

DOCUMENT 00320

EXISTING CONDITIONS AND GEOTECHNICAL DATA

1.01 GENERAL

This document sets forth the terms and conditions under which the Design-Build Entity may review, study, use or rely upon geotechnical data for, or areas near, the Site, and existing conditions information concerning existing conditions at or near the Site. This document, the available geotechnical data, and the supplied existing conditions information are not Contract Documents.

1.02 REPORTS AND INFORMATION

- A. District, and its consultants have collected documents that provide a general description of the Site and conditions of the Work. These documents may consist of geotechnical reports for and around the Site, utility drawings, and information regarding Underground Facilities. These reports, documents and other information are not part of the Contract Documents.
- B. Design-Build Entities may inspect geotechnical reports and information regarding existing conditions that are available for review in District's offices. Design-Build Entities may obtain copies of such documents upon presentation of the Design-Build Entity's payment for the cost of reproduction and handling. These reports, documents and other information are not part of the Contract Documents.
- C. The Project manual may include geotechnical reports and may also include information regarding existing conditions. Neither the reports nor the information therein shall be considered part of the Contract Documents.
- D. Geotechnical reports and data, and information regarding existing conditions and Underground Facilities at or contiguous to the Site, available for review and provided to the Design-Build Entity are listed in Appendix A, hereby made part of this Section.

1.03 USE OF INFORMATION ON EXISTING CONDITIONS

- A. Above-Ground Existing Conditions. Under no circumstances shall District be deemed to make a warranty or representation of existing above-ground conditions, as-built conditions, or other above-ground actual conditions verifiable by reasonable independent investigation. The Design-Build Entity must not rely on the information supplied by District regarding existing conditions. The Design-Builder may rely on the topographic survey for the purposes of initial planning. The Design Build Entity selected to complete the design and construction of the Project shall verify and update as necessary the information as part of design development.
- B. Underground Facilities. Information supplied regarding existing Underground Facilities at or contiguous to the Site is based on information furnished to District by others (*e.g.*, the owners or builders of such Underground Facilities or others). For those Underground Facilities that are owned by District, District will be responsible for the general accuracy of information regarding Underground Facilities. District does not assume responsibility for the accuracy, completeness or thoroughness of any other information regarding Underground Facilities, and the Design-Build Entity is solely responsible for any interpretation or conclusion drawn from this information.

1.04 LIMITED RELIANCE PERMITTED ON CERTAIN INFORMATION

- A. Geotechnical Data. Except as expressly set forth in this Document 00320, District does not warrant, and makes no representation regarding, the accuracy, completeness or thoroughness of any geotechnical data. The Design-Build Entity represents and agrees that in submitting its Proposal, it is not relying on any geotechnical data supplied by District, except as specifically set forth in this

Document 00320.

- B. Existing and Future Storm Drainage Conditions. Except as expressly set forth in this Document 00320, District does not warrant, and makes no representation regarding, the accuracy, completeness or thoroughness of any Storm Drainage Conditions. The Design-Build Entity represents and agrees that in submitting its Proposal, it is not relying on any data supplied by District, except as specifically set forth in this Document 00320.
- C. The Design-Build Entity may rely upon the general accuracy of the "technical data" contained in the geotechnical reports and drawings identified above, but only insofar as it relates to subsurface conditions. The term "technical data" in the referenced reports and drawings shall be limited as follows:
1. The term "technical data" shall include actual reported depths, reported quantities, reported soil types, reported soil conditions, and reported material, equipment or structures that were encountered during subsurface exploration.
 2. The term "technical data" does not include, and the Design-Build Entity may not rely upon, any other data, interpretations, opinions or information shown or indicated in such drawings or reports that otherwise relate to subsurface conditions or described structures.
 3. The term "technical data" shall not include the location of Underground Facilities.
 4. The Design-Build Entity may not rely on the completeness of reports and drawings for the purposes of bidding or construction. The Design-Build Entity may rely upon the general accuracy of the "technical data" contained in such reports or drawings.
 5. The Design-Build Entity is solely responsible for any interpretation or conclusion drawn from any "technical data" or any other data, interpretations, opinions or information contained in supplied geotechnical data.