

WSDOT Construction Change Order Process Guide

WSDOT

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1. Contracts and Contract Changes - General Overview

1.1 Contract

In the administration of Washington State Department of Transportation (WSDOT) construction contracts, we rely upon the definitions provided by Section 1-01.3, **Definitions**, of the [Standard Specifications](#), which states in part:

“Contract

The written agreement between the Contracting Agency and the Contractor. It describes, among other things:

1. What work will be done, and by when;
2. Who provides labor and materials; and
3. How Contractors will be paid.

The contract includes the contract (agreement) form, bidder’s completed proposal form, contract provisions, contract plans, standard specifications, standard plans, addenda, various certifications and affidavits, supplemental agreements, **change orders**, and subsurface boring logs (if any).”(*emphasis added*)

The construction contract documents establish the rights and obligations of both the Contracting Agency and the Contractor. The Contractor is obligated to deliver the completed facility within the time specified, for the amount specified, and in accordance with the plans, specifications and contract provisions. The Contracting Agency (WSDOT), is obligated to pay the Contractor upon satisfactory completion of the contract Work, in accordance with the terms of the contract.

[Standard Specifications](#), Section 1-04.2, **Coordination of Contract Documents, Plans, Special Provision, Specifications, and Addenda**, establishes the order of precedence of contract documents as:

1. Addenda
2. Proposal Form
3. Special Provisions
4. Contract Plans
5. Amendments for the *Standard Specifications*
6. *Standard Specifications*
7. Standard Plans

When making changes to the contract, remember that all the preceding documents are part of the contract, and that care should be taken to ensure that any change made does not create unexpected conflict between documents.

Changes to the contract may be initiated by the Contracting Agency, the Contractor, or jointly by both parties. In all cases a change order is a legal document and once executed, cannot be un-executed. The only way to make further changes to the contract or correct an error in a change order is by processing another change order.

The WSDOT change order process has been designed to comply with the requirements of the Stewardship and Oversight Agreement. This agreement (viewable from the Construction Office web page) between WSDOT and the Federal Highway Administration (FHWA), implements a process of program and project oversight and accountability, and lays out the respective roles of WSDOT and FHWA in providing stewardship for Federal-Aid Highway projects. Monitoring the change order process is part of the Stewardship Agreement.

2. Contract Changes

2.1 Contracting Agency Initiated Changes

The right of the Contracting Agency to make changes to the contract is detailed in Section 1-04.4, **Changes**, of the [Standard Specifications](#), as follows:

“The Engineer reserves the right to make, at any time during the work, such changes in quantities and such alterations in the work as are necessary to satisfactorily complete the project....”

When the need arises, as determined by WSDOT, to make a change to the contract during the performance of the contract, the change must be accomplished by means of a written order from the Engineer to the Contractor. Such a written order is as legally binding on both parties as the original contract. Once executed by the Engineer and received by the Contractor, the change order becomes part of the contract.

The Engineer may order changes orally when time is of the essence; however, oral change orders require the same levels of approval as written change orders, and must be followed promptly with a written change order.

When the Engineer determines that a change must be made to the contract, and issues an order to the Contractor, the Contractor is obligated to proceed with the change work. Per Section 1-04.5 of the [Standard Specifications](#), **Procedure and Protest by the Contractor**:

“The Contractor accepts all requirements of a change order by: (1) endorsing it, (2) writing a separate acceptance, or (3) not protesting in the way this section provides.”

As mentioned above, if the Contractor disagrees with the terms or conditions of a change order, there are specific requirements that must be met in order to file a valid protest. This protest procedure is described in [Standard Specifications](#), Section 1-04.5, as follows:

“...the Contractor shall:

1. Immediately give a signed written notice of protest to the Project Engineer before doing the work;
2. Supplement the written protest, within 15 calendar days, with a written statement providing the following:
 - a. The date of the protested order;
 - b. The nature and circumstances that caused the protest;
 - c. The contract provisions that support the protest;
 - d. The estimated dollar cost, if any, of the protested work and how that estimate was determined; and
 - e. An analysis of the progress schedule showing the schedule change or disruption if the Contractor is asserting a change or disruption; and

If the protest is continuing, the information required above, shall be supplemented as requested by the Project Engineer. The Contractor shall provide the Project Engineer, before final payment, a written statement of the actual adjustment requested.”

Change orders initiated may be, but are not limited to:

1. A response to unexpected conditions, which should not be confused with “Changed Condition”. Changed condition can only be determined by the State Construction Office, and the Contractor must closely follow the requirements for notification as defined in Section 1-04.7 of the *Standard Specifications*. WSDOT will strictly enforce these requirements, especially if the impacts could have been mitigated with proper notification.
2. Plan deficiencies (errors or omissions). This may include conflicts or ambiguities in specification. As a rule of thumb, if there are errors in the plans, the correction and the cost of correction will be borne by WSDOT.
 - a. When details in the plans do not provide an accurate or adequate representation of the work to be accomplished a change order will be required to detail the work and to provide an equitable adjustment to compensate the Contractor. Ambiguities in specification or contradiction between contract documents must be resolved in order to provide a clear description of the work to be performed, and how it will be measured and paid.
3. Extra or unanticipated necessary work.
 - a. Extra work may be required when a contract lacks an item, or items, to complete an item of work as specified in the contract. A new contract item may be required to complete the work and to compensate the Contractor
4. Design criteria changes.
 - a. Care must be taken to identify those changes that impact or alter the design criteria of the project. These changes must be discussed with, and concurrence obtained from, Region and State Design Offices, and may require a design report amendment. On Federal-Aid projects they may require FHWA concurrence as well.

2.2 Contractor Initiated Changes

A Contractor initiated change may be approved by the Project Engineer. the most usual Contractor initiated changes are:

1. Repair procedures.
 - a. If a repair requires modification to the plan (i.e. rebar placement, moving a joint, etc.) a change order is required to document the physical change to the contract plans.
2. Material substitution.
 - a. The Contractor may propose to substitute a different material for what is specified in the contract. If the material is deemed to be satisfactory for the purpose, the Materials Laboratory may recommend acceptance of the change. These types of changes often include a credit to WSDOT, unless the material is a substantially superior product or there is other substantial benefit accrued to WSDOT by the use of the material.
3. Work method change.

- a. If the Contractor proposes to alter the work method specified in the contract, a change order will be necessary. This type of change may include a reduction in working days, and WSDOT may be entitled to a credit.
4. Value Engineering Change Proposal (VECP).
 - a. When a Contractor proposes a VECP change order there are strict requirements to be met. These requirements are discussed in Chapter 7 of this manual and described in more detail in Section SS 1-04.4 Changes of the [Construction Manual](#).

2.3 Typical Change Order Flow

While each change order may be unique, the typical change order flow is as follows:

- The need for a change arises.
- A change is identified and all options are evaluated.
- The project Engineer obtains all change concept approvals required by the Change Order Checklist.
- The Project Engineer prepares Plans Specifications and Estimates (PS & E) type documentation for the change, including an independent estimate to justify the cost, and any new or revised plan sheets required to detail and describe the work.
- The Project Engineer meets with the Contractor to discuss the terms of the change and to negotiate agreed pricing and time.
- The change is formalized with a written change order.
- The change order is submitted to the Region Construction for review and/or execution. Regions send the change order to the State Construction Office for review and/or execution.
- The change order is executed, sent to the Contractor, and the Contractor proceeds with the change work.

Ideally, no change work is to be performed until the Project Engineer has an executed change order in hand. Only on rare occasions should, an approval to proceed with the change work prior to issuance of an executed change order be requested from the **executing authority**. This prior approval, which must be documented in the file, may be appropriate if there is a cost/ time benefit to WSDOT, or if it will mitigate a cost/time disadvantage to the Contractor.

If the change order process follows the flow as described, the Project Engineer should have few difficulties. Problems tend to arise if the Project Engineer doesn't first obtain required approvals, or when he/she has not done an adequate job preparing the PS&E type documentation for the change. Preparing good documentation for a change order is just as important as preparing the original contract. Having adequate documentation when negotiating with the Contractor will minimize the chance of misunderstanding about the quantity or type of work expected, exactly what will be included in the compensation and how it will be measured and paid.

2.4 Important Notes

1. It is especially important that deleted or reduced contract items be checked against Condition of Award items. WSDOT has made a commitment to FHWA to monitor DBE participation requirements and any change to the Condition of Award work to be performed may affect funding.

2. Keep in mind that the only way to correct an error in an executed change order is by means of another executed change order.
3. Once executed, a change order is part of the contract. The original contract now contains the provisions of the executed change order.

3. Engineering the Change

3.1 Justify the Change

The first step in engineering the change is to establish justification for the change. The Project Engineer must establish that the issue under discussion is truly a change to the contract, not covered by any other item of contract work, or not made incidental to other contract items by Standard Specifications, addenda, special provision, or amendments, etc. It is WSDOT policy to make only necessary changes and forego elective changes. The Project Engineer must establish that there is a real need or added value to the change.

Once it has been determined that a change to the contract must occur, the Project Engineer should investigate all possible solutions to the problem. In many cases there is more than one possible corrective action that may be taken. It is the job of the Project Engineer to determine which action is the most efficient, effective, and in the best interest of the State. The Project Engineer may request help or advice from Region or HQ Construction personnel in making this determination, as well as input from the Contractor, i.e. impacts to other work, etc.

Once the best action is decided upon, the Project Engineer must prepare a plan for the change, assemble the pertinent specifications for the change, estimate how much the change is going to cost, how long it will take, and obtain the required approvals according to the Change Order Checklist available on the HQ Construction SharePoint. Just as in the pre-bid state of the original contract, the Project Engineer must prepare PS&E type documents for the changed portion of the contract. This gives a clear and complete idea of what the change work entails and allows the Project Engineer to determine how much this change work should cost. If these steps are followed, the Project Engineer should find it much easier to negotiate the change.

3.2 Change Order Checklist (DOT Form 422-003)

One thing that must not be overlooked is the completion of the change order checklist. The change order checklist is the mechanism for determining who must give approval for the change, as well as who is the executing authority for the change and, therefore, the change order checklist is required for all change orders, including minor changes. The change order checklist will also be used when requesting an approval to proceed with change work prior to the execution of the change order, since the approving authority is the only one authorized to issue such an approval.

The Change Order Checklist (DOT Form 422-003) is available from the Forms catalog.

3.3 Description of the Change

Putting the change order documentation together begins with preparing a complete description of the change. This should include:

- What is to be changed and how.
- The physical location of the change.
- Material and product specifications.
- Any time constraints that may be required.
- Any other considerations.

The description needs to be clear enough that the Contractor will understand exactly what work must be performed, what materials will be required, and what construction requirements must be met in order to complete the change work. If there are time constraints of the performance of the change work, this must be detailed as well.

3.4 Prepare Plans

In addition to a complete written description of the change, an illustrative plan may be required to provide supplemental details, which will clearly explain, illustrate, or delineate the change work. This might be a sketch of a detail, a plan sheet from the original contract, modified to show the change order work, or a new plan sheet that provides the details of the work.

3.5 Define Pay Items

With a description of the change and a plan for the change, the Project Engineer can determine how other work under the contract has been affected, i.e., which contract items are affected and what new pay items, if any, must be created. Any affected contract items must be checked against Condition of Award (COA) items, since substitution of COA bid items, reducing or deleting COA items requires Headquarters Construction Office approval and execution of the change order. Any new non-standard items needed must have a full description, a method of measurement, and a method of payment, similar to the Standard Specifications. If the new items are “standard items”, already covered in the Standard Specifications, this is not required.

If the Project Engineer takes the time to put together good documentation for the change, the chances of misunderstandings will be greatly reduced. If, on the other hand, the Project Engineer enters into negotiations with the Contractor before he/she can fully define and describe the work, it is very possible that there will be a dispute over some aspect of the change.

3.6 Estimate the Cost

An important step of the change order process is preparing the Project Engineer’s Independent cost estimate for the change. This must be a truly independent estimate, and not just a reiteration of the Contractor’s estimate. The Project Engineer will estimate the quantities for each of the items (modified or deleted contract items and new items), the unit price for each, and compute the total cost of the change. The Project Engineer’s Independent estimate should be done prior to any negotiation with the Contractor.

Unit prices for new items are usually estimated in one of several ways:

- Using bid prices from recent contracts with similar work and similar quantities, (Unit Bid Analysis)
- Using a time and materials estimate
- Means Cost Estimating Guide

The first method of estimating prices is common and easily understood. However, every effort must be taken to ensure that the type and quantity of work used for the estimate is recent enough for prices to be current, and truly similar to the type and quantity of work to be performed as change work. It may also be appropriate to take geographic location into account, since price for similar work may vary greatly from one area to the next. If the prices are not recent, the work is not really similar, or the quantities vary too much, the price may not be reflective of the actual change work, and will result in an inaccurate estimate.

Another means is by estimating the costs of labor, material, equipment, and overhead in a manner similar to Force Account computation. Quotes may be solicited from suppliers, rental companies and service companies to get current prices. The use of Force Account markups for overhead and profit should not be automatic. These markups may not be appropriate for the change work. This type of estimate requires that the Project Engineer establish what types of equipment the Contractor may utilize for the work, as well as estimate the level of efficiency of the Contractor's work force. The Project Engineer must also establish labor and equipment rates.

Information on the use of the RS Means Cost Estimating Guides, as well as other methods may be found on the Internet at the Project Management website. The Design Office provides training in cost estimating for designers, and this training may be beneficial to those writing change orders. Further guidance on cost estimating may also be found in the Plans Preparation Manual and the PS & E training course.

3.7 CCIS, Change Order Tracking, and Back-up Documentation

All change orders must be entered into CCIS (Construction Contracts Information System), and all information must be kept current. For those change orders not using the Minor Change process, CCIS is the mechanism for creating and generating the change order document. CCIS will automatically assign the new change order a number based on the number of the last change order in the system. WSDOT also uses CCIS to track and report on change orders. In order to report accurately, this information must be current and accurate.

CCIS assigns temporary item numbers to any new bid items created by the change order. CCIS starts with 1000 as the first temporary item number and increments up one for each additional temporary item number required. When the CAPS unit (Region or HQ) enters the change order item information into the CAPS system, they will assign a new permanent bid item number to replace the temporary item numbers.

It is essential that a change order log be used to track the status of change orders. An Excel change order log template is available from the State Construction Office web page at: <http://www.wsdot.wa.gov/Business/Construction/TechnicalGuidance.htm#ChangeOrders>. It is advisable that change orders be tracked prior to execution in order to ensure that the change order is processed expeditiously and that the change order is executed or, if warranted, approval to begin the work prior to execution of the change order is obtained from the executing authority, prior to any change order work being performed.

The Project Engineer maintains the change order backup information in the file with the change order. This material should be clear enough that someone unfamiliar with the project can understand why and how the change came about, and why any compensation/time is justifiable and reasonable. It should also include documentation of all approvals obtained. This will prove indispensable should the change order be subject to problems later, the FHWA is reviewing the file, or internal auditors are reviewing change orders.

4. Negotiating Agreed Prices and Time

4.1 Definition of Criteria and Timing

When the change order process has reached the point of negotiation, there are two major criteria to keep in mind:

1. The Project Engineer must negotiate to obtain an agreement that is in the best interest of the state; price and all other factors being considered.
2. The price agreed upon must be fair and reasonable for the change work. The state should not attempt to underprice the work, since the Contractor is entitled to a fair profit.

The most critical part of the negotiating process is the timing of the negotiations. The preferred situation is to negotiate before any change work is performed. Negotiation prior to any change work being done lessens the chance of problems, since both the Project Engineer and the Contractor know what is being changed and how compensation will be made.

4.2 Negotiation Prior to Change Work Beginning

Negotiating the cost of a change order before any change work has been performed is very important. The Project Engineer should enter the negotiation by presenting the Contractor with a complete description of the change work. This should include plans and specifications, as well as any other documentation required to fully explain the change work, describe the materials that are required, and detail how the work will be measured and paid. The Contractor, after studying the proposal can then present what he considers to be a fair price for the work.

The Project Engineer will then compare the Contractor prepared estimate to the previously prepared Engineer's Independent Estimate. If there is a large difference in price, the basis for each estimate must be discussed. If unit contract prices from recent contracts were used for the Independent estimate, the Project Engineer should compare the change work to the work represented by the unit bid prices. Sometimes the work or quantity is not truly similar. Dissimilarities can be caused by location, local site conditions, different equipment requirements, or haul differences. When agreement cannot be reached using an estimate based on unit bid prices – adjusted for specific change order conditions – the Project Engineer should prepare an estimate based on time and materials.

A time and materials estimate will be based on estimates of the labor, materials, and equipment used to complete each item of change work. When there is a difference in prices, breaking the cost down in this manner will make it much easier to identify where discrepancies exist. Since this type of estimate places on the estimator the burden of establishing the amount of time it will take to do the work (production rates), as well as what types of equipment are required, this is usually where differences surface.

Usually agreement can be reached on the type of equipment, equipment rates, duration of use, etc., so that the change work may be forward priced before any change work is performed. If

the change work or duration cannot be clearly defined or adequately quantified, and agreement cannot be reached to forward price the work, the Project Engineer may use the Force Account method, per [Standard Specifications](#) Section 1-09.6 **Force Account**, to make payment for the change work.

The Project Engineer and Contractor may agree to measure a portion of the change order work using Force Account methods, with the intent to forward price the remainder of the work – a method known as “the measured mile”. This method is most applicable to work that is of long duration.

