AIA® Document C203™ – 2017

The Tribe's Standard Form of Consultant's Services: Commissioning

for the following **PROJECT**:
(Name and location or address)

THE OWNER:
(Name, legal status and address)

Southern Ute Indian Tribe
PO Box 737
356 Ouray Drive
Ignacio, CO 81137

THE CONSULTANT:
(Name, legal status and address)

THE AGREEMENT
This Standard Form of Consultant's Services is part of the accompanying C103™ -2015, Standard Form of Agreement between Owner and Consultant without a Predefined Scope of Consultant's Services dated as shown on SUIT signature.
(In words, indicate day, month and year of the accompanying C103-2015.)

TABLE OF ARTICLES

1 INITIAL INFORMATION

2 COMMISSIONING SERVICES

3 SUPPLEMENTAL AND ADDITIONAL SERVICES

4 OWNER'S RESPONSIBILITIES

ARTICLE 1 INITIAL INFORMATION
§ 1.1 The Consultant's services are based on the Initial Information set forth in this Article 1.
(For each item in this section, insert the information or a statement such as "not applicable" or "unknown at time of execution.")

§ 1.1.1 Systems and assemblies to be commissioned:
(Identify systems and assemblies to be commissioned, such as heating, cooling, refrigeration and ventilation systems and controls; lighting and day lighting controls; domestic hot water systems; renewable energy systems; or building enclosure

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This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

This document provides the Consultant's scope of services only and should be attached as an exhibit to AIA Document C103™–2015, Standard Form of Agreement Between Owner and Consultant without a Predefined Scope of Consultant's Services.

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assemblies.)

Revised Per Project

1. HVAC Systems
    a. 100% of major equipment (e.g. Air-Handling Units, boilers, cooling towers, chillers, MDF room cooling systems, and similar)
    b. Minimum 10% of terminal equipment (e.g. VAV boxes, fan-coils, general exhaust fans, cabinet unit heaters, and similar)
    c. 100% of BAS
2. Plumbing Systems
    a. 100% of domestic water heating systems
    b. Fire Protection Systems
    c. Effluent Decontamination Systems (if applicable)
    d. Animal Water Systems (if applicable)
3. Electrical Systems
    a. Automatic Lighting Controls (Minimum 30% of devices)

§ 1.1.2 The Owner's commissioning goals or objectives:
(Identify the Owner's commissioning goals or objectives for the Project such as sustainability objectives or performance goals.)

§ 1.1.3 The Consultant shall retain the following sub-consultants:
(List name, discipline, address, and other information.)

§ 1.1.4 The Owner's contractors and consultants that affect the Consultant's services:
(List name, discipline, address, and other information.)

Architect (if applicable):
Mechanical Engineer (if applicable):
Plumbing Engineer (if applicable):
Electrical Engineer (if applicable):
General Contractor/Design Builder:

§ 1.1.5 Other Initial Information on which the Consultant's services are based:
(List below other information that will affect the Consultant's performance of its services, such as details of the Project's program, Owner's budget for the Project, or anticipated procurement method.)

§ 1.1.6 The Owner and Consultant may rely on the Initial Information. Both parties, however, recognize that the Initial Information may materially change and, in that event, the Owner and the Consultant shall appropriately adjust the Consultant's services, and the Consultant's compensation and schedule for the Consultant's services.

ARTICLE 2 COMMISSIONING SERVICES

§ 2.1 The Consultant shall not be a member, employee, or subcontractor of any entity performing design services or construction work on the Project unless the Owner gives the Consultant informed written consent.

§ 2.2 The Consultant shall manage the Commissioning Services, research applicable design criteria, attend Project meetings, communicate with members of the Project team, and report progress to the Owner.

§ 2.3 COMMISSIONING PLANNING SERVICES

Delete Per Project

§ 2.3.1 Initial Coordination Meeting

The Consultant shall facilitate an initial coordination meeting with the Owner and other participants in the

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Commissioning Process to discuss the Commissioning Services it will provide relative to the Project and other Project participants.

§ 2.3.2 Schedule of Commissioning Services

The Consultant shall prepare, and periodically update, a Schedule of Commissioning Services that shall identify commissioning related activities, including services furnished by the Consultant and completion and submission dates for documents provided by the Consultant. The Consultant shall coordinate the Schedule of Commissioning Services with the design and construction schedules.

§ 2.3.3 Owner's Project Requirements

§ 2.3.3.1 In conjunction with the information provided in Section 1.1.1 and 1.1.2, the Consultant shall assist the Owner and the Owner's consultants in developing the Owner's Project Requirements, or shall review the Owner's Project Requirements if provided by the Owner. At a minimum, the Owner's Project Requirements shall identify systems and assemblies to be commissioned and define the Owner's goals for each, including functional expectations, performance criteria to be met by the design, sustainable objectives to be achieved, cost considerations, and maintenance expectations. Where practical, the Owner's Project Requirements shall include measurable indicators or standards that can be used to verify that the Owner's goals have been met. The Consultant shall assist the Owner to periodically update the Owner's Project Requirements.

