

ATTACHMENT 1-5

TRADE NAMES

Whenever in these Specifications or in any of the Contract Documents any article, appliance, device or material is designated by a manufacturer's, vendor's proprietary or trade name and such works are not followed by the condition "or equal", it shall be deemed that the works "or equal" do follow such designation. Any article or material equaling the standards fixed may be used in place of that specifically mentioned by the Specifications, provided the material proposed is first submitted to and approved by the Registered Professional prior to award of Contract. No advance approval by the Registered Professional prior to award of Contract. No advance approval will be made of "or equal" materials or equipment submitted less than ten (10) days prior to the latest official bid opening date.

If, prior to or after award of Contract, by reason of the unavailability of material or equipment or some other unforeseen circumstances, a substitute item of material or equipment is approved by the Registered Professional, the Owner shall receive the benefit of any economy resulting from the substitution.

Adjustments because of approved "Or Equal" items or Substitutions: Should the contractor elect to furnish an approved, "Or Equal" or substitute item, brand, type, or class, he shall be responsible for making all adjustments to the selected item, and to the structure or other work, as may be necessary for proper installation of the item as intended and as necessary to maintain space requirements, function and appearance, all at no additional cost to the Owner. If such "or equal" items or substitutions are of such nature that the Registered Professional deems it necessary to revise the drawings or designs, or if the Registered Professional is burdened with additional expense because of the "or equal" item or substitution, the Owner shall be equitably reimbursed by the Contractor for such extra costs incurred by the Registered Professional. The provisions of this Paragraph are applicable even though the approval is listed in the Specifications, indicated in an Addendum, or granted by the Registered Professional after the Contract is awarded.

The bidder may, at his option, propose substitutions which he believes to be equivalent in kind, quality, function, and characteristics. Such proposals must be received at least ten (10) days prior to bid opening. Approval, if granted, will be in the form of an Addendum issued to all prospective Bidders. Substitutions will not be permitted after Bid Award unless the specified items are unavailable, or delivery date will delay completion of the project. Permission for substitution under circumstances shall not relieve the Contractor of responsibility for compatibility of the substitute with other materials, equipment, assemblies, devices, products, or fixtures used in construction of the project.