The Project Engineer may also consider establishing the cost and duration unilaterally, based on the Independent estimate. If the Project Engineer is confident that the price and duration for the change work can be supported, there is nothing wrong with issuing a change order to the Contractor unilaterally.

Another aspect of the negotiation that should always be considered is that of contract time. Any change that impacts an activity on the critical path of the Contractor’s approved progress schedule, or that causes another item to become a critical item, will need to be evaluated for an adjustment of working days. This evaluation will be based only on the approved Contractor’s progress schedule. During the negotiating phase, agreement should be reached on how long it will take the Contractor to have the appropriate equipment available, how long it will take to obtain any required materials, and how long it will take to accomplish the actual change work. The appropriate amount of time should then be included in the change order so that the entire issue is resolved. (*Decreasing the number of working days is appropriate if the change order saves time*).

Sometimes the Contractor will be unwilling to commit to a stated number of working days. If there is an entitlement for additional time, it may be appropriate to include working days based on the Independent estimate, even if the Contractor does not agree. The issue of time may be considered after the change work is completed; however, resolving the issue of time with the change order is the preferred method. A statement in the change order, indicating that time will be considered at a later date, is required when time is not resolved with the change order. *A time statement must be included in all change orders.*

4.3 Negotiation After Change Work Begins

There are times when it might be necessary to proceed with the change work prior to agreement upon prices for the new work. This may happen when it is impossible to estimate the amount of work required. When this happens, there are several alternatives for handling the problem:

1. Agree to use Force Account to measure and pay for the change work prior to proceeding with the work.
2. Proceed with a unilateral change order. Adjustments to the amount of compensation may be made later if cost records justify such an adjustment.
3. Use the “measured mile” method.

5. Change Order Documentation Composition

5.1 CCIS Change Order Pages

The Construction Contract Information System (CCIS) is used to create, track, and print change orders. A change order document consists of the standard CCIS generated pages, any drawings or plan sheets needed to illustrate the change, and any other documentation referenced in the text of the change order. A change order does not have attachments. Any document required by, or referenced in, the text must be part of the change order, and must be appropriately identified with the Contract number, change order number, and change order page number.

The standard CCIS pages consist of page 1 (the signature page), page 2 (the text page(s)), page 3 (the accounting page(s)), and when applicable, page 4 (the COA – Condition of Award – page(s)).

5.2 Page 1 (Signature Page)

The first page of the change order deals mostly with the approval/execution of the change order. The header information, as well as some financial information, is automatically pulled from CCIS when the change order is printed. The rest of the page has spaces for signatures and dates, indicating concurrence by the Contractor (and when applicable, Surety) and approval/execution of the change order by the Project Engineer, Region Construction Engineer, and HQ Construction.

5.3 Page 2 (Text Page(s))

The change order text page(s) contain(s) all of the terms and requirements of the change, with references. Note the beginning statement on the change order text page, which reads, “All work, materials, and measurements to be in accordance with the provisions of the Standard Specifications and Special Provisions for the type of construction involved.” This statement, which is printed automatically by the CCIS system, saves the Project Engineer the trouble of describing every new standard item of work involved in the change, including measurement and payment specifications.

The main body of the change order should contain text explaining and detailing:

1. Description of what is being changed (including the location of the change work, any pertinent specification reference, etc.) and the work required to complete the change.
2. Material requirements for new or modified materials used in the change.
3. Construction requirements for the change work.
4. Measurement of the change work.
5. Payment for the change work.
6. Time Statement

The description should tell, clearly and concisely, but with as much detail as required, exactly what work the Contractor is to perform in accomplishing this change. The description should also include the location of the change work.

Material requirements are the specific requirements for any new or modified materials that may be required for the change work. This section should include the acceptance criteria for the new material, and should be written in a manner similar to the *Standard Specifications*, if the material is not already covered by the *Standard Specifications*.

Construction requirements describe any additional or changed requirements in the way the change work is to be accomplished.

Measurement is a description of exactly how each new non-standard item will be measured for payment. This may also include a description of what is not included as a part of the item.

Payment describes in detail how compensation for each new standard and non-standard item is to be paid.

All change orders must include a statement addressing time. It is preferred that time be negotiated and included as a part of the change order. However, if this is not possible, a statement providing for future determination of time should be included. If time is not affected by the change, a statement that no adjustment in contract time will be made should be included.

All this change order text must be written using the C3OP web-based text creation and upload program. The text cannot be altered in CCIS. If the text must be modified, it must be revised in C3OP and uploaded again to CCIS.

5.4 Page 3 (Accounting Page)

The accounting page summarizes and lists all of the added, deleted, or modified pay items affected by the change order, the price of each added, deleted, or modified item, the quantity of change work, and the total dollar amount of the change. It also breaks the quantities into groups, in a manner similar to the summary of quantities included in the plans.

5.5 Page 4 (COA Page)

The Condition of Award (COA) page will only be printed if a COA change order alters COA items. A COA change may modify the quantity of an existing COA item, add a new COA item, or delete an existing COA item. All modification to contract items should be checked against COA items. If a change order substitutes, reduces, or deletes an item that is part of the Condition of Award, approval must be obtained from HQ Construction, with concurrence from the Office of Equal Opportunity, and the affected Condition of Award subcontractor.

Care must be taken to ensure that when replacing a deleted COA item with a new item, the dollar amount is the same. (For example, if the original COA item had a dollar value of \$1,000 and the new item has a value of \$2,000; the COA goal is effectively increased by \$1,000).

5.6 Supplemental Plan Sheets

Supplemental plan sheets may be required to show additional details of the change work. They should be clearly marked with the contract number, change order number, sheet number, and change order page number, and must be included as part of the change order document. (Since these plan sheets detail physical changes to the contract work, they are useful as a basis for the required "As Built" plans at the conclusion of the contract.)

5.7 Upload

At this point the change order text may be uploaded to CCIS, using the C3OP program (available at: <http://webprod4.wsdot.loc/construction/contract/changeorder/text/>). Any modifications should have been made to existing items, and any new items should have been created in CCIS. Any reduction or addition of contract time should be addressed at this time. Now the change order may be printed and sent to the Contractor for signature. Make sure that all of the information and dates in CCIS are current.

5.8 Back-up File

The backup file for the change order should include all the documentation used to justify the change, all approval documentation, a copy of the Engineer's Independent estimate, etc. All correspondence to and from the Contractor regarding the change order should be kept with the backup file for the change order. If the change involves a DMWBE subcontractor, and requires concurrence from the affected subcontractor, this concurrence must be part of the file.

6. Processing the Change Order

6.1 Order of Processing

The change order must be prepared in accordance with the terms negotiated. Once the change order has been prepared, the next step is to print the change order. Some Regions prefer that they be given a chance to review the change order package before the Project Engineer sends it to the Contractor. This will greatly reduce the chance of problems with the change order, since it will be reviewed in accordance with "HQ Change Order Review Criteria" and Region policy.

The change order should be sent to the Contractor to obtain the Contractor's signature as concurrence, when required. The "Sent To Contr" date in CCIS should now be entered, which locks the change order and prevents further modification. This ensures that the document sent to the Contractor is identical to the one in CCIS. The Contractor's signature is not required on all change orders. To avoid dispute over the substance and limits of the change, however, it is good business practice to offer the Contractor the opportunity to review and sign the change order. *Construction Manual Section SS 1-04.4(1) Minor Changes*, gives some guidance on determining when the Contractor's signature is warranted. When sending the change order to the Contractor, it is a good practice to include a date for the expected return of the change order from the Contractor. This will help ensure that the change order progresses through the system and doesn't get bogged down or forgotten.

The next step is for the Project Engineer to sign and date the change order, either executing the change order, if appropriate, or recommending execution by Region Construction/ HQ Construction.

6.2 The Minor Change Process

All contracts now contain a standard item for "Minor Change". If the change has an absolute value of \$25,000 or less, and any change in working days is 10 days or less, the Project Engineer may use the Minor Change form (DOT form [421-005A](#)). If using the Minor Change process, the Project Engineer may execute the change order.

Some things to keep in mind when using the Minor Change process are:

- Minor Changes require the same approvals, per the change order checklist, as conventional change orders. The Change Order Checklist must be completed and included with the Minor Change when it is transmitted to Region/HQ.
- The CCIS requirements are similar to those of a conventional change order. All the same date and initial fields must be completed; however, there will be no change order text page or accounting page. The short description must be descriptive enough to explain the change. You may upload a more detailed text description, like that for a conventional change order, but it is not required when using the Minor Change process.
- The Minor Change form takes the place of the Change Record (DOT Form 422-002). Therefore, the text on the form must fully explain and justify the change, as well as any cost or time. The use of the two-page form is required.
- The use of the Minor Change must be noted on CCIS Page 1.
- The Minor Change may include up to 3 new or revised plan pages.
- It may be advisable to include MC – denoting Minor Change in the change order title.
- The Minor Change item is a lump sum calculated item. The Minor Change item must be used to make payment, whether paying the Contractor for work performed or taking a credit. The Minor Change is not appropriate for changes that affect any other contract item. The amounts for each Minor Change order must be reportable in CCIS.
- The Minor Change is not entered into the CAPS system as a change order. The Minor Change form acts as a pay-note (similar to a Field Note Record) to record the amount to be entered into CAPS.

6.3 Change Record (DOT Form 422-002)

For conventional change orders (not a Minor Change), the Project Engineer must prepare a change record, which documents the need for the change, explaining why the issue is not covered by the original contract, what options were considered and by whom; and it must provide substantiation for new item prices or adjustment to contract item prices. Impacts to contract time must be addressed and any adjustment to contract time must be justified and documented. If an approval to proceed with the change work prior to execution of the change order was given, it must be documented in the memo. Any unusual circumstances or problems that are not resolved, such as the Contractor refusing to sign the change order, must be explained. If the change order is not a COA Change Order, but involves a change to COA work, this must be mentioned in the memo. All supporting documentation should be readily available, since the change order justification process must be documented before the change order is prepared.

When preparing the change record, remember that the person reviewing it may have limited knowledge of the project, and their ability to review and/or approve the change order is closely related to the explanation given in the memorandum. The memorandum package must include the completed change order checklist, the Independent estimate, and all appropriate approval documentation.

Construction Manual Section SS 1-04.4 and “HQ Change Order Review Criteria” give further guidance on the requirements of the memorandum.

The change record should be prepared using DOT Form 422-002 and distributed as described on the form.

Make sure that all the appropriate information, dates and initials have been entered into CCIS, and then send the change order and change record package to the Region Construction Office. There the change order and change record will be reviewed. Region Construction offices will review change orders to make sure that they meet the requirement of “HQ Construction Office Review Criteria”. It is important that sufficient time be allowed for this review, as well as for HQ Construction review. These reviews allow for any concerns to be addressed before the change order is executed. At this time any deficiencies in the documentation may be corrected or additional information requested. If the change order requires Region execution, the Region Construction Engineer or Engineering Manager will sign the change order and execute it, if appropriate. If the change order requires HQ execution, the Region Construction Engineer or Engineering Manager will endorse the change order with a recommendation that HQ execute it, and forward the entire package to HQ Construction Office for review and execution.

The “HQ Construction Change Order Review Criteria” document is available on the WSDOT intranet. It is also included in the appendices of this manual.

Once it has been reviewed at Headquarters, the change order will be either approved/executed, more information may be requested prior to approval or, the change order may be deemed not to be approvable by Headquarters staff. On these occasions, the change order may be returned to the Region by memo, outlining the concerns and reasons for return. This step may be handled with an e-mail or phone call.

In accordance with the WSDOT/FHWA Stewardship Agreement, on Projects of Division Interest (PoDI) or Projects of Corporate Interest (PoCI) approval from FHWA is required prior to beginning change work on those change orders meeting the threshold outlined in the project specific PoDI or PoCI agreement. If the change order is outside Region approval authority, the State Construction Office will submit a request for approval to FHWA.

A guidance document explaining PoDI/PoCI is available on the Construction Office sharepoint site at:

<http://sharedot/eng/cn/hqconstr/Shared%20Documents/FHWA%201273%20and%20Stewardship/PoDI-Poci%20Guide.pdf>.

Distribution of executed change orders is as follows:

Region (and PE) Executed

- Contractor
- State Construction Office
- State Accounting and Financial Services (AFS) Office

Note: If using the Minor Change process, the Minor Change form substitutes for the Change Record and CCIS change order print out.

Headquarters Executed

Contractor

Region

State Accounting and Financial Services (AFS) Office

State Bridge Office – if appropriate

Design – if appropriate

Materials Lab – if appropriate

7. Special Change Order Considerations

7.1 Cardinal Changes

A “Cardinal Change” is a change to the contract that adds work of a type not included in the general scope of the original contract. Cardinal changes are not eligible for the change order process.

7.2 Changed Condition

In order to qualify as Changed Condition, the change must comply with the requirements of [Standard Specifications](#) Section 1-04.7 **Differing Site Conditions (Changed Conditions)**, i.e. conditions differ materially from those described in the contract, preexisting underground conditions of an unusual nature, etc. The Project Engineer must contact the State Construction Office for a determination of changed condition.

7.3 Unilateral Equitable Adjustment

Almost any compensation, whether agreed upon or not, is considered to be an equitable adjustment. If the parties cannot agree on a price and Force Account is not appropriate, the contract allows the Project Engineer to determine the adjustment in the Contractor's payment - (Section 1-04.4 **Changes** of the [Standard Specifications](#)). If the Project Engineer determines the adjustment without agreement, then the equitable adjustment is unilateral. This type of action should not be avoided when it is called for. It is simply an available action under the contract and as such, it is no different from other allowed actions, such as a Contractor's notice of changed condition or the Project Engineer's determination of workable days. Regardless of how the decision is made, the Project Engineer has an obligation to advise the Contractor that work is being ordered and how payment will be made. Contractors have the right to protest unilateral changes and follow up with price demands and other arguments that protect their rights (Section 1-04.5 **Procedure and Protest by the Contractor** of the [Standard Specifications](#)). In the meantime, however, the work is proceeding, delays are avoided and WSDOT has paid the Contractor the amount that they have determined to be equitable.

7.4 Underruns and Overruns of Major Items

In accordance with the contract, WSDOT and the Contractor are required to assume the risk for variations in quantity up to 25% above or below proposal quantities. If the final quantity variation is more than 25%, based on the proposal quantity, renegotiation of price is available to either party.

In the case of overruns, only the units measured in excess of 125% of the proposal quantity are eligible for renegotiation. Any units measured above proposal quantity, but less than 125% of proposal quantity should not be included in the renegotiation.

In the case of underruns, any adjustment must be based upon one of three factors:

1. Increase or decrease in unit costs of labor, materials or equipment, used for work actually performed, resulting *solely* from the reduction in quantity.

2. Changes in production rates or method of performing work actually done if it materially differs from the work included in the original plan.
3. An adjustment for the lost contribution to fixed cost and overhead associated with those units not performed, below the 75% limit.

The Project Engineer should keep in mind that in accordance with Section 1-04.6 **Variation in Estimated Quantities** of the *Standard Specifications*, the total payment (including adjustment amount and amount paid for work performed) shall not exceed 75% of the proposal amount.

Consequential damages are not compensable per Section 1-04.6 **Variation in Estimated Quantities** of the *Standard Specifications*. Similarly, the profit that the contractor might have made on some other work, but for the need to perform the extra work in an overrun, is also not compensable.

7.5 Disposal of Surplus Materials

Disposal of surplus processed material from a state-owned source does not require a change order. When excess aggregate is produced by the Contractor from a WSDOT furnished source, the Contractor will be reimbursed actual production costs if the excess materials meet specification.

The handling of deleted or unneeded/unused materials that have been ordered by or delivered to the Contractor should be in accordance with **SS 1-04.4 Changes** PAYMENT FOR MATERIALS of the *Construction Manual*, as follows:

1. *“contractor restocks* The first and best method for disposing of the materials is to request that the contractor attempt to return the materials to the supplier at cost or subject to a reasonable restocking charge. If the materials are restocked then, in accordance with Section 1-09 of the *Standard Specifications*, the contractor’s actual costs incurred in handling the materials may be paid.
2. *contractor purchases* If WSDOT cannot utilize the materials, the contractor may elect to retain them for other work. Once again, in accordance with Section 1-09 of the *Standard Specifications*, the contractor’s actual costs incurred to handle the materials may be paid.
3. *state purchases and disposes* As a last resort, if the materials can not be disposed of at a reasonable cost to WSDOT, the Department may choose to purchase the materials from the contractor. There are some limitations that come with the use of federal funds that may require that the materials be purchased with state funds depending on the situation. In some instances, WSDOT may purchase the material for use on future projects and recoup the cost from FHWA, over time, as the material is incorporated into these future projects. The State Construction office may be contacted for advice. If possible, such materials may be provided to a future contractor (work with Design) or to Maintenance (work with the Regional Maintenance Office). If the materials cannot be used, they shall be disposed of as described in the manual for *Disposal of Personal Property* (M 72-91). Once again, in accordance with Section 1-09 of the *Standard Specifications*, the contractor’s actual costs incurred in handling the materials may be paid.”

7.6 Claim Settlement

Claim settlement change orders require the same approvals, documentation, and preparation as any other change order. The change order settling a formal claim must be approved by the State Construction Office and must include waiver language similar to the following:

“The Contractor, (company name), by the signing of this change order agrees and certifies that:

Upon payment of this change order in the amount of \$_____, any and all claims set forth in the letter(s) to the Department of Transportation, dated _____ and signed by _____ of (company name) in the approximate amount of \$_____, have been satisfied in full and the State of Washington is released and discharged from any such claims or extra compensation”.