§ 2.3.3.2 The Owner and Consultant acknowledge that achievement of the Owner's Project Requirements depends on factors beyond the Consultant's control. Accordingly, the Consultant does not warrant or guarantee that the Project will achieve the Owner's Project Requirements

§ 2.3.4 Basis of Design Review

The Basis of Design is a document, prepared by the Owner and the Owner's consultants, that records the concepts, calculations, decisions, and product selections used to (a) meet the Owner's Project Requirements, and (b) satisfy applicable laws, codes, and regulations. Upon receipt from the Owner, the Consultant shall review the Basis of Design, and updates thereto, for conformance with the Owner's Project Requirements and provide the Owner with written comments regarding deficiencies identified.

§ 2.3.5 Commissioning Plan

The Consultant shall provide the Owner with a written Commissioning Plan that is based on the Owner's Project Requirements and the Basis of Design. The Commissioning Plan shall describe commissioning activities for the Project and identify documentation requirements of the commissioning process. The Consultant shall update the Commissioning Plan periodically as appropriate to the level of completeness of the design and the progress of construction. The Commissioning Plan shall include:

.1 identification of the Owner's Project Requirements and the portions of the Basis of Design used as the basis of the Commissioning Plan;

.2 a list of participants in the commissioning process, their roles and responsibilities, and protocols for participant communication and information distribution;

.3 a list of systems and assemblies to be commissioned and performance expectations for each;

.4 a description of commissioning activities and responsibility for each;

.5 a summary of commissioning related documentation required by governmental authorities or entities certifying the Project.

.6 the Schedule of Commissioning Services;

.7 protocols for commissioning design reviews;

.8 protocols for commissioning submittal reviews;

.9 protocols to document changes to the Owner's Project Requirements and Basis of Design,

.10 protocols and templates for commissioning related documentation, including the Issues Log, Construction Checklists, Functional Performance Test procedures and reports, the Systems Manual, and the operator training plan;

.11 identification of, and protocols for, documents to be provided by the Owner's contractors, such as start-up reports, systems readiness test reports, test and balance plans and reports, and quality control test documents; and

.12 protocols for the Consultant to report observed deficiencies that pertain to the systems and assemblies to be commissioned.

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§ 2.4 DESIGN PHASE SERVICES

Delete Per Project

§ 2.4.1 Design Phase Coordination Meeting

The Consultant shall conduct and document a design phase coordination meeting with the Owner and other participants in the commissioning process to discuss and review the Owner's Project Requirements and the Commissioning Plan. Subject to Section 3.2.1.2, the Consultant shall conduct and document additional design phase coordination meetings as necessary.

§ 2.4.2 Commissioning Design Reviews

The Consultant shall periodically review the designs prepared by the Owner's consultants and contractors for the systems and assemblies to be commissioned. The Consultant's review shall be for the limited purpose of checking for conformance with information given and concepts expressed in the Owner's Project Requirements and the Basis of Design. The Consultant shall be entitled to rely upon, and shall not be responsible for, the adequacy and accuracy of the designs prepared by the Owner's consultants and contractors. The Consultant's commissioning design reviews shall be made with reasonable promptness and in accordance with the Commissioning Plan and Schedule of Commissioning Services. Upon completion of each review, the Consultant shall issue written comments and recommendations in accordance with the Commissioning Plan. At each subsequent review and after the final review, the Consultant shall document the resolution of comments from the previous reviews.

§ 2.4.3 Commissioning Specifications

The Consultant shall prepare Commissioning Specifications that define the general commissioning requirements of the Project and commissioning requirements for each system and assembly to be commissioned. The Commissioning Specifications shall include requirements for Construction Checklist development and execution, startup procedures, Functional Performance Tests and acceptance criteria, and operator training. If necessary, the Consultant shall coordinate with the Owner's other consultants to integrate commissioning related requirements into specifications provided by others.

§ 2.5 CONSTRUCTION PHASE

§ 2.5.1 Construction Phase Coordination Meeting

Prior to commencement of construction activities on systems and assemblies to be commissioned, the Consultant shall conduct and document a construction phase coordination meeting with the Owner and other participants in the commissioning process to discuss and review the Commissioning Plan and Commissioning Specifications. Subject to Section 3.2.1.3, the Consultant shall conduct and document additional commissioning phase coordination meetings as necessary during construction.

