three (3) consecutive weeks or for twenty-one consecutive calendar days on a website designated by the SPB that is accessible to the public, or both.

007. PROGRESS DOCUMENTS. SBD may require the agency or the contractor to submit to SBD certain documents, including, but not limited to:

(A) Capital construction quarterly status reports;

(B) Change orders and support for change orders;

(C) Certificates of payments for projects;

(D) A certificate pursuant to 81-1108.42 when final payment is requested; and

(E) A final report containing the information required by the SBD.