If the settlement is intended to close out all dispute discussions for the contract, use language similar to:

“The Contractor, (company name), by the signing of this change order agrees and certifies that:

Upon payment of this change order in the amount of \$_____, any and all claims in any manner arising out of, or pertaining to, Contract No. _____, (including but not limited to those certain claims set forth in the letter(s) to the Department of Transportation, dated _____ and signed by _____ of (company name) in the approximate amount of \$_____) have been satisfied in full and the State of Washington is released and discharged from any such claims or extra compensation in any manner arising out of Contract No. _____”.

7.7 Contract Time

A statement about contract time must be included in every change order. When change work impacts items on the Contractor’s critical path, time is affected by the change work. Time should be addressed as a part of the change order. If the amount of time can not be agreed upon, the Project Engineer may unilaterally grant time, based on the Independent estimate. The issue of time may be specifically left open in the change order. Time can then be addressed through an extension of time request initiated by the Contractor. See Section 1-08.8 **Extensions of Time** of the [Standard Specifications](#) for the requirements of a time extension.

7.8 Condition of Award

When a change to the contract impacts items of work that are part of the Condition of Award, as defined in the award letter, a revision to the Condition of Award must be addressed. If the change reduces or deletes COA work, the change order must have approval from the State Construction Office and concurrence from the Office of Equal Opportunity. We ask the affected DBE subcontractor to sign the change order to indicate awareness of the change, but do not allow the subcontractor approval/disapproval power. This type of change order must be executed by the State Construction Office.

7.9 Conversion Factors

Change orders that involve a conversion factor usually are of the type that converts from one unit of measure to another unit of measure for payment. For minor construction items, Section

1-09.2(5) **Measurement** of the *Standard Specifications* allows the use of an agreed upon conversion factor. This requires that a change order be prepared or letter of agreement be on file to allow the conversion, but no credit is pursued for the lack of a scale. If a conversion is desired for anything but a minor quantity, a conversion factor is determined specifically for the material in question and a scale credit may be included as part of the change order.

7.10 Equal or Superior Product

This is a common type of change order proposed by the Contractor, and is generally related to a material/product substitution. Typically there is no payment to the Contractor for this type of change order. There may be a credit to WSDOT based on the saving to the Contractor.

7.11 Deleted Work

When items are deleted from a contract, a check must be made to see if the Contractor has ordered or taken delivery of any materials or equipment required for these items. When work is decreased or deleted by the Contracting Agency, payment will only be for the costs actually incurred for partially completed work. No profit will be allowed for work that was not completed. Consequential damages are also not allowed. In the case of a portion of a lump sum item, or partially completed unit items, the value of this work will need to be determined. It may also be necessary to negotiate a price adjustment for the work that was performed and paid using a contract unit price, if there is a material difference in the nature of the accomplished work, when compared to the nature of the overall planned work. Under certain circumstances when the contractor says "you eliminated all the easy work and left the difficult," there may be entitlement to an adjustment.

In the event that the deletion impacts the critical path for the project, an adjustment in working days may also be appropriate.

The Project Engineer should also check to make sure that the deleted work is not part of the Condition of Award, since this would require that the change order address a change to the Condition of Award.

7.12 Consent of Surety Required

On any change of large value or substantial risk, consent of surety should be considered. If consent of surety is requested, make sure that the appropriate signature and date fields are completed on the change order document and in CCIS.

7.13 Credits for Non-specification Material

Use of non-specification material is often discovered after the fact, when testing the material shows that it failed to meet specified requirements. It may also be the use of a substitute material. The use of non-specification material requires a recommendation from the Materials Laboratory and State Construction Office approval. The pricing of a credit may be based on savings (delete this and replace with that), on the loss of product value to WSDOT (service life, increased maintenance costs, etc.), or on a statistical evaluation of the material.

7.14 Value Engineering Change Proposal (VECP)

If a proposal offers the same end result as the original design intent, if it was the Contractor's idea, if it saves money, if the Contractor has to provide an effort to make it happen, and if we

agree that we would have spent the money, but for the Contractor's suggestion, the Contractor is entitled to a full 50% of the savings, regardless of whether we are talking about design changes, product substitutions, or even straight deletions of contracted work that proved to be unnecessary. VECPs are documented through change orders. **SS 1-04.4**, Changes - Value Engineering Change Proposal of the *Construction Manual* outlines the procedures and requirements for preparing a VECP.

7.15 Change Orders for Design/Build Contracts

The change order process used for Design/Build contracts is the same as that used for any other contract. The Project Engineer must complete the Change Order Checklist, obtain all the required approvals, and enter the information into CCIS. If there is need to track Category A and Category B change orders separately, this can be done by starting the short description of the change order with something like Cat A or Cat B. This will enable the Project Engineer to search the CCIS database and report on the change orders by category.

7.16 Condition of Award (COA) Change Orders

Any change order that reduces or deletes work to be performed by a Condition of Award DBE, must be executed by the State Construction Office and must have the concurrence of the Office of Equal Opportunity. The change order must include an accounting of the items and amounts being revised and must be coded (under "What is the purpose of this Change Order") with the code "CO" indicating that this a COA change order.

7.17 Changes to Lump Sum Items

When a change is desired to a lump sum item, the best way to proceed is with a change order deleting the entire original lump sum item (and any payments made under this item) and creating a new lump sum item to compensate the Contractor for work done on the item.

8. Typical Problems in the Change Order Process

8.1 After the Fact Change Orders

After the fact change orders are not condoned. When an after the fact change order is compounded by the fact that the price is unsubstantiated or the change should not have been allowed, it can cause strained relations between the Contractor and the Project Engineer, the Project Engineer and the Region and between the Region and Headquarters.

8.2 Unjustified Need

Failure to clearly justifying the need for a change is cause for non-approval. The need has to be explained in such a way that those unfamiliar with the details of the project can understand and agree with the need for the change.

8.3 Unacceptable Credit or Substitution

Contractor proposed changes should typically include a credit for equal products but there may be no cost for superior products that will benefit the state.

8.4 Inappropriate No Cost Change Orders

No cost changes proposed by the Contractor usually fail to address the equal or superior product situation. Most often the Contractor proposes the change because of some benefit to the Contractor. The state is entitled to that benefit. A credit of working days is considered a benefit. If the change does not provide a windfall profit to the Contractor, a no-cost change order *may* be appropriate.

8.5 Failure to Follow Guidelines

Change orders may have procedural flaws because the change order instructions described in the *Construction Manual* have not been followed. The most common error in this category is the lack of approval, missing documentation of the approval, or approval by the wrong person.

8.6 No Prior Approval to Proceed

A change order *must* be executed in writing, or granted prior approval by the executing authority, before any of the change work is performed. The prior approval must be documented and this documentation included with the change order package submitted to Region and the State Construction Office.

8.7 Failure to Follow Through

Obtaining approval to proceed prior to execution of the change order, without promptly following with the change order causes credibility problems. When these prior approvals are given, it is with the understanding that the need is immediate and that the change order will follow as soon as possible.

8.8 Change Type Incorrectly Marked

The change type (Proposed By) should be dictated by the owner of the risk associated with the change.

Contractor proposed changes should generally be a credit to the state unless we are clearly getting a superior product from which the state can realize a benefit. In the latter case, it would be a no cost, proposed by the Contractor, change order. Contractor proposed repair procedures to correct unsatisfactory work are usually no cost change orders. In all cases where the change is truly initiated by the Contractor, make sure that the appropriate field is indicated in CCIS.

8.9 Insufficient Detail

The need for a change order and justification for the cost has to be clear and understandable to non-engineers (auditors, etc.). If the justification is not clear, much time may be spent later trying to convince a reviewer of its merits. This often happens at a much later date, when the Project Engineer may have forgotten the facts surrounding the change order.

8.10 Inadequate Description

The same rules that apply to writing special provisions apply to writing a change order. The change work must be adequately described, and a method for measurement and payment has to be spelled out in the change order text.

8.11 Lack of Entitlement

When a change order grants a Contractor additional moneys or time, entitlement has to be established. This must be done in the justification memo in sufficient detail, with sources documented, that an auditor will be satisfied. This documentation should include an independent estimate of the cost and should not be a reiteration of the Contractor's submitted cost estimate.

8.12 Surplus Material

Items deleted from the project or the purchase of surplus processed materials, often lack proper documentation. The requirements as laid out in **SS 1-04.4 Changes - DELETION OF ITEMS** of the *Construction Manual* must be followed. Also, we occasionally see change orders wherein the Project Engineer attempts to keep, or give to Maintenance, items that are salvaged from the project. On Federal Aid projects, the question of salvage and value must be discussed with the FHWA Area Engineer prior to initiating the change order.

8.13 No Approval

When the Project Engineer agrees to a change without prior concurrence from Region or the State Construction Office, problems can occur. Changes have to be documented by a written change order. When the change or the compensation cannot be justified or agreed to by Region or the State Construction Office, the Project Engineer is placed in an awkward position with the Contractor.

8.14 Inappropriate Approval

Occasionally, change orders come to the State Construction Office without the correct approvals documented. They may be change orders marked "Approved by the Region", that are structural changes, etc., that do not have approval from the State Construction Office. Once again, this causes major problems if the approval must be rescinded.

8.15 Time

Additional time is sometimes not addressed in the change order (the change order does not contain a time statement). It is preferred that it be addressed and resolved. This can be done unilaterally if the Contractor and the Project Engineer cannot come to agreement on the appropriate amount of time involved. At the very least, an agreement should be made to address time as soon as the change work is done and its overall impact can be resolved.

8.16 Incidental Work

Change orders written for work that is incidental to other items of work are usually caused by overlooking special provisions, amendments, or *Standard Specifications* during the change order process; and may result in double payment if approved. Double payments are not allowed.

8.17 Actual Vs Prior Approval Types or Quantities

If quantities of additional work used to request approval to proceed prior to execution of the change order do not agree with the quantities in the prepared change order, this may negate the prior approval. The prior approval may be for a specific type and quantity of work, and if

these types or quantities change during the change order process, a new approval may be warranted.

8.18 Structural Change

When a change is made on a structure, it should be evaluated to determine if it is a structural change. Even changes that appear to be minor may in fact be structural in nature. If there is any doubt about whether or not a change is structural in nature, contact the State Construction Office for a determination. If a change is structural in nature, it will require approval from the State Construction Office.

8.19 Incorrect Item or Group

Often change orders are received at Region or the State Construction Office that have incorrect contract item numbers or incorrect group numbers. The Project office should proofread the change orders to ensure that items and groups affected by the change order are represented correctly in the change order document.²

8.20 Constructive Changes

Sometimes situations arise on a project that result in a “Constructive Change”, that is work is performed that is not recognized as change work, at the time the work is performed. In cases of dispute over “Constructive Change”, the Inspector’s Daily Report and other field documentation are very important in establishing whether a “Constructive Change” did occur; and if it did what the impacts may be.

8.21 Condition of Award not coded.

Any change order that revises Condition of Award work as described in Section 7.16 of this guide must have the concurrence of the Office of Equal Opportunity, be executed by the State Construction Office, and be coded “CO” in order to facilitate reporting on COA change orders.

APPENDICES

Appendix A

State Construction Office Change Order Review Criteria

Revised July 2008

Forward

The State Construction Office reviews all change orders initiated on WSDOT projects in order to comply with the WSDOT obligations set forth in the Stewardship and Oversight Agreement, and in keeping with WSDOT delegation of authority. Much of the State Construction Office authority to approve changes has been delegated to the Regions through the change order checklist. However, the State Construction Office retains review and oversight responsibilities in order to assure adherence to WSDOT policies and principles, and to State and Federal statutes. The State Construction Office seeks to achieve statewide consistency, while allowing for appropriate local variations, and to assist those who initiate change orders in the successful completion of an effective and enforceable order.

Change order reviewers at the State Construction Office have adopted the following criteria for evaluating change order documents. These criteria are employed to assess the quality of the change document and of the accompanying change record. They are applied to all change orders, not just those few submitted for execution by the State Construction Office, but also to those executed by the Region (or PE) and submitted for review.

These criteria are not intended to cover the concept, intent, judgment and wisdom of making the change. While that is another significant duty of the State Construction Office, it is covered by other criteria. The purpose of this effort is to use these criteria to evaluate the quality and effectiveness of the documents created, once the decision to make a change has been made.

The Change Order Document

Once properly executed, the change order becomes a part of the contract documents. It must stand on its own, clearly and without ambiguity defining a change to the contract. During preparation of a change order, it is wise to assume that the document may appear in a court of law. At that time, there will be no opportunity to explain any missing or conflicting provisions. The intent of the parties will be meaningless when compared to a literal reading of the change order. Any ambiguities will be held against the owner, who created the document.

Change order documents must be well organized and written to present a clear and rational order to the Contractor. There can be no attachments to a change order. Additional pages of a change order are just that – additional pages. All pages of a change order must be identifiable; using the CCIS assigned unique contract number/change order number combination, the date of final preparation of the overall document, and a page sequencing number in the format “*Page X of Y Pages*”.

Most change orders are in the form of an order to the Contractor to perform additional work, delete some portion of the work, perform some part of the work in a different manner, or to perform some

part of the work under different restrictions or requirement than those in the original contract. Other change orders formalize agreements, settlements, or changes in the time for completion of the contract or for a segment of the work.

The following areas may need to be addressed in any change order. Some may apply and some may not, depending on the nature of the change. The person preparing the change order should consider each of these areas and apply judgment as to whether it should be included, and if included, how it should be expressed. In the opinion of the State Construction Office change order reviewers, those areas underlined must be addressed.

1. Description of the Work.

In a simple change that adds work, this is straightforward. It will look much like the description in a Standard Specification or Special Provision. In other cases, it might be the identification of an agreement. In all cases it must clearly describe the change to the contract.

2. Materials Requirements.

When applicable, describe the materials involved in the change. Define any physical properties that must be met. Typically, this area would only apply in the case of added or changed work.

3. Construction Requirements.

This is similar to the same issue in the Standard Specifications or Special Provisions. Define the specific requirements that must be met during performance of the work. Again, this usually applies to added or changed work.

4. Measurement.

If the change creates a new item for payment, this provision *must be included*. It will determine the contractual limits for the payment. If there is no specific unit of measurement (force account or lump sum), include a statement to that effect.

5. Payment.

If there is to be payment made by the change order, describe the payment and define what is included and what is not included in the payment. If there is no payment to be made, there should be a statement to that effect.

6. Contract Time.

If the change includes a revision in contract time, either for the entire contract or any portion of it, a statement of the time change must be included. If there is no revision in contract time state this in the change order. If the issue of time is undecided and will be left for future discussion, include an acknowledgment of this in the change order. If there is a change to liquidated damages address this fact in the change order. In all cases, there must be a time statement in the change order.

7. Exceptions and Disclaimers.

If the Contractor's agreement with the change order is qualified in any way, clearly identify these qualifications and list any exception to the agreement in the change order. If the Contractor

wishes to reserve some rights to further negotiation by adding disclaimers, negotiate language to clearly define the unresolved issues. If the Project Engineer can agree to what the Contractor wants to disclaim, the words can be added to the agreed upon change order text. This eliminates the need for hand-written or stamped exceptions.

8. Waivers.

Waiver language must be included when the change order formalizes an agreement to resolve a dispute or claim. Use the language in the Construction Manual (Chapter *SS 1-09.11, Disputes and Claims*), editing only as necessary for the specific issue and agreement. If it is possible to include unresolved issues in the scope of the resolution change order, the change order and waiver have even more value.

9. Professional Engineer's Stamp.

If, in the judgment of the Engineer supervising the preparation of the change order, the change order contains the practice of Engineering, that portion of the change order must be stamped. The State Construction Office will not review the decision, nor question the judgment of the Engineer, if a stamp is required.

Before closing the discussion of what must be in a change order, it may be prudent to discuss what should not be in a change order. There should be no discussion of why the change is being made. The change order is to become an unambiguous part of the contract document. Stating reasons is just another way of stating intent, which only creates ambiguity in the change order. There should be no discussion of justification for the change or for payment for the change. Once the change order is executed, the change exists, whether justified or not. Inclusion of justification belongs in the accompanying change record. There is no place in the change order for a discussion of the history of negotiations. Such discussions have no meaning once the final agreement is reached and the change order is written.

Another item that does not belong in a change order is the term "VECP". A VECP is a Contractor's value engineering cost proposal. Change orders are orders to the Contractor, not proposals. A Contractor's proposal may lead to a change order. The only difference between a change order that originated as a Contractor's cost reduction incentive proposal and any other change order should be the inclusion of two additional pay items. These are usually Contractor's Engineering Cost for VECP Development and Contractor's Cost Reduction Incentive Payment.

Accompanying Change Record (DOT Form 422-002)

The change record accompanying the change order document is a formal engineering report. By its quality it should reflect the professionalism of the project Engineer. This report serves two main purposes. First, it must describe and explain the change to the contract. Second, it must convince the reader that the decision to execute the change order was appropriate, and that any included payment or time extension is warranted and substantiated. Like the change order document, this report must stand on its own merits. The writer may assume fundamental engineering knowledge, transportation construction skills, and contract administration abilities on the part of the reader, but must not assume

knowledge of issue-specific information that is not included in the change record package. When reviewed by the State Construction Office, the following areas will be evaluated for adequacy:

1. Description of the Change.

The description of change portion of the change record must answer the following questions:

- a. Why is the change being prepared?
- b. What
- c. do the plans, provisions and Standard Specifications require?
- d. Why won't that work?
- e. What
- f. does the change accomplish and how does it solve the problem?