§ 2.5.2 Submittal Review

Pending Alternate Acceptance Per Project

The Consultant shall review and provide written comments upon contractors' submittals that pertain to the systems and assemblies to be commissioned, but only for the limited purpose of checking for conformance with the requirements of the Commissioning Plan and Commissioning Specifications. The Consultant's action in reviewing submittals shall be taken in accordance with the approved submittal schedule, or in the absence of an approved schedule, with reasonable promptness while allowing sufficient time to permit adequate review. The Consultant's submittal review is not for the purpose of determining the accuracy and completeness of other information such as dimensions, quantities, and installation or performance of systems or assemblies, which are the contractors' responsibilities. The Consultant's review shall not constitute approval of safety precautions or any construction means, methods, techniques, sequences, or procedures.

§ 2.5.3 Construction Documentation Review

During construction, the Consultant shall review documentation related to the systems and assemblies to be commissioned such as meeting minutes, field reports, minor changes in the Work, Construction Change Directives, and Change Orders. In accordance with the Commissioning Plan, the Consultant shall report issues it identifies during its reviews that may prevent the systems and assemblies from performing in accordance with the Commissioning Plan and Commissioning Specifications.

§ 2.5.4 Issues Log

The Consultant shall consult with the Owner and other participants in the commissioning process regarding commissioning related issues that arise during the Construction Phase. The Consultant shall maintain and update an

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Issues Log regarding such issues and their resolution in accordance with the protocols established in the Commissioning Plan.

§ 2.5.5 Construction Checklists

The Consultant shall provide Construction Checklists for systems and assemblies to be commissioned that the Owner's contractors can use to verify that materials and components are on site, ready for installation, correctly installed, and in compliance with the Commissioning Plan and Commissioning Specifications. The Consultant shall distribute the Construction Checklists in accordance with the Commissioning Plan.

§ 2.5.6 Site Visits

Unless otherwise stated in the Commissioning Plan, the Consultant shall visit the site at intervals appropriate to the stage of construction to become generally familiar with the assembly, installation, and startup of systems and assemblies to be commissioned; however, the Consultant shall not have control over, charge of, or responsibility for the assembly, installation, and startup of such systems and assemblies. In accordance with the Commissioning Plan, the Consultant shall promptly report (1) known deviations from the Commissioning Specifications and Commissioning Plan and (2) defects and deficiencies observed by the Consultant.

§ 2.5.7 Functional Performance Tests

§ 2.5.7.1 Functional Performance Tests evaluate the function and operation of systems and assemblies to be commissioned by observation or monitoring. Prior to the commencement of Functional Performance Tests, the Consultant shall review start-up reports, systems readiness test reports, test and balance plans and reports, and quality control test documents, for systems and assemblies to be commissioned, and report any observed deficiencies in accordance with the Commissioning Plan.

§ 2.5.7.2 The Consultant shall coordinate, observe, and document Functional Performance Tests for systems and assemblies to be commissioned, in accordance with the procedures set forth in the Commissioning Plan and Commissioning Specifications.

§ 2.5.7.3 The Consultant shall prepare written reports that summarize each Functional Performance Test. The Consultant shall document deficiencies identified during Functional Performance Tests in the Issues Log. Each deficiency shall be resolved by the appropriate party and, thereafter the Consultant shall direct, observe, and document re-testing to confirm that the deficiency has been corrected. The Consultant shall distribute the Functional Performance Test reports in accordance with the Commissioning Plan.

§ 2.6 DOCUMENTATION AND TRAINING PHASE SERVICES

§ 2.6.1 Documentation Review

The Consultant shall review operations and maintenance manuals, the Systems Manual, record documents, and warranties, for commissioned systems and assemblies, for conformance with the Commissioning Specifications. The Consultant shall report observed deficiencies in accordance with the Commissioning Plan.

§ 2.6.2 Systems Manual

Prior to the start of operator training and in accordance with the Commissioning Plan, the Consultant shall provide the Owner with a Systems Manual that describes how to operate and maintain the commissioned systems and assemblies. The Systems Manual shall consist of documents provided by the Owner's contractors and consultants, including operations and maintenance manuals, submittals, record drawings, specifications, certifications, and training documents.

§ 2.6.3 Operator Training

§ 2.6.3.1 The Consultant shall review contractor -provided information regarding operator training, and the schedule of training activities, for conformance with specification requirements for systems and assemblies to be commissioned. The Consultant shall report observed deficiencies in accordance with the Commissioning Plan.

§ 2.6.3.2 The Consultant shall maintain an operator training log for inclusion in the Commissioning Report. The operator training log will include the attendees' names, training dates, system or equipment on which training was performed, and the name, title, and contact information of the trainer.

