



AIA A101 INSTRUCTIONS TO CONTRACTORS

PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE CONTRACT DOCUMENTS. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY RESULT IN HAVING TO RESUBMIT DOCUMENTS AND, CONSEQUENTLY, CAUSE A DELAY IN CONTRACT PROCESSING.

Enclosed are copies of each of the following documents:

- a) Contractor Preparation of AIA A101-2017 Agreement for Construction Services, ST.52.
- b) AIA A101-2017, Standard Form of Agreement Between Owner and Contractor.
- c) AIA A101-2017 Project Attachment.
- d) Performance Bond, ST.72.
- e) Payment Bond, ST.73.
- e) Corporate Acknowledgement for Contractor, ST.74.
- f) Acknowledgement of Corporate Surety, ST.75.
- g) Construction Certificate of Liability Insurance Form (CC.21, Example).
- h) Attachment A-1: First Tier Subcontractors List (Section 00 43 35).
- i) Attachment A-2: Additional Subcontractors List (Section 00 43 36) if known

Please review and complete the following documents per the following instructions and obtain a completed Power of Attorney Form from your Surety:

- A) If you have done work with Minnesota State previously and have been trained in the use of e-Builder, verify with the campus Project Manager that you have been added to the project for access. Then once all of the required documents have been completed, you can upload the documents into the Documents File, under Contractor Prime, Contracts folder (04.03.02). Notify the campus Project Manager when this is complete and arrange a time for the contract execution, using e-signature, by the person having signature authority within your firm.
- B) If you have never done work with Minnesota State and are not trained in e-Builder, complete the forms and send them to the campus Project Manager. The Project Manager can upload the documents into the Contracts folder in e-Builder and then will arrange a time for the contract execution, with the person having signature authority within your firm, using e-signature. E-Builder support staff will walk the signatory step by step through the process. Also, the Project Manager will arrange e-Builder training for members of your firm who will be involved with the process required during construction, including business office personnel who will be submitting pay applications.

1) **AIA A101-2017 Project Attachment:**

Review the AIA A101-2017, Standard Form of Agreement Between Owner and Contractor and the Project Attachment. The Project Attachment is the document that will receive electronic signature(s) and insertion of the date(s). For corporations, either the president, CEO or two other corporate officers must sign. For partnerships, two of the partners must sign. For a sole ownership, the sole owner must sign. The individual(s) signing the Agreement on behalf of the Contractor must also sign the Payment and Performance Bond.

2) Performance and Payment Bonds for Construction, ST.72 and ST.73:

At the top of the documents, insert the name of the Surety Company in the blank provided. The same individual(s) who signed the Agreement on behalf of the Contractor must also sign this Bond. The Attorney-In-Fact for the Surety Company must also sign this Bond. If the Attorney-In-Fact is not located within the State of Minnesota, a Resident Agent located in Minnesota on behalf of the Surety must also sign this bond. The date on the Bonds must not be earlier than the date of the Contractor's signature(s) on AIA A101 Project Attachment.

4) Corporate Acknowledgment for Contractor, ST.74:

This document must be completed by a Notary Public. The individual(s) who signed both the Contract and the Bonds on behalf of the Contractor must be identified on this document. The date on this Acknowledgment must not be earlier than the date on the Payment and Performance Bonds.

6) Acknowledgment of Corporate Surety, ST.75:

This document must also be completed by a Notary Public. The Attorney-In-Fact who signs the Bond must be identified by this document. Please Note: some Surety Companies do not normally prepare this document; you must specifically ask them to complete it. The date on this document must be the same as the date on the Payment and Performance Bonds.

7) Power of Attorney:

This document is provided by the Surety. The date on this document must be the same as the date on the Payment and Performance Bonds.

8) Construction Certificate of Liability Insurance, CC.21:

The Contractor must provide a Construction Certification of Insurance and endorsements for additional insured, as described in the AIA A201, General Conditions of the Contract for Construction as amended by Owner, Article 11 – Insurance prior to the start of any work. **CC.21 Construction Insurance** is an example form showing minimum coverages. Additional insurance coverages may be required based on requirements if required in the solicitation. An “**Additional Insured Endorsement**” shall be included and may be on a form such as CG 20 10, CG 20 37, CG 20 33, and CG 20 38 or with a blanket endorsement as part of the insurance policy.

9) Attachment A-1/Attachment A-2:

Fill out and return Attachment A-1, First Tier Subcontractors and/or Attachment A-2, Additional Subcontractors (as applicable).