2. Evolution of the Change.

This refers to the development of the particular method decided upon to solve the problem. How this method was chosen is valuable information, and should answer the following questions:

- a. Who was consulted about the problem?
- b. If appropriate, what alternatives were evaluated and why was this particular method chosen?
- c. Was a design approval needed, and if so, was it obtained?
- d. Was the effect on environmental permits (existing or new) assessed, and were necessary environmental approvals obtained?
- e. Was the Contractor included in the development to advise on constructability issues?

The evolution of the price is of little interest and need not be included in the change record.

3. Entitlement.

- a. Why is the Contractor entitled to an equitable adjustment of money or time? increased
- b. How is it that the work described in the change was not included in the original scope of the contract?
- c. Is it included in another bid item payment definition?
- d. If not directly mentioned, is it incidental to another bid items?
- e. If the overall issue is compensable, what components are included and why are they compensable?

4. Price.

- a. Why is the price being paid considered appropriate?
- b. If using unit prices, is the work of similar magnitude and nature to that from which the unit price is obtained?
- c. If there is a new price, how was it negotiated?
- d. If independent quotes were obtained, what were they and where were they obtained?
- e. If a time and materials analysis is used, is it the work of the Project Engineer (pay particular attention to production rates)?
- f. If using the Contractor's estimate of cost as a basis, was it validated by an independent analysis?

Full records should be maintained in the Project Office, but a summary of equipment and labor costs is appropriate for inclusion with the change record.

5. Contract Time.

- a. Is there a time extension associated with the change order, and if so, is it linked to the entitlement area described above?
- b. How does this time extension align with the reasons for time extensions listed in the Standard Specification?
- c. Will the work actually delay project completion (was the critical path affected)?
- d. Is a critical path analysis included?
- e. Is the duration of the extension reasonable for the work being done?

6. Disclaimers.

- a. Is there a disclaimer or exception in the change order and what does it mean?
- b. Why
- c. Was it not covered by the negotiations?
- d. What effect will it have on the future administration of the contract?

7. Contractor Point of View.

Unless there is a disclaimer or exception in the change order, or the Contractor has refused to sign the change order (unilateral change), there is no reason to include this information. The process started because of the Contractor's point of view and ended with agreement on the change order. The purpose of the change record is to explain and justify the change order.

8. Other information.

The change order change record is a multi-use document. It is often used to support fund requests. It is provided to the Design Office to support the lesson-learned effort. It is reviewed for conformance to Region requirements and Region supervisory communication. The Project Engineer may choose to include references to these and other purposes, provide doing so will not degrade the quality of the engineering report or detract from its main purpose.

9. Attachments to the Change record.

- a. Change Order Checklist (completed)
- b. Documentation of design approval, approval to proceed prior to execution, etc.
- c. Supporting sketches, plan sheets, photos, etc., as needed for clarity
- d. Engineer's Independent estimate

Attachment must be complete and readable, and should be clearly referenced in the change record.

Closing Thought

Prepare and assemble the Change Record and attachments with the mission of convincing the reader that the Project Engineer correctly initiated and issued a change order with the proper authority and in compliance with applicable agency policies and regulations..

Appendix B

CHANGE ORDER CODE SELECTIONS and DEFINITIONS

What Section of the Contract Changed?

- AB GENERAL REQUIREMENTS (STD. SPECIFICATIONS DIVISION 1)*
- AC PREPARATION*
- AD GRADING/EARTHWORK*
- AE DRAINAGE*
- AF STORM SEWERS*
- AG SANITARY SEWERS*
- AH WATER LINES*
- AI STRUCTURES*
- AJ BASES*
- AK PORTLAND CEMENT CONCRETE PAVEMENT*
- AL BITUMINOUS*
- AM EROSION CONTROL AND PLANTING*
- AN TRAFFIC*
- AO MISCELLANEOUS ITEMS*
- AP ILLUMINATION SYSTEMS*
- AQ SIGNAL SYSTEMS*
- AR ITS SYSTEMS*
- FP FACILITIES PROJECT*
- MP MARINE PROJECT*
- RR RAILROAD PROJECT*

Describe the Detail Change

- AB GENERAL REQUIREMENTS (STD. SPECIFICATIONS DIVISION 1)**
 - 01 SCOPE OF WORK (STD. SPEC SECTION 1-04)*
 - 02 CONTROL OF WORK (STD. SPEC SECTION 1-05)*
 - 03 CONTROL OF MATERIAL (STD. SPEC SECTION 1-06)*
 - 04 LEGAL RELATIONS AND RESPONSIBILITIES (SECTION 1-07)*
 - 05 PROSECUTION AND PROGRESS (STD. SPEC. SECTION 1-08)*
 - 06 MEASUREMENT AND PAYMENT (STD. SPEC. SECTION 1-09)*
 - 07 TEMPORARY TRAFFIC CONTROL (STD. SPEC SECTION 1-10)*
- AC PREPARATION**
 - 01 CLEARING AND GRUBBING*
 - 03 ROADSIDE CLEANUP*
 - 04 REMOVING AN ITEM*
 - 05 PRODUCTION FROM QUARRY AND PIT SITE*
 - 06 STOCKPILING AGGREGATES*
 - 07 SITE RECLAMATION*

AD GRADING/EARTHWORK

- 01 ROADWAY EXCAVATION
- 02 ROADWAY EMBANKMENT
- 03 HAUL
- 04 SUBGRADE PREPARATION
- 05 WATERING
- 06 STRUCTURE EXCAVATION
- 07 DITCH EXCAVATION
- 08 TRIMMING AND CLEANUP
- 09 CONSTRUCTION GEOTEXTILE

AE DRAINAGE

- 01 DRAINS
- 02 STRUCTURAL PLATE PIPE
- 03 PIPE ARCH
- 04 ARCH
- 05 UNDERPASS
- 06 DRYWELLS
- 07 CLEANING EXISTING DRAINAGE STRUCTURES
- 08 GENERAL PIPE INSTALLATION REQUIREMENTS
- 09 CULVERTS

AF STORM SEWERS

- 01 GENERAL PIPE INSTALLATION REQUIREMENTS
- 02 MANHOLES
- 03 INLETS
- 04 CATCH BASINS

AG SANITARY SEWERS

- 01 GENERAL PIPE INSTALLATION REQUIREMENTS
- 02 SIDE SEWERS
- 03 SEWER CLEANOUTS
- 04 MANHOLES

AH WATER LINES

- 01 WATER LINES
- 02 VALVES FOR WATER MAINS
- 03 HYDRANTS
- 04 SERVICE CONNECTIONS

AI STRUCTURES

- 1 PRE-CAST CONCRETE GIRDERS
- 2 PRE-CAST CONCRETE PANELS
- 3 STEEL GIRDERS
- 4 DRILLED SHAFT
- 5 BEARINGS
- 6 POWDER COATING
- 7 REINFORCING BAR
- 8 POST-TENSIONING

- 09 CONCRETE
- 10 STRUCTURAL STEEL
- 11 TIMBER STRUCTURES
- 12 PILING STRUCTURES
- 13 BRIDGE RAILINGS
- 14 EXPANSION JOINTS
- 15 SIGN BRIDGES
- 16 PAINTING
- 17 WATERPROOFING
- 18 MODIFIED CONCRETE OVERLAY
- 19 CONCRETE BARRIER
- 20 NOISE BARRIER WALLS
- 21 STRUCTURAL EARTH WALLS
- 22 GEOSYNTHETIC RETAINING WALLS
- 23 SOIL NAIL WALLS
- 24 SOLDIER PILE AND SOLDIER PILE TIEBACK WALLS
- 25 PERMANENT GROUND ANCHORS
- 26 SHOTCRETE FACING
- 27 LUMINAIRES
- 28 BRIDGE ELECTRICAL-MECHANICAL
- 29 APPROACH SLABS

AJ BASES

- 01 GRAVEL BASE
- 02 BALLAST
- 03 CRUSHED SURFACING BASE COURSE
- 04 CRUSHED SURFACING TOP COURSE
- 05 ASPHALT TREATED BASE

AK PORTLAND CEMENT CONCRETE PAVEMENT

- 01 GRINDING
- 02 DOWEL BARS
- 03 TIE BARS
- 04 CEMENT
- 05 AGGREGATE
- 06 ADMIXTURES
- 07 WATER
- 08 PLACEMENT
- 09 CURING
- 10 PANEL REPAIR

AL BITUMINOUS

- 01 LIQUID ASPHALT
- 02 TACK COAT
- 03 ANTI-STRIPPING ADDITIVE
- 04 TEST STRIP
- 05 PLACEMENT

6 *COMPACTION*

7 *JOINTS*

8 *PRE-LEVEL*

9 *AGGREGATES*

10 *PLANING AND GRINDING*

AM EROSION CONTROL AND PLANTING

01 *EROSION CONTROL*

2 *WATER POLLUTION CONTROL*

3 *IRRIGATION SYSTEMS*

4 *ROADSIDE RESTORATION*

5 *SEEDING*

6 *FERTILIZING*

7 *MULCHING*

AN TRAFFIC

1 *CURBS GUTTERS AND SPILLWAYS*

2 *CEMENT CONCRETE DRIVEWAY ENTRANCES*

3 *PRE-CAST TRAFFIC CURB AND BLOCK TRAFFIC CURB*

4 *RUMBLE STRIPS*

5 *RAISED PAVEMENT MARKERS*

6 *GUIDEPOSTS*

7 *GUARDRAIL*

8 *IMPACT ATTENUATOR SYSTEMS*

9 *PERMANENT SIGNING*

10 *TEMPORARY PAVEMENT MARKINGS*

11 *GLARE SCREENS*

12 *PAVEMENT MARKINGS*

AO MISCELLANEOUS ITEMS

1 *CHAIN LINK FENCE AND WIRE FENCE*

2 *MONUMENT CASES*

3 *CEMENT CONCRETE SIDEWALKS*

4 *RIPRAP*

5 *CONCRETE SLOPE PROTECTION*

6 *MAILBOX SUPPORT*

7 *ROCK WALLS*

8 *GRAVITY BLOCK WALL*

9 *GABION CRIBBING*

10 *WIRE MESH SLOPE PROTECTION*

AP ILLUMINATION SYSTEMS

1 *FOUNDATIONS*

2 *CONDUIT*

3 *JUNCTION BOXES, CABLE VAULTS AND PULLBOXES*

4 *WIRING*

5 *GROUNDING*

6 *LIGHT STANDARDS*

- 7 LUMINAIRES
- 8 SIGN LIGHTING
- 9 HIGH MAST LIGHT STANDARDS

AQ SIGNAL SYSTEMS

- 01 FOUNDATIONS
- 02 CONDUIT
- 03 JUNCTION BOXES, CABLE VAULTS AND PULL BOXES
- 04 WIRING
- 05 GROUNDING
- 06 LUMINAIRES
- 07 SIGN LIGHTING
- 08 SIGNAL CONTROLLERS
- 09 SIGNAL HEADS
- 10 DETECTOR LOOPS
- 11 SIGNAL STANDARDS

AR ITS SYSTEMS

- 01 FOUNDATIONS
- 02 CONDUIT
- 03 CABINETS
- 04 JUNCTION BOXES
- 05 CABLE VAULTS
- 06 PULL BOXES
- 07 CONDUCTORS, CABLE
- 08 DETECTOR LOOPS
- 09 COMMUNICATION CABLE
- 10 VIDEO DETECTION CABLE
- 11 GROUNDING

FP FACILITIES PROJECT

- 01 FACILITIES

MP MARINE PROJECT

- 1 MARINE PROJECT
- 2 TERMINAL CONSTRUCTION

RR RAILROAD PROJECT

- 1 RAIL
- 2 BALLAST
- 3 BRIDGE
- 4 TIES
- 5 DITCHING
- 6 CULVERTS

**What Created the Need or Caused the Change? (Only one selection applies)
Select the one that best describes what caused the change.**

- AP *ADMIN PROBLEM**
- BC *BUDGET CONSTRAINTS**
- CC *CHANGED CONDITIONS**
- CE *CONTRACTOR ERROR**
- EE *CONST ENGR ERROR**
- EV *ENVIRONMENTAL**
- HZ *HAZARDOUS MATERIAL**
- IP *VECP**
- MS *MATERIAL SUBSTITUTION**
- NS *NON-SPEC MATERIAL**
- PI *PLAN ERROR-INFO.**
- PM *PLAN ERROR-MISTAKE**
- PD *PRACTICAL DESIGN**

- SC *SPEC CONFLICT/AMBIG TP**
- *THIRD PARTY REQUEST UC**
- *UNANTICIPATED COND**
- AP *ADMIN PROBLEM**

THERE IS A PROBLEM WITH ADMINISTRATIVE FUNCTIONS THAT DOES NOT RELATE TO THE PHYSICAL WORK.

- BC *BUDGET CONSTRAINTS**

DELETION OR MODIFICATION WAS INITIATED BECAUSE THE COST OF THE PROJECT WAS EXCEEDING AUTHORIZED FUNDING LIMITS.

- CC *CHANGED CONDITIONS**

SITE CONDITIONS (OTHER THAN HAZARDOUS MATERIALS) DIFFER FROM DESIGN EXPECTATIONS AND SECTION 1-04.7 APPLIES.

- CE *CONTRACTOR ERROR**

CONTRACTOR MADE A MISTAKE IN PERFORMING THE WORK OR CAUSED SOME DAMAGE THAT NEEDS REPAIR.

- EE *CONST ENGR ERROR**

A STATE EMPLOYEE MADE A MISTAKE THAT CREATED A NEED FOR A REPAIR, MODIFICATION OR COST ADJUSTMENT.

- EV *ENVIRONMENTAL**

INITIATED TO SATISFY ADDITIONAL ENVIRONMENTAL REQUIREMENTS NOT ALREADY COVERED BY THE CONTRACT.

- HZ *HAZARDOUS MATERIAL**

A HAZARDOUS MATERIAL ENCOUNTERED DURING THE PROJECT NOT ALREADY COVERED BY THE CONTRACT.

- IP *VECP**

CONTRACTOR'S VALUE ENGINEERING CHANGE PROPOSAL.

- MS *MATERIAL SUBSTITUTION**

CONTRACTOR PROPOSED A MATERIAL NOT ALREADY ALLOWED FOR USE IN THE CONTRACT.

- NS *NON-SPEC MATERIAL**

FOR MATERIAL THAT IS OUT-OF-SPEC BUT STILL ACCEPTABLE – USUALLY INVOLVES A REDUCED PRICE OR CREDIT TO WSDOT

PI *PLAN ERROR-INFO.

PLANS CONTAIN A MISTAKE THAT RESULTED FROM THE DESIGNER WORKING WITH INSUFFICIENT INFORMATION.

PM *PLAN ERROR-MISTAKE

PLANS CONTAIN A MISTAKE THAT, GIVEN THE INFORMATION AVAILABLE TO THE DESIGNER, SHOULD NOT HAVE BEEN MADE.

PD *PRACTICAL DESIGN

A CHANGE BROUGHT ABOUT AS THE RESULT OF A PRACTICAL DESIGN REVIEW RECOMMENDATION

SC *SPEC CONFLICT/AMBIG

THERE IS A CONFLICT OR AMBIGUITY BETWEEN SPECS OR BETWEEN SPECS AND PLANS.

TP *THIRD PARTY REQUEST

INITIATED BY ANY PARTY OTHER THAN WSDOT OR THE CONTRACTOR FOR EXAMPLE, LOCAL OR REGULATORY AGENCIES, PRIVATE PARTIES.

UC *UNANTICIPATED COND

A SITUATION, DIFFERENT FROM THAT ASSUMED DURING DESIGN, BUT NOT QUALIFYING UNDER SECTION 1-04.7.

What is the purpose of this Change Order? (Up to two codes may apply)

- AF ADMIN CHANGE**
- AW ADDED WORK**
- CO CONDITION OF AWARD**
- CR CORRECTION/REPAIR**
- CS CLAIM SETTLEMENT**
- DO DELAY COMPENSATION**
- DR DRB DECISION**
- DS DESIGN CHANGE**
- DW DELETED WORK**
- EN ENVIRONMENTAL COMPLIANCE**
- MO QUANTITY VARIATION**
- MR MAT'LS SPEC REVISION**
- NP FEDERAL NON- PARTICIPATION**
- OC OMISSION IN CONTRACT PROVISIONS**
- OP OMISSION IN THE PLANS**
- OR OTHER SPEC REVISION**
- RG MODIFIES A REGION SPECIFICATION**
- RS REVISED SCOPE**
- SA SCHEDULE ADJUSTMENT**
- SU DESIGN SURVEY OR BASE MAP ERROR**
- UP UTILITY PLAN ERRORS**
- VI RESOLVED A TITLE VI ISSUE**
- WM WORK METHOD CHANGE**

AF ADMIN CHANGE AFFECTS ADMINISTRATIVE FUNCTIONS OF THE CONTRACT THAT DO NOT RELATE TO THE ACTUAL WORK. PREV WAGES, SALES TAX, INSUR, ETC.

AW ADDED WORK

FOR NEW ITEMS OF WORK ADDED WITHIN THE ORIGINAL SCOPE OF THE CONTRACT.

CO CONDITION OF AWARD

MODIFIES THE CURRENT DBE COA REQUIREMENTS.

CR CORRECTION/REPAIR

DOCUMENTS A PROCEDURE FOR CORRECTION OR REPAIR NEEDED TO RESTORE OR BRING PERMANENT WORK TO CONTRACT REQUIREMENTS.