§ 2.6.4 Commissioning Report

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The Consultant shall prepare a Commissioning Report that summarizes the operation of the commissioned systems and assemblies and the Commissioning Services performed. The Commissioning Report shall include an executive summary, the Owner's Project Requirements, Basis of Design, the final Commissioning Plan, Commissioning Specifications, design review comments and resolutions, system readiness test reports, completed Construction Checklists, template Functional Performance Test procedure forms, completed Functional Performance Test reports, the Issues Log, the operator training plan and log, a description of required deferred Functional Performance Tests, and recommendations for ongoing commissioning. The Consultant shall distribute the Commissioning Report in accordance with the Commissioning Plan.

§ 2.6.5 Post Occupancy Review

The Consultant shall meet with the Owner prior to the expiration of the Owner's contractors' periods for correction of Work to review the operations and performance of the commissioned systems and assemblies, and to make recommendations to the Owner.

ARTICLE 3 SUPPLEMENTAL AND ADDITIONAL SERVICES

§ 3.1 Supplemental Services

§ 3.1.1 The Consultant shall provide the listed Supplemental Services only if specifically designated in the table below as the Consultant's responsibility. Unless otherwise specifically addressed in the Agreement, if neither the Owner nor the Consultant is designated, the parties agree that the listed Supplemental Service is not being provided for the Project.
(Designate the Consultant's Supplemental Services and the Owner's Supplemental Services required for the Project by indicating whether the Consultant or Owner shall be responsible for providing the identified Supplemental Service. Insert a description of the Supplemental Services in Section 3.1.2 below or attach the description of services as an exhibit to the Agreement.)

Supplemental Services	**Responsibility** *(Consultant, Owner or Not Provided)*
§ 3.1.1.1 Existing Facilities Surveys	
§ 3.1.1.2 Sustainable Design/Lifecycle Studies	
§ 3.1.1.3 Documentation required for Sustainability Certification	
§ 3.1.1.4 On-Site Project Representation	
§ 3.1.1.5 Additional Post-Occupancy Evaluations	
§ 3.1.1.6 Lessons Learned Workshop	
§ 3.1.1.7 Building Occupant Training	
§ 3.1.1.8 Seasonal and Deferred Functional Testing	
§ 3.1.1.9 Ongoing Commissioning	
§ 3.1.1.10 Fabricator or Manufacturer Facility Visit	
§ 3.1.1.11 Other Supplemental Services	

§ 3.1.2 Description of Supplemental Services

§ 3.1.2.1 A description of each Supplemental Service identified in Section 3.1.1 as the Consultant's responsibility is provided below.
(Describe in detail the Consultant's Supplemental Services identified in Section 3.1.1 or, if set forth in an exhibit, identify the exhibit.)

§ 3.1.2.2 A description of each Supplemental Service identified in Section 3.1.1 as the Owner's responsibility is provided below.
(Describe in detail the Owner's Supplemental Services identified in Section 3.1.1 or, if set forth in an exhibit, identify the exhibit.)

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§ 3.2 Consultant's Additional Services

§ 3.2.1 The Consultant shall provide Commissioning Services exceeding the limits set forth below as Additional Services. When the limits below are reached, the Consultant shall notify the Owner in writing:

.1 ( ) commissioning planning meetings
.2 ( ) Design Phase meetings
.3 ( ) Construction Phase meetings
.4 ( ) Documentation and Training Phase meetings
.5 ( ) commissioning related design reviews
.6 ( ) reviews of each contractor submittal
.7 ( ) operator training sessions
.8 ( ) reviews of readiness test reports submitted by contractors
.9 ( ) site visits during construction
.10 ( ) inspections for any system or assembly to be commissioned to determine whether such portion of the Work is ready for Functional Performance Tests
.11 ( ) Functional Performance Tests of each system and assemblies to be commissioned

Consultant to recommend limits

§ 3.2.2 If the services covered by the Agreement have not been completed within _____ ( ) months of the date of the Agreement through no fault of the Consultant, extension of the Consultant's services beyond that time shall be compensated as Additional Services.

ARTICLE 4 OWNER'S RESPONSIBILITIES

§ 4.1 The Owner shall identify the systems and assemblies to be commissioned and, with the Consultant's assistance, provide written Owner's Project Requirements as described in Section 2.3.3.

§ 4.2 The Owner shall provide the Consultant information necessary to perform the Commissioning Services, which may include: the Basis of Design; design drawings; construction documents; record drawings; submittals; operation and maintenance manuals; master plans; operation costs; operation budgets; and pertinent records relative to historical building data, building equipment, furnishings, and repairs.

§ 4.3 The Owner shall provide access to the property, buildings, and personnel necessary for the Consultant to provide the Commissioning Services.

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