

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT OFFICE OF HIGHWAYS		EDSM No: III.1.1.1
<b>ENGINEERING DIRECTIVES AND STANDARDS</b>		
<b>VOLUME</b>	<b>III</b>	<b>Revision Date: June 17, 2015</b>
<b>CHAPTER</b>	<b>1</b>	<b>Effective Date: July 22, 2015</b>
<b>SECTION</b>	<b>1</b>	<b>Subject: PROCEDURES FOR CHANGING CONTRACT PLANS AND SPECIFICATIONS FOR CONSTRUCTION WORK PERFORMED BY CONTRACT</b>
<b>DIRECTIVE</b>	<b>1</b>	

**1. PURPOSE:**

The purpose of this directive is to establish a uniform policy for revisions in contract plans and specifications.

**2. SCOPE:**

The directive covers all construction and contract maintenance projects utilizing standard specifications. This directive does not apply to projects for Maintenance of Airports operations.

**3. DELEGATION OF AUTHORITY:**

For delegation of authority purposes, change orders will be classified by category. Major change orders will fall into Category 1 and the minor change orders will be divided into Category 2 or 3 as defined further in this EDSM. The approval authority for change orders is hereby delegated to appropriate levels within the Department as specified in this EDSM.

FHWA approval of change orders is required on projects identified by FHWA as a Project of Division Interest or Project of Corporate Interest (PoDI or PoCI). Furthermore, FHWA approval is required on change orders for NHS routes that involve a settlement of a claim, termination of a contract or a waiver of the Buy America provisions. FHWA approval is also required on any non-NHS route for a change order requesting the waiver of the Buy America provision. FHWA approval of change orders on all other projects is delegated to the DOTD. A copy of the change orders on those projects will be sent to the FHWA for information only.

**Major Change Order:** A major change order is defined as a change in contract amount that exceed certain limitations; a change that revises the scope of the work; structural sections or material quality; a change in specifications; or an extension in contract time associated with added work that exceed certain limitations. Some examples are as follows:

**CATEGORY 1**

- Extra or force account work required to add a feature to a project that changes the original intent of the plans.
- Alterations involving work beyond the termini of the project.
- Changes that are in conflict with standards or policies or legal issues.
- Changes in planned access provisions on limited access facilities.

- Changes in geometrics, except changes that are defined hereinafter as minor change orders.
- Changes in design that will affect structural capacity or section for pavements and other structural items.
- Changes in material, construction, and acceptance specifications, except changes that are defined hereinafter as minor change orders.
- Addition, deletion, relocation or design of a major structure.
- Settlement of a claim or delay as per EDSM III.1.1.28
- Acceptance of materials at 50% pay.
- Changes in the amount of the contract more than +/- 25% of the original project cost.
- Adding over 30 contract days to the contract time.
- Force account work over \$250,000.00.
- Time increases for Assembly Period or Conditional Notice to Proceed
- Negotiated pay adjustments
- Changes which increase or decrease the contract amount over \$250,000.00.

**Minor Change Orders:** A minor change order is defined as revisions required to accomplish the intent of the plans and specifications. Primarily, a minor change order increases or decreases work needed to accomplish plan objectives or to correct plan errors.

The approval authority for minor change orders is hereby delegated to appropriate levels within the Department. For the purpose of delegation of authority for minor change order approval, minor change orders will be subdivided into categories 2 or 3.

## **CATEGORY 2**

Some examples of Category 2 change orders are as follows:

- Changes which increase or decrease a major item more than 25%.
- Changes which increase or decrease the amount of the contract up to \$250,000.00.
- Allowing the addition of up to thirty (30) contract days.
- Change in method of measurement.
- Change in traffic control plan (Change in sequence).
- Force Account work over \$50,000.00 up to \$250,000.00.

### **CATEGORY 3**

Some examples of Category 3 change orders are as follows:

- Changes which increase or decrease the contract amount up to \$50,000.00.
- Changes which decrease a major item up to 25% or \$50,000.00 (whichever is less).
- Decreasing a minor item (any amount).
- Allowing changes in design made by Design Section and formally transmitted through the proper channels in writing to correct plan errors or construction errors.
- Change approved by memo or directive signed by the DOTD Chief Engineer.
- Pay adjustments allowed by specifications.
- Force account up to \$50,000.00.

NOTE: For all Change Orders the category and reason codes shall be selected using the current Change Order Category Worksheet and the Change Order Reason Code Chart posted on the Intranet. This information can be found under the Construction Section on the Intranet in Documents.

#### **4. PROCEDURE:**

On projects requiring FHWA approvals, the Project Engineer will discuss the proposed change order with the appropriate FHWA representative and note this in the change order. The discussion does not necessarily constitute FHWA approval unless it has been specifically requested.

- A. Category 1: Major Change Orders. The approval authority for major change orders is retained by the DOTD Chief Engineer or Authorized Representative. The following personnel will be represented on the Change Order:

Project Engineer, Contractor, District Administrator or designee, DOTD HQ Area Engineer, DOTD Chief Construction Engineer or Authorized Representative, DOTD Chief Engineer or Authorized Representative.

- B. Category 2: Minor Change Orders. The approval authority for Category 2 Minor Change Orders is delegated to the DOTD District Administrator, who may further delegate to the District Area Engineer during any absence. The following personnel will be represented on the Change Order:

Project Engineer, Contractor, District Administrator or designee, who will be signing for the Chief Engineer.

- C. Category 3: Minor Change Orders. The approval authority for Category 3 Minor Change Orders is delegated to the DOTD District Administrator, who may further delegate to the District Area Engineer and/or the Project Engineer. The following personnel will be represented on the Change Order:

Project Engineer, Contractor, District Administrator or designee, who will be signing for the Chief Engineer.

NOTE: For Change Order approval procedures on LPA Projects refer to EDSM No: III. 1.1.21A

## 5. NEW UNIT PRICE

If a new item is established by a change order, the new unit price must be substantiated by one of the following methods and documented in the Change Order. In the engineer's explanation area on the change order, the project engineer must state which one of these three methods is used to establish the cost of the new item.

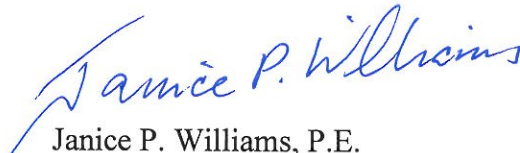
- A. Pricing in accordance with Section 109.04 of the Standard Specifications.
- B. Favorable comparison with the current statewide weighted average index.
- B. Comparison for bid prices from other projects with similar quantities, type of work, and degree of difficulty and in the same geographical area.

## 6. OTHER ISSUANCES AFFECTED:

All other directives, memoranda, or instructions issued heretofore in conflict with this directive are hereby rescinded.

## 7. EFFECTIVE DATE:

This directive will be effective immediately upon receipt.



Janice P. Williams, P.E.  
Chief Engineer