CS CLAIM SETTLEMENT

ENTITLEMENT WAS FOUND FOR THE CONTRACTOR IN A CLAIM SITUATION PER SECTION 1-09.11(2)

DO DELAY COMPENSATION

COMPENSATES THE CONTRACTOR FOR DELAY DAMAGES

DR DRB DECISION

ENTITLEMENT WAS FOUND FOR THE CONTRACTOR BY A DISPUTES REVIEW BOARD.

DS DESIGN CHANGE

CHANGES OR CLARIFIES THE PHYSICAL DESIGN WITHIN THE SCOPE OF THE CONTRACT. COULD BE AN ADDITION OR DELETION.

DW DELETED WORK

USE WHEN DELETING CONTRACT ITEMS OF WORK.

EN ENVIRONMENTAL COMPLIANCE

PLANNED METHOD WAS CHANGED TO MAINTAIN COMPLIANCE WITH EXISTING PERMIT REQUIREMENTS

MO QUANTITY VARIATION

CHANGES THE PRICE FOR A CONTRACT ITEM WHICH HAS EXPERIENCED A QUANTITY VARIATION IN EXCESS OF 25%.

MR MAT'LS SPEC REVISION

CHANGES A MATERIALS PROPERTY SPECIFICATION, ACCEPTS NON-SPEC MATERIAL OR ALLOWS A MATERIALS SUBSTITUTION.

NP FEDERAL NON- PARTICIPATION

A DETERMINATION HAS BEEN MADE THAT WE WILL NOT USE FEDERAL FUNDS ON THIS ITEM OF WORK.

OC OMISSION IN CONTRACT PROVISIONS

INITIATED TO CORRECT AN OMISSION IN THE CONTRACT PROVISION

OP OMISSION IN THE PLANS

INITIATED TO CORRECT AN OMISSION IN THE PLANS

OR OTHER SPEC REVISION

CHANGES A PROVISION OTHER THAN MATERIALS

RG MODIFES A REGION SPECIFICATION

MODIFIES A REGION GSP. OR SPECIAL PROVISION

RS REVISED SCOPE

ADDS WORK TO OR DELETES WORK FROM THE ORIGINAL SCOPE AND/OR INTENT OF THE CONTRACT.

SA SCHEDULE ADJUSTMENT

CHANGES THE DURATION FOR ALL OR PART OF THE CONTRACT.

SU DESIGN SURVEY OR BASE MAP ERROR

INITIATED TO PAY FOR EXTRA COSTS RESULTING FROM CONTRACTING AGENCY SURVEY OR BASE MAP ERROR

UP UTILITY PLAN ERRORS

INITIATED TO CORRECT OMISSION OR CONFLICT ON PLANS RELATED TO UTILITIES

VI RESOLVES A TITLE VI ISSUE

A CONTRACT CHANGE REQUIRED TO ADDRESS A TITLE VI ISSUE (EQUAL EMPLOYMENT OPPORTUNITY, FEDERAL TRAINING, AMERICANS WITH DISABILITIES, ETC.)

WM WORK METHOD CHANGE

CHANGES A SPECIFIC METHOD REQUIRED BY THE CONTRACT

Appendix C



Change Order Checklist

| | | |
|---|--------------------|--|
| Cont. #: | Cont. Title: | If yes, State Construction Office Approval Required |
| C.O. #: | C.O. Title: | |
| I. Executed by the State Construction Office | | |
| 1. Cost or credit equal to or exceeding \$500,000. *1, *3 | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. Change in the contract documents beyond the scope, intent or terms of the original contract. *2 | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Any proposed revision or deletion of work that affects the condition of award requirements. (Must be coded "CO" in CCIS; includes changes to goal or commitment) | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. Change in contract time greater than 30 working days, or a change in contract time not related to any change order. *1 | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| II. Executed at the Region (Per Delegation) | | |
| 5. Determination of impacts and/or overhead. | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 6. Change to Contract Provisions or Standard Plans. | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 7. Material or product substitution. (Excludes materials associated with Std. Specification Sections 8-07, 8-01, 8-02, 8-12, 8-18 & 8-20) | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 8. Structural design change in the roadway section. (Requires concurrence from designer) | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 9. Determination of changed condition. (Section 1-04.7 of the Standard Specifications) | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 10. Settlement of a claim. (Section 1-09.11(2) of the Standard Specifications) | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 11. Repair of damage regarding "acts of God" or "acts of the public enemy or of government authorities". (Section 1-07.13 of the Standard Specification) | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 12. Structural change to structures. | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Approvals obtained:

Project Engineer: Date:

Region: Date:

State Construction Office: Date:

Other (Local Agency, FHWA, Surety, etc.): Date:

To be completed by the Project Engineer :

CO Reason(s) (See "2008 Codes & Definitions" on State Construction Office web page):

Change Order Prepared By: Date:

Is this project under full FHWA stewardship oversight (Project Of Division Interest)? *1 Yes No

To be completed by the Region :

Is the change eligible for Federal participation where applicable? Yes No

Change Order Reviewed By: Date:

*1 Change (Cost or Credit) greater than \$200,000 or greater than 30 days on Projects Of Division Interest (PODI) requires FHWA approval. (see Construction Manual - Chapter 1-00.10, Chapter 8S1-04.4, and State Construction Office web page)

*2 Per RCW 47.28.050, any change beyond \$7,500 that is beyond the original scope shall go through the competitive bidding process.

*3 Engineering error changes over \$500,000 requires reporting (See reporting instructions & template on State Construction Office web page)

This form represents the minimum information required by the State Construction Office. If you wish to supplement this information, you may do so on a separate sheet of paper.

Appendix D

D. Change Orders

1. D1 – Pending Change Orders

This CCIS function provides a tool for setting up, revising, approving, executing, and printing a change order. This manual divides the change order into four parts: Set Up A New Change Order, Upload Change Order Text, Approve/Void Change Orders, and Print Change Orders. Because of this function's complexity, the instructions include the four separate processes.

D1 Submenu

```

NCGD100P                WSDOT - CONSTRUCTION CONTRACTS                NCGD100M
Aug 17, 2016                PENDING CHANGE ORDER MENU                1:35 PM

1. General Information
2. Change Items
3. Condition of Award Items
4. PRINT Change Order

OPTION:
PF1 (H)  PF2 (M)  PF3 (E)  PF4 (R)  PF6 (S)  PF7 (-)  PF8 (+)  PF10 (<)  PF11 (>)
          Menu    End    Return

Date: 08-17-2016  Time: 13:35:23.43

```

a. Set Up A New Change Order

You set up a change order by completing five steps:

- (1) Enter general information.
- (2) Add new or change items.
- (3) Enter condition of award revisions (where applicable).
- (4) Upload change order text
- (5) Print change order

General Information

- (1) Select Option 1 from the D1 submenu.

Then select Option 1 – SET UP New Change Order

-
- (2) Enter the key field information.
- (a) Type the CONTRACT NO and press [Enter] or press [F1] to browse select.
- CCIS skips the CHANGE ORDER NO and the REVISION fields and prompts you to enter the next field. The CHANGE ORDER NO field will be numbered with the next sequential number automatically when you save the record the first time.
- CCIS also displays the number of your last created change order as a reminder. For more information about existing change orders, press [F1] for help.
- (3) Enter/update the data on each screen page as outlined below:
- Page 1:** Enter the appropriate letter code in the “Proposed by” field. In the “Order Date” field, CCIS will automatically enter the date the change order is being setup in CCIC. If this date is not correct, enter the correct date at this time. Once the change order is created in CCIS, only Headquarters may change this date. Enter the appropriate letter code in the “Unilateral Change” field. Enter the appropriate letter code in the “PE stamp required” field. Type a short description of the change. Enter the appropriate letter code in the “Is this a MINOR Change” field. This field automatically defaults to “N”.
- Page 2:** If prior approval was issued for this change order, enter a summary of the approval, including REQUESTED BY, APPROVED BY, APPROVAL DATE and ESTIMATED AMOUNT.
- Page 3:** CCIS automatically calculates the first five fields on this page. The VECP (Value Engineering Change Proposal) AMOUNT will be entered manually by headquarters as needed. When setting up a new change order, the third amount, ESTIMATED NET CHANGE THIS CHANGE ORDER, will remain zero until you enter the change items.
- Also, CCIS determines the CURRENT CONTRACT AMOUNT based on the ESTIMATED CONTRACT TOTAL AFTER CHANGE from the preceding change order.
- Page 4: Contractor approvals:** Enter the date the change order is sent to the Contractor in the “Sent to Contr” field. Enter the date the change order is received back from the Contractor in the “Rec’d from Contr” field. Enter the appropriate letter code in the “Surety Consent” field. Enter the date surety signed the change order (if required) in the “Surety Date” field.
- FHWA approvals:** Enter the appropriate initials of the FHWA representative in the “FHWA Approval” field and the date FHWA signed the change order (if required) in the “Date” field.

PE approvals: Enter the appropriate letter code (only if the PE is not executing the change order) in the “Recom” field. Enter the PE initials (only if the PE is executing the change order) in the “Exec” field. Enter the date the PE recommends execution or executes the change order.

Region approvals: Enter the appropriate letter code (only if the Region is not executing the change order) in the “Recom” field. Region should enter the Region Construction Engineer initials (only if the Region is executing the change order) in the “Exec” field. Region should enter the date the Region recommends execution or executes the change order.

State Construction Office approvals: Enter the appropriate letter code in the “Who” field, enter the State Construction Engineer initials in the “Exec” field, and enter the date the Construction Office executes the change order. The “Date Executed” field should be used only by Region or the State Construction Office to enter the date of execution.

CAPS: The “Posted in CAPS” field will be populated by CCIS.

Voided change orders: Enter the name of the person voiding the change order in the “By Whom” field and the date the change order is voided in the “Date” field.

CCIS will continue to update the financial summary fields until the PE sends the change order to the contractor, voids the change order, or approves a unilateral change order. This ensures that the on-line version of the change order matches the printed copy that the contractor receives.

When the PE office revises the change order, CCIS clears the SENT TO CONTRACTOR, PE: RECOM and APPR fields, which allows the financial summary to be recalculated.

Page 5: Enter the NET CHANGE OF WORKING DAYS for each phase of the contract. To do this, first enter a PHASE NO and press [Enter]. Then enter the number of days by which to adjust the working days for that phase.

Optionally, type “Y” to indicate that the working days changes will be DETERMINED AT A LATER DATE. If this change order does not change working days, enter an “N” in DETERMINED AT A LATER DATE.

Page 6: Tab to the “What section of contract changed” field and press F1 to get a list. Select the appropriate code and hit enter to return to page 6 at the “Describe the detail change” field. Press F1 to get a list. Select the appropriate code and hit enter to return to page 6 at the “What created the need or caused the change” field. Press F1 to get a list. Select the appropriate code and hit enter to return to page 6 at the “What is the purpose of this change

order” field. Press F1 to get a list. Select the appropriate code and hit enter to return to page 6 (you may select up to two codes in this category).

- (4) When finished, press [F6] to save the new record. CCIS will enter the next sequential number in the CHANGE ORDER NO field.

If you have additional changes to the record while still in this function, you may edit data and save again. CCIS will save your changes using the original number.

Change Items

- (1) Select Option 2 – Change Items from the D1 submenu.

Then select Option 1 – ADD/MODIFY Items.

- (2) To change existing items, follow the steps below:

- (a) Enter the key field information.

Press [Enter] to select the existing CONTRACT NO.

Type the CHANGE ORDER NO and press [Enter] or press [F1] to browse/select.

Type the ITEM NO or press [F1] to browse/select.

Type the GROUP NO and press [Enter].

NOTE: you must enter one record for each ITEM NO/GROUP NO combination.

- (b) CCIS will look up the item in the CONT ITEM file and display the STD ITEM NO, ITEM DESCRIPTION, UNIT OF MEASURE and UNIT PRICE.

- (c) Enter the EST QTY CHANGE and press [Enter]. (You may enter either a positive or a negative amount). CCIS will calculate the EST AMT CHANGE.

- (d) Press [F6] to save the record. At that time, CCIS will return the cursor to the ITEM NO field in preparation for another entry. Enter another ITEM NO, or if the ITEM NO remains the same, press [Enter], enter another GROUP NO and repeat the preceding steps.

- (3) To enter a new item, follow the steps below.

- (a) Enter the key field information.

Enter the CONTRACT NO and CHANGE ORDER NO.

For the ITEM NO, type the word “NEW” and press [Enter]. When you save the record, CCIS will replace the word “NEW” with the temporary item number.

Type a GROUP NO and press [Enter]. If using a new or unknown GROUP NO, type “N1” or “N2” in the field.

NOTE: You must enter one record for each ITEM NO/GROUP NO combination.

- (b) If available, enter a STD ITEM NO and press [Enter] or press [F1] to browse/select. CCIS will display the standard item description. Otherwise, type in an item description. *Spell out the word inch, if needed, **DO NOT** use the inch symbol (").*
- (c) Enter the UNIT OF MEASURE, UNIT PRICE, and EST QTY CHANGE and press [Enter]. CCIS will calculate the EST AMT CHANGE.

For Estimated Amount items, Type "EST." in the UNIT OF MEASURE field. Leave the UNIT PRICE and EST QTY CHANGE fields blank and enter the total amount in the EST AMT CHANGE.

For Lump Sum negotiated items, type "L.S." in the UNIT OF MEASURE field. Leave UNIT PRICE and EST QTY CHANGE fields blank and enter the total amount in EST AMT CHANGE.

NOTE: If you need to enter a negative number, you must type in the minus sign as the left-most character, followed by the number.

If you enter the number incorrectly, you will receive an error message. If so, Press [F4] to return to the submenu, then reenter the screen.

- (d) Press [F6] to save the record. At this time, CCIS will assign a new temporary item number and return the cursor to the ITEM NO field. If the ITEM NO remains the same, press [Enter], enter another GROUP NO, and repeat the preceding steps.

When you press [Enter] or [F6], CCIS will calculate a new EST NET CHANGE if one does not yet exist.

- (4) To browse items, use BROWSE Change Items (D1, Option 2,2).
- (5) To delete items, use the DELETE Option (D1, Option 2,3).

In both cases, CCIS will recalculate the ESTIMATED NEW CHANGE THIS CHANGE ORDER automatically

NOTE: Change items will NOT show up in the A2 - Contract Items function until the change order has been approved and executed.

Condition of Award Revisions

- (1) Select Option 3 Condition of Award from the D1 submenu. Then select Option 1 – ADD/MODIFY Condition of Award Items.
- (2) Enter the key field information.
 - (a) Type the CONTRACT NO and press [Enter] or press [F1] to browse/select.
 - (b) Type the CHANGE ORDER NO and press [Enter] or press [F1] to browse/select.

- (c) Type the CONTRACTOR ID and press [Enter] or press [F1] to browse/select.
 - (d) Finally, enter an ITEM NO and press [Enter]. CCIS will look up the Condition of Award record, and display existing contractor and COA data.
- (3) Complete the record as needed:
- (a) To modify an existing Condition of Award, enter the REVISED COA and, optionally, enter a NARRATIVE. If adding a new Condition of Award item for an existing contractor, the CURRENT COA amount will be blank. Enter the new Condition of Award amount into the REVISED COA field.
 - (b) To add a new Condition of Award contractor, enter the minority business information and the REVISED COA amount. If the contractor has not been set up in the Business Master file – B1; that will have to be done first.
 - (c) Press [F6] to save the record. CCIS will return the cursor to the ITEM NO field for more changes.

Note: O.E.O. concurrence and Headquarters Approval is required for all Condition of Award change orders.

- (4) To browse condition of award revisions, use BROWSE Condition of Award Changes (D1, Option 3, 2).

This option allows you to view Condition of Award revisions for one firm. You must print the change order to review all firms at the same time.

- (5) To delete a Condition of Award, use DELETE Condition of Award Changes (D1, Option 3, 3).

In both cases, CCIS will recalculate the revised totals automatically.

- (6) The revisions to the Condition of Award are not to be included in the description of work. However, the following statements must be included in the description of work, if applicable:

“The Contractor’s obligation as listed in the Condition of Award letter of ____ (Date)_____ is revised in accordance with this change order.”

“This is a no cost change order.”

“No time extension will be granted on this change order.”

NOTE: COA revisions will NOT show up in the A3 – COA File function until the change order has been approved and executed.

Upload the Change Order Text

This function is performed using a web based computer program called C3OP, which is explained by a document titled “C3OP Change Order Text How-To” which is available on the State Construction Office SharePoint site at:

<http://sharedot/eng/cn/hqconstr/Change%20Orders/C3OP%20Change%20Order%20Text%20How-To.pdf>

- (1) Open the link above and follow the instructions.

View Text Description

- (1) Select Option 1 – General Information from the D1 submenu.
Then select Option 2 – MODIFY Existing Change Order.
- (2) View the change order text on page 6.
Press [F8] and [F7] to table up and down to read all the lines in the description. Note that the system will “wrap” from the bottom to the top of the document.
- (3) CCIS does not allow you to edit the text description in the mainframe. In order to update the system with current text descriptions, repeat the upload process with the revised text and replace the previous version.

Approve/Void Change Orders

Change orders remain in the “pending status” until they are approved, executed or voided. When you approve, execute or void a change order, CCIS changes an internal activity flag from the pending file to the approved file.

Caution: Once CCIS has changed the flag to approved, you can no longer modify the change order.

