

Foothill-De Anza Community College District
Request for Substitution of Subcontractor Procedure
December 22, 2011

Responsible Party	Action
1. Prime Contractor	Sends District a formal letter (including all supporting attachments) requesting the substitution of subcontractor based on one of nine reasons as described in Public Contract Code 4107(a). ¹
2. District Purchasing Services	Reviews the request with the Bond Director or District Project Manager to ensure that the requested subcontractor is an acceptable substitution. ²
3. District Purchasing Services	Submits a letter to the Prime Contractor that acknowledges its request and notifies it of the District's requirement to comply with PCC 4107. The letter also notifies the Prime Contractor that, when applicable, the District must receive the signed PSA documents from the requested subcontractor prior to granting the substitution of subcontractor request.
4. District Purchasing Services	Pursuant to Public Contract Code 4107, gives notice in writing to the listed subcontractor of the prime contractor's request to substitute and of the reasons for the request. Serves the notice by certified or registered mail to the last known address of the subcontractor.
5. Listed Subcontractor	The listed subcontractor has five working days within which to submit written objections to the request for substitution.
6. District Purchasing Services	If written objections are filed by the listed subcontractor, Purchasing Services conducts a hearing in accordance with PCC 4107(a).
7. Prime Contractor	When applicable, obtains the signed PSA documents from the requested subcontractor and submits the documents to Purchasing Services.
8. District Purchasing Services	If no written objections are filed in Step 6 and if Step 7 was completed, sends letter to Prime Contractor granting the request for substitution of subcontractor. ²

¹ If a request is sent to the Bond Director, District Project Manager, or the Construction Manager, then it is his/her responsibility to forward the request information to Purchasing Services.

² The requested subcontractor is not authorized to perform work on behalf of the Prime Contractor until the request for substitution is granted.