D1-1, Page 4

```

PLEASE ENTER NEW DETAILS FOR CHANGE ORDER - PRESS PF6 TO SAVE
NCGD111P          WSDOT - CONSTRUCTION CONTRACTS          NCGD1114
Jul 07, 2011      PENDING CHANGE ORDER                    4:08 PM
                  CONTRACT NO: 006895  CHANGE ORDER:      R          Page 4 of 6

CONTRACTOR APPROVAL          WSDOT RECOMMENDATION/EXECUTION    DATE
1. Sent To Contr:  ___ ___ ___   1. PE: Recom:  _ (y/n)/Exec ___ ___ ___
2. Rec'd From Contr: ___ ___ ___  2. DO: Recom:  _ (y/n)/Exec ___ ___ ___
3. Surety Consent:  _ (y/n)       3. HQ: Who    _      Exec ___ ___ ___
   Surety Date:     ___ ___ ___     A-Admin, S-Struct, R-Rdwy, C-Chief
4. Date Executed:  ___ ___ ___
5. Posted in CAPS:

FHWA Approval ___ Date ___ ___ ___

CHANGE ORDER VOIDED  By Whom: _____ Date: ___ ___ ___

-----
-----
-----
OPTION:
PF1(H) PF2(M) PF3(E) PF4(R) PF6(S) PF7(-) PF8(+) PF10(()) PF11(())
      Menu End Return Save Page Up Page Dn

4B  :00.1 07/25
    
```

Approve a Change Order

- (1) Select Option 1 - General Information from the D1 submenu.
Then select Option 2 – MODIFY Existing Change Order.

Lock in Financial Summary for Non-unilateral Change Orders: When the PE Office sends the change order to the contractor, enter a date in the SENT TO CONTR field (page 4). CCIS will no longer recalculate the financial summary (page 3). This ensures that the on-line version of the change order matches the printed copy that the contractor received.

Lock in Financial Summary for Unilateral Change Orders:

When the PE Office either recommends or approves a unilateral change order, enter the PE: Recom or Exec fields (page 4). CCIS will stop recalculating the financial summary (page 3). This ensures that the on-line version of the change order matches the printed copy that the contractor received.

- (2) Enter Recommendation and Approval Fields.

When either recommending or not recommending change order approval, enter either “Y” or “N” in the Recom field and the date in the date field. (No initials are entered when recommending or not recommending approval.)

When approving/executing, enter initials of approving authority, in the Exec field, and the date. (Do not enter “Y” or “N” in Recom field.)

Execute a Change Order

Only the Region or Headquarters should enter the DATE EXECUTED on page 4, line 4. This date should always be the same date as the approval date.

Caution: When you press [F6] to save the record and then return to the menu, CCIS changes the change order pending flag to APPROVED. When this happens you can no longer access the change order via D1 – Pending CO and therefore cannot modify the record.

If you execute a change order by mistake, contact the CCIS System Administrator **IMMEDIATELY!** If the Administrator can correct the error before the evening posting process, the incorrect change order can be “turned around”.

Revise a Change Order

If the change order has not been executed or voided, the PE office can revise it.

- (1) Select Option 1 – General Information from the D1 submenu.
Then select Option 2 – MODIFY Existing Change Order.
- (2) Change the NEW REVISION field (page 1) to “Y”, and then save the record by pressing [F6].
CCIS will increment the REVISION NO field (page 1), recalculate the financial summary on page 3 and blank all fields on page 4. You may then modify the change order as needed.

Print Change Orders

CCIS provides a function for printing the change order directly from the CCIS menu on the mainframe. This function prints your data in standard form from your laser printer. First you select the change order, and then you select your print destination as described in the following steps:

Select Change Order

- (1) Select Option 4 PRINT Change Orders from the D1 sub menu.
- (2) Enter the key field information.
 - (a) Type the CONTRACT NO and press [Enter] or press [F1] to browse/select.
 - (b) Type the CHANGE ORDER NO and press [Enter] or press [F1] to browse/select.

Select Print Destination

- (1) At the PRINTER DESTINATION field, type in your printer number or press [F1] to select from a list of WSDOT printers.

If your printer number does not display, contact the CCIS System Administrator.

Enter “Y” or “N” to answer the question, “Has the work description file been uploaded?”

- (2) When you have filled in all these fields, press [F6] to print.

Appendix E - Examples

Item Deletion Change Order



**Washington State
Department of Transportation**

FEB 16 2016

Change Record

| | | |
|--|--|--------------------------------------|
| Contract Number 8783 | Contract Title NW Region Basic Safety - Guardrail | Federal Aid Number STPF-9999(671) |
| Change Order Number 1 | Change Description Type A Sch. in lieu of Type B | Date Jan 26, 2016 |
| Region Northwest Region | Project Engineer Mark Sawyer | Phone Number 425-225-8799 |
| Prime Contractor / Design-Builder Peterson Brothers, Inc. | | |

Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications or the RFP
 Change proposed by Contractor / Design-Builder

Evolution & Description Of Change

Attached for your review and further processing is Change Order #1 for this project. The change order checklist is included as Attachment A.

This change order deletes Item 38 Type B Progress Schedule (Sheet SQ2).

This change order creates a lump sum item of payment which allows the Contractor to use a Type A Progress Schedule instead of the Type B Progress Schedule called for in the Plans.

The Contractor questioned the need for a Type B Schedule after their office performed a software update and all the software used to develop schedules was removed. Mark Hammer, Assistant Project Engineer, proposed using a Type A Schedule due to the simplicity of the project. The Contractor said he could provide a Type A Schedule by the next week that would include a critical path.

Mark Hammer provided written approval on August 27, 2015. See Attachment B.

DOT Form 422-002
Revised 08/2015



Change Record

| | | |
|---|--|--------------------------|
| Contract Number 8783 | Contract Title NW Region Basic Safety - Guardrail | Change Order Number 1 |
| <p>Basis of Cost & Justification: WSDOT has estimated the cost for this change order to be -\$2500.00. See Attachment C. The Contractor agreed to a \$2500 reduction in cost by going from a Type B to a Type A Schedule.</p> | | |
| <p>Contract Time: No workings days are added to the Contract as a result of this change order.</p> | | |
| <p>Prior Approvals: Mark Hammer, Assistant Project Engineer, provided written approval on August 27, 2015.</p> | | |
| <p>List Attachments: Signed Change Order Attachment A: Change Order Checklist Attachment B: Mark Hammer's Approval Attachment C: Estimate</p> | | |

Distribution: Copy of Change Record & Change Order w/Backup - Project Engineer
 Copy of ONLY Change Order - Prime Contractor / Design-Builder
 Copy of Change Record & Change Order w/Backup - Region Construction Office
 Electronic Copy & Original of Change Record & Change Order w/Backup - State Construction Office

DOT Form 422-002
 Revised 08/2015

Attachment A



Change Order Checklist

| | | | |
|--|---|--|--|
| Cont. No. : 8783 | Cont. Title: NW Region Basic Safety - Guardrail | If yes, State Construction Office Approval Required. | |
| C.O. No.: 1 | C.O. Title: Type A Sch. in lieu of Type B | | |
| I. Executed by the State Construction Office | | | |
| 1. Cost or credit equal to or exceeding \$500,000. *1, *3 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X | |
| 2. Change in the contract documents beyond the scope, intent, or terms of the original contract. *2 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X | |
| 3. Any proposed revision or deletion of work that affects the Condition of Award requirements (Must be coded "CO" in DCIS, includes changes to goal or commitment) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X | |
| 4. Change in contract time greater than 30 working days, or a change in contract time not related to any change order. *1 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X | |
| II. Executed by the Region (Per Delegation) | | | |
| 5. Determination of impacts and/or overhead. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X | |
| 6. Change to Contract Provisions or Standard Plans. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X | |
| 7. Material or product substitution. (Excludes materials associated with Std. Specification Sections 8-07, 8-01, 8-02, 8-12, 8-18, & 8-20) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X | |
| 8. Structural design change in the roadway section. (Requires concurrence from designer) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X | |
| 9. Determination of changed condition. (Section 1-04.7 of the Standard Specifications) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X | |
| 10. Settlement of a claim. (Section 1-09.11(2) of the Standard Specifications) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X | |
| 11. Repair of Damage regarding "acts of God" or "acts of the public enemy" or of government authorities". (Section 1-07.13 of the Standard Specifications) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X | |
| 12. Structural change to structures. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X | |

Approvals obtained: Project Engineer: Mark Hammer (Assistant Project Engineer) Date: 8/27/2015
 Region: _____ Date: _____
 State Construction Office: _____ Date: _____
 Other (Local Agency, FHWA, Surety, etc.): _____ Date: _____

To be completed by the Project Engineer:
 CO reason(s) (See "2008 Codes and Definitions" on State Construction Office web page): AB, O5, AP, AF
 Change Order Prepared by: Sara Salmonsén Date: 10/19/2015

Is this project under full FHWA stewardship oversight? *1 Yes No

To be completed by the Region:
 Is the change eligible for Federal participation where applicable? Yes No
 Change Order Reviewed by: Harold Key Date: 2/8/2016

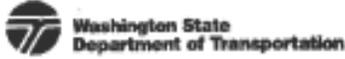
*1. Change (Cost or Credit) greater than \$200,000 (or greater than 30 days) on FTT (Federal Stewardship Oversight) requires FHWA approval (See Construction Manual - Ch. 1.2.4C(3), Ch 1-3.4 and <http://www.wsdot.wa.gov/its/construction/Stewardship/Stewardship.xls>)

*2. Per RCW 47.28.050, any change beyond \$7,500 that is beyond the original scope shall go through the competitive bidding process.

*3. Engineering error changes over \$500,000 require reporting (See reporting instructions and template on State Construction Office web page)

This form represents the minimum information required by the State Construction Office. If you wish to supplement this information, you may do so on a separate sheet of paper.

DOT Form 422-003
08/2015



NWR Change Order Checklist (October 1, 2015)

Cont. No.: 8783 Cont. Title: NW Region Basic Safety - Guardrail
 C.O. No.: 1 C.O. Title: Type A Sch. in lieu of Type B

| | | | If yes, State Construction Office Approval Required. |
|---|------------------------------|--|--|
| II. Executed by the Region Engineering Manager | | | |
| 13. Cost or credit equal to or exceeding \$100,000. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| 14. Change in contract time between 10 and 30 working days, or a change in contract time not related to any change order. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |

Has design documentation been updated? Yes No

Checklist prepared by (Project Field Office): Sara Salmonsén Date: 1/29/2016

Change Order reviewed by (Project Field Office): Cory Nau Date: 1/29/2016

| | | |
|-------------------------------|--|-------------|
| Clearances: | | |
| Funding: | Name: _____ | Date: _____ |
| Is Sales Tax Included? | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Design/Technical Lead | Name: _____ | Date: _____ |
| Maintenance | Name: _____ | Date: _____ |
| Agreements? | Name: _____ | Date: _____ |
| Local Agency Coordination? | Name: _____ | Date: _____ |
| Other? _____ | Name: _____ | Date: _____ |

WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER

DATE: 10/19/15
Page 1 of 3

CONTRACT NO: 008783 FEDERAL AID NO: STPF-9999(671)
CONTRACT TITLE: SR 203 ET AL NORTHWEST REGION BASIC SAFETY - GUARD
CHANGE ORDER NO: 1 TYPE A SCH. IN LIEU OF TYPE B
PRIME CONTRACTOR: 910867329 PETERSEN BROTHERS, INC.
2008 EAST VALLEY HIGHWAY
SUMNER WA 98390-9579

Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications

Change proposed by Contractor

| | |
|---|------------------|
| ENDORSED BY:  | SURETY CONSENT: |
| CONTRACTOR <u>Ronald G. Petersen, President</u> | ATTORNEY IN FACT |
| DATE <u>11/3/2015</u> | DATE |

ORIGINAL CONTRACT AMOUNT: 1,257,421.18
CURRENT CONTRACT AMOUNT: 1,257,421.18
ESTIMATED NET CHANGE THIS ORDER: -2,500.00
ESTIMATED CONTRACT TOTAL AFTER CHANGE: 1,254,921.18

ORIGINAL

Approval Required: () Region () Olympia Service Center () Local Agency

| | | |
|--|--|------------------------------|
| <input type="checkbox"/> APPROVAL RECOMMENDED | <input checked="" type="checkbox"/> EXECUTED | EXECUTED: |
| Mark Sawyer, PE  | | |
| PROJECT ENGINEER | | STATE CONSTRUCTION ENGINEER |
| DATE <u>2/11/2016</u> | | DATE |
| <input type="checkbox"/> APPROVAL RECOMMENDED | <input type="checkbox"/> EXECUTED | OTHER APPROVAL WHEN REQUIRED |
| REGIONAL ADMIN: | | |
| BY: | | SIGNATURE DATE |
| DATE | | REPRESENTING |

CG02M4 (revised Feb 2005)
COLG 11565

CCIS / CAPS PP 2-10-16

**WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER**

DATE: 10/19/15
Page 2 of 3

CONTRACT NO: 008783

CHANGE ORDER NO: 1

All work, materials, and measurements to be in accordance with the provisions of the Standard Specifications and Special Provisions for the type of construction involved.

This contract is revised as follows:

DESCRIPTION OF THE WORK

This change order deletes Item 38 Type B Progress Schedule (Sheet SQ2).

This change order creates a lump sum item of payment which allows the Contractor to use a Type A Progress Schedule instead of the Type B Progress Schedule called for in the Plans.

MATERIALS REQUIREMENTS

There shall be no new materials requirements as a result of this change order.

GENERAL REQUIREMENTS

The general requirements for the new Bid Item "CO 1-Type A Sch. in lieu of Type B" shall conform to 1-08.3(2)A and 1-08.3(3) of the Standard Specifications.

MEASUREMENT

Measurement for the new lump sum item "CO 1-Type A Sch. in lieu of Type B" shall be in accordance with Section 1-09.9 of the Standard Specifications.

PAYMENT

Payment for the new lump sum item "CO 1-Type A Sch. in lieu of Type B" in the estimated amount of \$2,500.00 shall be full payment to allow the Contractor to use a Type A Schedule instead of a Type B Progress Schedule.

CONTRACT TIME

No working days are added to the Contract as a result of this change order.

CCIS PR 2-10-16

WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER

DATE: 10/19/15
Page 3 of 3

CONTRACT NO: 008783 CHANGE ORDER NO: 1

| ITEM NO | GROUP NO | STD ITEM | ITEM DESCRIPTION | UNIT MEASURE | UNIT PRICE | EST QTY CHANGE | EST AMT CHANGE |
|---------|----------|----------|--------------------------------------|--------------|------------|----------------|-----------------------------|
| 1028 | 05 | 1003 | TYPE 3 PORTLAND CEMENT | L.S. | 1,500.00 | 0.00 | -5,500.00 |
| 1027 | 05 | | C 1.1 CURE & SEAL. IN LIEU OF TYPE 3 | L.S. | 0.00 | 0.00 | 2,500.00 |
| | | | | | | | ----- -5,500.00 ----- |

48

CNS PR 2-10-16

Attachment B

Preconstruction Conference Meeting Minutes
 Contract 008783
 August 28, 2015
 Page 8

DISCUSS PROJECT CONSTRUCTION WITH CONTRACTOR

Mark opened up meeting for discussion and clarifications.

Type B Schedule

Dave said that when they did a software update for his office, all the software used to develop schedules was removed. He was questioning the need for a type B schedule. Mark said that due to the simplicity of the project, we could accept a type A schedule and provide a partial credit for the type B Bid Item listed in the Summary of Quantities. He said that he could provide a type A schedule next week which will include a critical path. Dave also discussed the challenge of meeting the specifications and filling in the SPCC plan template with such a simple project. Joe Collins told him to complete as much as what was applicable and to submit the package. Once the package is received, the review can be completed very quickly and a response provided. Dave was concerned over working days and felt that they were inadequate. He said that they would have to work on SR-203 and SR-518 simultaneously. He also asked if the traffic control hours for SR-526 could be adjusted. Mark Sawyer said that due to Boeing's varied shifts and traffic volumes, any adjustment will be difficult. He said that an assessment can be done the first shift and then a request for adjustment made from that information. Dave asked who was conducting site survey, which WSDOT will complete. Survey will include locating the ends of the existing guardrail and staking class "A" signs. Curtis (Duncan) brought up the issue of the plan HMA pavement grinding width of 5 1/2' where current standard for grinding widths are 4' and 7'. He asked for direction from Petersen Brothers who will review existing pavement conditions and modify as needed. He also discussed HMA quantities for paving, which is 240 tons of commercial HMA. Grinding and repaving is scheduled for the week-end of October 3-4, weather dependent.

Joe reviewed noise shield design and that Petersen Brothers needs to submit a plan for review. Dave said that by the very nature of the work, guardrail installation is noisy work, but will develop a plan prior to implementation.

Mark discussed the safety issue of working on bridges and ensuring Petersen Brothers knew the L & I requirements for personnel fall protection and site fall protection measures.

ADJOURN MEETING

The meeting adjourned at 2:30 PM.

Attachment C

Estimate of Change Order Work

| | |
|---|-------------------------------------|
| Contract: 8783 | Contractor: Peterson Brothers, Inc. |
| | Sub: by Sara Salmonsén |
| | Date: 1/26/2016 |
| Work: Using Type A Sch. in lieu of Type B | |

| MATERIALS and SERVICES | | | | |
|-------------------------------|------|-----|-------------|---------------|
| Description | UNIT | QTY | Rate | Total |
| Type B Schedule | | -1 | \$ 5,000.00 | \$ (5,000.00) |
| Type A Schedule | | 1 | \$ 2,500.00 | \$ 2,500.00 |
| | | | | |

Total \$ (2,500.00)



Memorandum

Date: February 1, 2016
Thru: *CA* Cathy Arnold MS NB82-240
To: Bob Dyer MS 47354
From: *MS* Mark Sawyer, P. E.
Phone: (425) 225-8799

RECEIVED

FEB 03 2016

Smoking Area

Contract No. 8783
SR 203 ET AL Northwest Region Basic
Safety - Guardrail
Fed. Aid No: STPF-9999(671)
Change Order 1
Type A Sch. in lieu of Type B

Enclosed for your review is Change Order 1 Type A Sch. in lieu of Type B.

DOT 700-00001
Revised 3/03

MS

COA Change Order

DEC 15 2015



**Washington State
Department of Transportation**

Change Record

| | | |
|---|--|--------------------------------------|
| Contract Number 008633 | Contract Title I-5, NE 117th St to SR 104 Pavement Repair and ITS | Federal Aid Number NHPP-0005(012) |
| Change Order Number 22 | Change Description COA DBE Adjustment 2 | Date Dec 8, 2015 |
| Region Northwest Region | Project Engineer David Lindberg, P.E. | Phone Number 425-225-8725 |
| Prime Contractor / Design-Build Granite Construction Company | | |

RECEIVED

DEC 10 2015

S...

Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications or the RFP

Change proposed by Contractor / Design-Build

Evolution & Description Of Change

Attached for review and further processing, is PE recommended Change Order No. 22, a Disadvantaged Business Enterprise (DBE) Condition of Award (COA) change order. This change order provides item substitutions for work that was to have been performed by terminated DBE COA subcontractor, Chandler Construction, Inc. The Contractor's DBE obligation as listed in the award letter of 6/27/14 and DBE utilization certification (and subsequent change orders) is revised in accordance with Page 3 of 3 of this change order.

This contract restores the cement concrete pavement on I-5 between NE 117th Street in Seattle and SR 104 in Shoreline. The work includes concrete spall repair, pavement grinding, concrete panel replacements and HMA ramp paving. Chandler Construction was subcontracted to perform crack sealing and various temporary erosion control items.

On April 8, 2015, Chandler Construction Inc. notified the prime contractor, Granite Construction Company, that they are closing their business and requested to be released from their contract obligations. On May 15, 2015, the prime contractor notified WSDOT and asked WSDOT for permission to terminate Chandler Construction Inc. At the time of the termination, there was significant work left to complete and opportunity to substitute work to additional DBE subcontractors. The prime contractor performed a good faith effort to find alternate DBE subcontractors, (1) Matia Contractors, Inc. and (2) Pavement Surface Control, to replace Chandler's DBE COA amount. WSDOT reviewed the proposal and approved the replacement of Chandler Construction Inc. by Matia Contractors, Inc. and Pavement Surface Control.



DOT Form 422-002
Revised 08/2015

| | | |
|--|--|---------------------------|
| Contract Number 008633 | Contract Title I-5, NE 117th St to SR 104 Pavement Repair and ITS | Change Order Number 22 |
| <p>Basis of Cost & Justification: This is a no-cost change order. The Condition of Award is adjusted by this change order.</p> | | |
| <p>Contract Time: It is mutually agreed that an extension of time will not be granted as a result of this change order and a written time impact analysis is not required.</p> | | |
| <p>Prior Approvals: Bob Dyer, Assistant State Construction Engineer, gave his approval on October 30, 2015. John Huff, Human Resource Consultant 4, gave his approval on October 30, 2015. Cathy Arnold, NWR Engineering Manager, gave her approval on October 22, 2015. Dave Lindberg, Project Engineer, gave verbal approval on October 22, 2015.</p> | | |
| <p>List Attachments: Change Order Checklist Cost Estimate Written Approval</p> | | |
| <p>Distribution: Copy of Change Record & Change Order w/Backup - Project Engineer Copy of ONLY Change Order - Prime Contractor / Design-Builder Copy of Change Record & Change Order w/Backup - Region Construction Office Electronic Copy & Original of Change Record & Change Order w/Backup - State Construction Office</p> | | |
| <p>DOT Form 422-002 Revised 08/2015</p> | | |

**WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER**

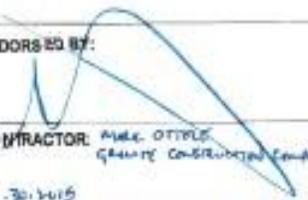
DATE: 11/12/15
Page 1 of 3

CONTRACT NO: 008633 FEDERAL AID NO: NEPP-0005(012)
 CONTRACT TITLE: I-5, NE 117TH ST TO SR 104 PAVEMENT REPAIR AND ITS
 CHANGE ORDER NO: 22 CCA ICE ADJUSTMENT 2

PRIME CONTRACTOR: 940519552 GRANITE CONSTRUCTION COMPANY
 1525 E MARINE VIEW DRIVE
 EVERETT WA 98201-1927

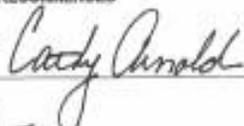
Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications

Change proposed by Contractor

| | |
|--|---|
| ENDORS BY:  CONTRACTOR: MIKE OTTELE GRANITE CONSTRUCTION COMPANY 11-30-2015 DATE | SURETY CONSENT: N/A ATTORNEY IN FACT _____ DATE |
|--|---|

ORIGINAL CONTRACT AMOUNT: 9,287,455.00
 CURRENT CONTRACT AMOUNT: 9,479,386.21
 ESTIMATED NET CHANGE THIS ORDER: 0.00
 ESTIMATED CONTRACT TOTAL AFTER CHANGE: 9,479,386.21

Approval Required: Region Olympia Service Center Local Agency

| | |
|--|---|
| <input checked="" type="checkbox"/> APPROVAL RECOMMENDED  PROJECT ENGINEER 12/8/2015 DATE | <input type="checkbox"/> EXECUTED EXECUTED:  STATE CONSTRUCTION ENGINEER Dec 21, 2015 DATE |
| <input type="checkbox"/> APPROVAL RECOMMENDED REGIONAL ADMIN:  BY: 12/14/15 DATE | <input type="checkbox"/> EXECUTED OTHER APPROVAL WHEN REQUIRED SIGNATURE _____ DATE _____ REPRESENTING _____ |

COO204 (revised Feb 2005)

**WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER**

DATE: 11/12/15
Page 2 of 3

CONTRACT NO: 009633

CHANGE ORDER NO: 22

All work, materials, and measurements to be in accordance with the provisions of the Standard Specifications and Special Provisions for the type of construction involved.

This contract is revised as follows:

DESCRIPTION

This change order provides item substitutions for work that was to have been performed by terminated DBE Condition of Award subcontractor, Chandler Construction, Inc.

The Contractor's DBE obligation as listed in the award letter of 6/27/14 and DBE utilization certification (and subsequent change orders) is revised in accordance with Page 3 of 3 of this change order.

TIME

This change does not affect contract time.

**WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER**

DATE: 11/12/15
Page 3 of 3

| CONTRACT NO: 008633 | | | | CHANGE ORDER NO: 22 | | |
|---------------------|----------|-----|--------------------|---------------------|-------------------------|-----------------------|
| CONTRACTOR NAME/ID | ITEM NO. | C/P | CURRENT COA AMOUNT | REVISED COA AMOUNT | CONTRACTED PROPOSAL AMT | NARRATIVE DESCRIPTION |

CHANDLER CONSTRUCTION, INC.

| | | | | | | |
|-----------|------|--|-----------|-----------|------------|-------------------------------------|
| 911334688 | 0822 | | 12,250.00 | 10,850.00 | 17,500.00 | 0 |
| | 0826 | | 66,070.00 | 9,740.26 | 100,000.00 | |
| | 0827 | | 3,040.00 | 2,800.00 | 3,040.00 | |
| | 0013 | | 5,750.00 | 0.00 | 5,750.00 | THE ACTUAL REVISED AMOUNT IS \$0.00 |
| | | | ----- | ----- | | |

Contractor Total

| | | | |
|--|-----------|-----------|--|
| | 87,110.00 | 23,470.27 | |
| | ----- | ----- | |

MATIA CONTRACTORS, INC.

| | | | | | | |
|-----------|------|--|-------|-----------|------------|--|
| 911340909 | 0827 | | 0.00 | 100.00 | 3,040.00 | |
| | 0822 | | 0.00 | 1,400.00 | 17,500.00 | |
| | 0025 | | 0.00 | 56,329.74 | 100,000.00 | |
| | | | ----- | ----- | | |

Contractor Total

| | | | |
|--|-------|-----------|--|
| | 0.00 | 57,829.74 | |
| | ----- | ----- | |

PAVEMENT SURFACE CONTROL

| | | | | | | |
|-----------|------|--|-------|----------|----------|--|
| 911553416 | 0013 | | 0.00 | 5,750.00 | 5,750.00 | |
| | | | ----- | ----- | | |

Contractor Total

| | | | |
|--|-------|----------|--|
| | 0.00 | 5,750.00 | |
| | ----- | ----- | |

Change Order Total

| | | | |
|--|-----------|-----------|--|
| | 87,110.00 | 87,110.01 | |
| | ----- | ----- | |



Washington State
Department of Transportation

Change Order Checklist

| | | |
|--|--|--|
| Cont. No. : <u>008633</u> | Cont. Title: <u>I-5, NE 117th St to SR 104 Pavement Repair and ITS</u> | If yes, State Construction Office Approval Required. |
| C.O. No.: <u>22</u> | C.O. Title: <u>COA DBE Adjustment 2</u> | |
| I. Executed by the State Construction Office | | |
| 1. Cost or credit equal to or exceeding \$500,000. *1, *3 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 2. Change in the contract documents beyond the scope, intent, or terms of the original contract. *2 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 3. Any proposed revision or deletion of work that affects the Conditions of Award requirements. (Must be coded "CO" in CCIS, includes changes to goal or commitment) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | X |
| 4. Change in contract time greater than 30 working days, or a change in contract time not related to any change order. *1 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| II. Executed by the Region (Per Delegation) | | |
| 5. Determination of impacts and/or overhead. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 6. Change to Contract Provisions or Standard Plans. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 7. Material or product substitution. (Excludes materials associated with Std. Specification Sections 1-07, 8-01, 8-02, 8-12, 8-18, 8-20) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 8. Structural design change in the roadway section. (Requires concurrence from designer) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 9. Determination of changed condition. (Section 1-04.7 of the Standard Specifications) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 10. Settlement of a claim. (Section 1-09.11(2) of the Standard Specifications) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 11. Repair of Damage regarding "acts of God" or "acts of the public enemy or of government authorities". (Section 1-07.13 of the Standard Specifications) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 12. Structural change to structures. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |

Approvals obtained: Project Engineer: Dave Lindberg, P.E. Date: 10/22/2015
 Region: Cathy Arnold, P.E. Date: 10/22/2015
 State Construction Office: Bob Dyer, P.E. Date: 10/30/2015
 Other (Local Agency, FHWA, Surety, etc.): _____ Date: _____

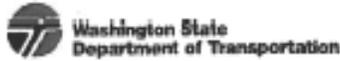
To be completed by the Project Engineer:
 CO reason(s) (See "2008 Codes and Definitions" on State Construction Office web page) AB-04, AP, CO
 Change Order Prepared by: Santa K. Tekleyes Date: 10/1/2015

Is this project under full FHWA stewardship oversight? *1 Yes No

To be completed by the Region:
 Is the change eligible for Federal participation where applicable? Yes No
 Change Order Reviewed by: Candy Master Date: 12/14/15

*1. Change (Cost or Credit) greater than \$200,000 or greater than 30 days on Full Federal Stewardship Oversight requires FHWA approval (See Construction Manual - Ch. 1.2.4C(3), Ch 1-3.4 and <http://www.wsdot.wa.gov/bio/construction/Stewardship/Stewardship.xls>)
 *2. Per RCW 47.28.050, any change beyond \$7,500 that is beyond the original scope shall go through the competitive bidding process.
 *3. Engineering error changes over \$500,000 require reporting (See reporting instructions and template on State Construction Office web page)

This form represents the minimum information required by the State Construction Office. If you wish to supplement this information, you may do so on a separate sheet of paper.
 DOT Form 422-003
 09/2015



NWR Change Order Checklist (October 1, 2015)

Cont. No. : 008633 Cont. Title: I-5, NE 117th St to SR 104 Pavement Repair and ITS
 C.O. No.: 22 C.O. Title: COA DBE Adjustment 2

| | | | | If yes, State Construction Office Approval Required. |
|---|------------------------------|--|--|--|
| III. Executed by the Region Engineering Manager | | | | |
| 13. Cost or credit equal to or exceeding \$100,000. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | | |
| 14. Change in contract time between 10 and 30 working days, or a change in contract time not related to any change order. | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | | |

Has design documentation been updated? Yes No

Checklist prepared by (Project Field Office): Santa K. Tekleyes Date: 11/10/2015

Change Order reviewed by (Project Field Office): Dave Lindberg, P.E. Date: 11/13/2015

| | | |
|---|---|-------------------------|
| Clearances: | | |
| Funding: | Name: <u>Curt Winningham</u> | Date: <u>N/A</u> |
| Is Sales Tax Included? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| Design/Technical Lead | Name: _____ | Date: _____ |
| Maintenance | Name: _____ | Date: _____ |
| Agreements? | Name: _____ | Date: _____ |
| Local Agency Coordination? | Name: _____ | Date: _____ |
| Other? <small>Equal Opportunity Office, Internal Civil Rights</small> | Name: <u>John Huff</u> | Date: <u>10/30/2015</u> |



CHANGE APPROVAL

of pages 6

| | | | |
|-----|---------------|-------|---------------------------|
| TR | Dave Lindberg | PRCM | Bob Dyer |
| CO | | | State Construction Office |
| CDP | Cathy Arnold | PHONE | (360) 705-6980 |

A change order is being proposed that, according to the Construction Manual change order checklist, requires approval by the State Construction Office.

DATE: October 30, 2015 CONTRACT: 8633

REQUESTED BY: Santa Tekleyes

Why is HQ Approval Needed?: (number from Checklist) 3

Discussion/Remarks:

Our office requests approval for Condition of Award substitutions to offset the underrun in the COA work by Chandler Construction in the amount of \$63,639.73. The underrun was caused by the approved termination of Chandler caused by their voluntary going out of business. The substitutions will be by Matia and Pavement Surface Control totaling \$63,639.73. The attached draft of the change order details the changes in the COA commitment.

- Executed by the State Construction Office
1. A cost or credit equal to or exceeding \$500,000.
 2. A change in the contract documents beyond the scope, intent, or termini of the original contract.
 3. Revision or deletion of work that affects the condition of award requirements.
 4. A change in contract time greater than 30 working days or a change in contract time unrelated to a change order.
- Approved by State Construction Office; Executed by Region
7. A determination of impacts and/or overhead.
 8. HQ generated specification.
 10. Material or product substitution.
 11. A structural design change in the roadway section (approval by HQ Materials Lab).
 12. A determination of changed condition under Section 1-04.7.
 13. Settlement of a claim submitted under Section 1-08.11(2).
 14. Repair of damage qualifying under Section 1-07.13 of the Standard Specs regarding "acts of God" or "acts of the public enemy or of government authorities."
 15. Structural change to a structure.

Approved by: Bob Dyer

FHWA Approval by: N/A

NOTE: Change greater than \$200,000 on Federal Stewardship requires FHWA approval.

For checklist items 5 through 15 this approval does not constitute authority to proceed with the work. That authority must be obtained from the person who will execute the change order.

**WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER**

DATE: 10/21/15
Page 1 of 3

CONTRACT NO: 008633 FEDERAL AID NO: NHPP-0005(012)
CONTRACT TITLE: I-5, NE 117TH ST TO SR 104 PAVEMENT REPAIR AND ITS
CHANGE ORDER NO: 22 COA DBE ADJUSTMENT 2

PRIME CONTRACTOR: 940519552 GRANITE CONSTRUCTION COMPANY
1525 E MARINE VIEW DRIVE
EVERETT WA 98201-1927

Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications

Change proposed by Contractor

| | |
|--|---|
| ENDORSED BY: _____ CONTRACTOR: _____ DATE: _____ | SURETY CONSENT: _____ ATTORNEY IN FACT: _____ DATE: _____ |
|--|---|

ORIGINAL CONTRACT AMOUNT: 9,287,455.00
CURRENT CONTRACT AMOUNT: 9,344,974.38
ESTIMATED NET CHANGE THIS ORDER: 0.00
ESTIMATED CONTRACT TOTAL AFTER CHANGE: 9,344,974.38

Approval Required: Region Olympia Service Center Local Agency

| | | |
|--|---|---|
| <input type="checkbox"/> APPROVAL RECOMMENDED _____ PROJECT ENGINEER: _____ DATE: _____ | <input type="checkbox"/> EXECUTED _____ STATE CONSTRUCTION ENGINEER: _____ DATE: _____ | EXECUTED: _____ _____ _____ _____ |
| <input type="checkbox"/> APPROVAL RECOMMENDED REGIONAL ADMN: BY: _____ _____ DATE: _____ | <input type="checkbox"/> EXECUTED OTHER APPROVAL WHEN REQUIRED: SIGNATURE _____ DATE _____ _____ REPRESENTING _____ | |

CG2H04 (revised Feb 2005)

WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER

DATE: 10/21/15
Page 2 of 3

CONTRACT NO: 008633

CHANGE ORDER NO: 22

All work, materials, and measurements to be in accordance with the provisions of the Standard Specifications and Special Provisions for the type of construction involved.

This contract is revised as follows:

DESCRIPTION

This change order provides item substitutions for work that was performed by terminated DBE Condition of Award subcontractor. This change order modifies the DBE Condition of Award as shown on pages 3 of 3 this change order.

TIME

This change does not affect contract time.

**WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER**

DATE: 10/21/15
Page 3 of 3

| CONTRACT NO: 008633 | | | | CHANGE ORDER NO: 22 | | |
|---------------------|----------|-----|--------------------|---------------------|-------------------------|-----------------------|
| CONTRACTOR NAME/ID | ITEM NO. | C/P | CURRENT COA AMOUNT | REVISED COA AMOUNT | CONTRACTED PROPOSAL AMT | NARRATIVE DESCRIPTION |

| | | | | | | |
|-----------------------------|------|--|-----------|-----------|------------|-------------------------------------|
| CHAMBLER CONSTRUCTION, INC. | | | | | | |
| 91136685 | 8020 | | 12,250.00 | 10,000.00 | 17,500.00 | * |
| | 8025 | | 66,070.00 | 9,740.26 | 100,000.00 | |
| | 8027 | | 3,040.00 | 2,000.00 | 3,040.00 | |
| | 8013 | | 9,790.00 | 0.01 | 9,790.00 | THE ACTUAL REVISED AMOUNT IS \$0.00 |

Contractor Total
87,110.00 21,470.27

| | | | | | | |
|-------------------------|------|--|------|-----------|------------|--|
| NATIA CONTRACTORS, INC. | | | | | | |
| 91168909 | 8027 | | 0.00 | 100.00 | 3,940.00 | |
| | 8022 | | 0.00 | 1,400.00 | 17,500.00 | |
| | 8025 | | 0.00 | 44,320.74 | 100,000.00 | |

Contractor Total
0.00 57,889.74

| | | | | | | |
|---------------------------|------|--|------|----------|----------|--|
| EQUIPMENT SURFACE CONTROL | | | | | | |
| 911553616 | 0013 | | 0.00 | 5,750.00 | 5,750.00 | |

Contractor Total
0.00 5,750.00

Change Order Total
87,110.00 87,110.01

Dyer, Bob

From: Huff, John
Sent: Friday, October 30, 2015 8:14 AM
To: Dyer, Bob
Subject: RE: Request for your approval for CO#22 C8633

OEO concurs

From: Dyer, Bob
Sent: Friday, October 30, 2015 7:44 AM
To: Huff, John
Subject: FW: Request for your approval for CO#22 C8633

John – the answer below is what I expected it to be. Are you ok with concurrence?

Bob Dyer
Asst State Constr Engr
360-705-6980

From: Tekleyes, Santa K.
Sent: Thursday, October 29, 2015 12:51 PM
To: Dyer, Bob
Cc: Huff, John; Lindberg, Dave; Sarpy, Linda
Subject: RE: Request for your approval for CO#22 C8633

Hi Bob,

I just put that statement there as place holder. That is why I just had the XX for the date. I understand you have not issued the approval for this change order yet. I am waiting to get all the approvals in order to proceed with the change order.

Thank you.

Santa K Tekleyes
Washington State Department of Transportation
Construction field office
9025 El Capitan Way
Everett, WA 98208
Phone: 425-225-8767

From: Dyer, Bob
Sent: Thursday, October 29, 2015 11:49 AM
To: Tekleyes, Santa K.
Cc: Huff, John; Lindberg, Dave
Subject: FW: Request for your approval for CO#22 C8633

Santa - Why does the memo say that approval was given by Dyer, Arnold, and Lindberg on June XX, 2015, when I have not yet given approval?

Bob Dyer
Asst State Constr Engr

1

360-705-6980

From: Tekleyes, Santa K.
Sent: Wednesday, October 28, 2015 10:12 AM
To: Dyer, Bob
Cc: Sarpy, Linda; Arnold, Cathy
Subject: PW: Request for your approval for CO#22 C8633

Hi Bob,

Our office would like to get your concurrence for CO#22 C8633.

Thank you

Santa K Tekleyes
Washington State Department of Transportation
Construction field office
9025 El Capitan Way
Everett, WA 98208
Phone: 425-225-8787

From: Tekleyes, Santa K.
Sent: Thursday, October 22, 2015 11:21 AM
To: Dyer, Bob
Cc: Sarpy, Linda
Subject: Request for your approval for CO#22 C8633

Hi Bob,

Our office requests State Construction Office's approval for change order No. 22 for contract 8633. May we have your concurrence?

This change order provides item substitutions for work that was performed by terminated DBE Condition of Award subcontractor. This change order modifies the DBE Condition of Award as shown on pages 3 of 3 this change order.

It is mutually agreed that an extension of time will not be granted as a result of this change order and a written time impact analysis is not required.

This a no cost this change order.

Thank you

Santa K Tekleyes
Washington State Department of Transportation
Construction field office
9025 El Capitan Way
Everett, WA 98208
Phone: 425-225-8787

Tekleyes, Santa K.

From: Arnold, Cathy
Sent: Thursday, October 22, 2015 11:32 AM
To: Tekleyes, Santa K.
Cc: Sarpy, Linda
Subject: RE: Request for concurrence for CO#22 C8633

You have my approval

From: Tekleyes, Santa K.
Sent: Thursday, October 22, 2015 11:24 AM
To: Arnold, Cathy
Cc: Sarpy, Linda
Subject: Request for concurrence for CO#22 C8633

Hi Cathy,

Our office requests your approval for change order No. 22 for contract 8633. May we have your concurrence?

This change order provides item substitutions for work that was performed by terminated DBE Condition of Award subcontractor. This change order modifies the DBE Condition of Award as shown on pages 3 of 3 this change order.

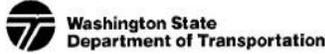
It is mutually agreed that an extension of time will not be granted as a result of this change order and a written time impact analysis is not required.

This a no cost this change order.

Thank you.

*Santa K Tekleyes
Washington State Department of Transportation
Construction field office
9025 El Capitan Way
Everett, WA 98208
Phone: 425-225-8767*

Lump Sum Modification



Memorandum

December 13, 2010

TO: Mike Frucci / Glenn Wagemann

FROM: Chad Simonson / Michelle Plaggerman

SUBJECT: Contract 7897, Idaho State Line to Colton - Paving
Fed. Aid No: ARRA-NHG-0195(045)

Change Order Transmittal, Change Order No. 12

- Requested Action:
- For Review Only
 - For Review and Execution
 - For Review and OSC Execution

Approval Date: 7/06/10
 Approval By: Chad Simonson
 Work Performed: N/A

Description of Change:

This Change Order deletes Item 19 – Diamond Grinding and Item 70 – Trimming and Cleanup from the contract.

Evolution of the Change:

Diamond Grinding was called out in the plans to flatten crosswalk slopes at several locations. As work was to begin in those areas it was determined the grinding was not needed. Shortly before project physical completion, it was determined that Trimming & Cleanup was not needed.

Entitlement:

As both of these items under-ran by 100% the Contractor is entitled to an equitable adjustment per Section 1-04.6. We offered the Contractor 12% of 75% of the items for extended office overhead.

Unilateral acceptance:

In the interest of saving time, the Contractor agreed to unilateral acceptance of this change order.

Price:

The equitable adjustment for the Diamond Grinding was paid on Change Order #9 in the amount of \$853.20. The equitable adjustment for the Trimming and Cleanup is included on this change order. The amount is \$132.87. With the deletion of the two items the total amount of this change order is a credit to the contract in the amount of \$15,563.51.

Contract Time:

Neither of these items is on the critical path so contract time is not affected.

CFS:mrp

EVER
CAPS
[Signature]

**WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER**

DATE: 12/13/10
Page 1 of 3

CONTRACT NO: 007897 FEDERAL AID NO: ARRA-0195 (045)
 CONTRACT TITLE: US 195, IDAHO STATE LINE TO COLTON - PAVING
 CHANGE ORDER NO: 12 DELETE ITEMS 19 & 70

PRIME CONTRACTOR: 820263719 POE ASPHALT PAVING, INC.
 2732 N BECK RD
 POST FALLS ID 83854-4567

- Ordered by Engineer under the terms of Section 1-04.4 of the Standard Specifications
 Change proposed by Contractor

| | |
|--------------|------------------|
| ENDORSED BY: | SURETY CONSENT: |
| CONTRACTOR | ATTORNEY IN FACT |
| DATE | DATE |

ORIGINAL CONTRACT AMOUNT: 2,014,005.15
 CURRENT CONTRACT AMOUNT: 2,174,217.07
 ESTIMATED NET CHANGE THIS ORDER: -15,563.51
 ESTIMATED CONTRACT TOTAL AFTER CHANGE: 2,158,653.56
 Approval Required: Region Olympia Service Center Local Agency

Items entered into CAPS on 12/21/2010 by Rick Jordan

| | | |
|---|---|------------------------------|
| <input type="checkbox"/> APPROVAL RECOMMENDED | <input checked="" type="checkbox"/> EXECUTED | EXECUTED: |
|  |  | STATE CONSTRUCTION ENGINEER |
| PROJECT ENGINEER | | DATE |
| 12/13/10 | | |
| <input type="checkbox"/> APPROVAL RECOMMENDED | <input type="checkbox"/> EXECUTED | OTHER APPROVAL WHEN REQUIRED |
| REGIONAL ADMIN: | | SIGNATURE |
| BY: | | DATE |
| DATE | | REPRESENTING |

CG02v04 (revised Feb 2005)

WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER

DATE: 12/13/10
Page 2 of 3

CONTRACT NO: 007897

CHANGE ORDER NO: 12

All work, materials, and measurements to be in accordance with the provisions of the Standard Specifications and Special Provisions for the type of construction involved.

This contract is revised as follows:

GENERAL REQUIREMENTS

Section 1-04.4 Scope of Work

Description

The following Items of work are not needed and are deleted from the contract:

- Item 19 - Diamond Grinding
- Item 70 - Trimming & Cleanup

Per Section 1-04.6 the Contractor shall be provided an equitable adjustment for variation in estimated quantities for Item 70 - Trimming and Cleanup. (An equitable adjustment for Diamond Grinding was provided for on Change Order #9.)

Payment

The calculated amount of \$132.87 shall be the equitable adjustment for the variation in estimated quantities for Bid Item 70 - Trimming & Cleanup.

Contract time is not affected by this Change Order.

**WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
CHANGE ORDER**

DATE: 12/13/10
Page 3 of 3

CONTRACT NO: 007897 CHANGE ORDER NO: 12

| ITEM NO | GROUP NO | STD ITEM | ITEM DESCRIPTION | UNIT MEASURE | UNIT PRICE | EST QTY CHANGE | EST AMT CHANGE |
|---------|----------|----------|-------------------------------------|--------------|------------|----------------|----------------|
| 0019 | 03 | | DIAMOND GRINDING | S.Y. | 100.00 | -71.10 | -7,110.00 |
| 0019 | 04 | | DIAMOND GRINDING | S.Y. | 100.00 | -71.10 | -7,110.00 |
| 0070 | 01 | 7490 | TRIMMING AND CLEANUP | L.S. | 1,476.38 | -738.19 | -738.19 |
| 0070 | 02 | 7490 | TRIMMING AND CLEANUP | L.S. | 1,476.38 | -73.82 | -73.82 |
| 0070 | 03 | 7490 | TRIMMING AND CLEANUP | L.S. | 1,476.38 | -442.91 | -442.91 |
| 0070 | 04 | 7490 | TRIMMING AND CLEANUP | L.S. | 1,476.38 | -221.46 | -221.46 |
| 1012 | 01 | | CO #12 - TRIMMING & CLEAN UP - E.A. | L.S. | 132.87 | 132.87 | 132.87 |

-15,563.51
=====

Plaggerman, Michelle

From: Qualley, Jody
Sent: Wednesday, July 21, 2010 9:03 AM
To: Plaggerman, Michelle
Subject: FW: 7897-diamond grinding

From: Simonson, Chad
Sent: Wednesday, July 21, 2010 8:54 AM
To: Qualley, Jody
Subject: RE: 7897-diamond grinding

Either now.

We should have done it by CO while working so it would provide the best documentation. Now we will just have to document it. It will require a note or something from the contractor stating that they do not expect anything for the deletion of work (they have overhead spread over all the items and deletion of one raises their costs).

From: Qualley, Jody
Sent: Monday, July 19, 2010 9:02 AM
To: Simonson, Chad
Subject: 7897-diamond grinding

Chad,
Since we did not do this item of work on this project do we need to do a change order or can it be handled when explaining in the overrun/underrun report?

Let me know which way you prefer.

Thanks.

Jody Qualley

CHANGE ORDER-CHECKLIST

| | | |
|--|---|--|
| Cont. #: 7897 Cont. Title: Idaho State Line to Colton | | If yes, State Construction Office Approval Required. |
| C.O. #: 12 C.O. Title: Delete Items 19 & 70 | | |
| I. Executed by the State Construction Office | | |
| 1. Cost or credit equal to or exceeding \$500,000.*1 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 2. Change in the contract documents beyond the scope, intent or termini of the original contract.*2 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 3. Any proposed revision or deletion of work that affects the condition of award requirements. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| II. Executed by the Region | | |
| 4. Cost or credit greater than \$100,000 but less than \$500,000. *1 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| 5. Change in contract time greater than 10 and less than or equal to 30 working days, must be related to changes implemented by change order. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| 6. Change in contract time greater than 30 working days. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| III. Executed by the Project Engineer | | |
| 7. Determination of impacts and/or overhead. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 8. Specification change involving Headquarters generated specification. (Includes Region generated specification requiring State Construction Office Approval) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 9. Specification change involving Region generated specifications. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| 10. Material or product substitution. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 11. Structural design change in the roadway section. (Requires State Materials Lab approval) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| 12. Determination of changed condition. (Section 1-04.7 of the Standard Specifications) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 13. Settlement of a claim. (Section 1-09.11(2) of the Standard Specifications) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 14. Repair of damage regarding "acts of God" or "acts of the public enemy or of government authorities". (Section 1-07.13 of the Standard Specification) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |
| 15. Structural change to structures. (See BTA authority as shown in the Construction Manual) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | X |

Approvals obtained: Project Engineer (Required): Chad Simonson Date: 7/6/2010
 Region (Required if yes marked): _____ Date: _____
 State Construction Office: _____ Date: _____
 State Materials Lab: _____ Date: _____
 Other (Local Agency, FHWA, Surety, etc.): _____ Date: _____

To be completed by the Project Engineer :
 CO Reason(s) (See CCIS "Browse Reasons" or "HQ Construction SharePoint"): AB_01_UC_DW
 Change Order Prepared By: Michelle Plaggerman Date: 12/07/2010
 Has change been entered as lesson learned? Yes No Has design documentation been updated? Yes No
 Is this project under full FHWA stewardship oversight? *1 Yes No

To be completed by the Region :
 Is the change eligible for Federal participation where applicable? Yes No
 Change Order Reviewed by: RICK JORDAN Date: 12/14/10

*1 Change (Cost or Credit) greater than \$200,000 or greater than 30 days on Full Federal Stewardship Oversight projects requires FHWA approval. (see Construction Manual - Chapter 1-2.4C(3), Chapter 1-3.4, and http://www.wsdot.wa.gov/biz/construction/Stewardship/Stewardship.xls)
 *2 Per RCW 47.28.050, any change beyond \$7,500 that is beyond the original scope shall go through the competitive bidding process.
 This form represents the minimum information required by the State Construction Office. If you wish to supplement this information, you may do so on a separate sheet of paper.

| HWY-RAKC300L-CO | | STATE OF WASHINGTON DEPARTMENT OF TRANSPORTATION CONTRACT CHANGE ORDER REPORT | | | DATE: 12/21/10 TIME: 13:49:58 PAGE: 1 | |
|--|-------|---|-----------------|---------------|---|---------------|
| CONTRACT 007897 | | DISTRICT 6 | | | | |
| CHANGE ORDER NUMBER 012 | | TYPE OF CHANGE ORDER | | CONSTRUCTION | | |
| | | DATED 12-21-2010 | | TIME 13:43:56 | | |
| ITEM | GROUP | SID ITEM | UNIT OF MEAS | UNIT PRICE | QUANTITY CHANGE | AMOUNT CHANGE |
| 019 | 03 | | S.Y. | \$100.0000 | 71.10- | \$7,110.00- |
| 019 | 04 | | S.Y. | \$100.0000 | 71.10- | \$7,110.00- |
| DESC.: DIAMOND GRINDING | | | | | | |
| 070 | 01 | 7490 | L.S. | \$.0000 | .00 | \$738.19- |
| 070 | 02 | 7490 | L.S. | \$.0000 | .00 | \$73.82- |
| 070 | 03 | 7490 | L.S. | \$.0000 | .00 | \$442.91- |
| 070 | 04 | 7490 | L.S. | \$.0000 | .00 | \$221.46- |
| DESC.: TRIMMING AND CLEANUP | | | | | | |
| 088 | 01 | | L.S. | \$132.8700 | .00 | \$132.87 |
| CCIS TEMP ITEM NUMBER: | | 1012 | | | | |
| DESC.: CO #12 - TRIMMING AND CLEANUP -EA | | | | | | |
| | | | | | TOTAL NET CHANGE | \$15,563.51- |
| REPORT STATUS: COMPLETE | | | | | | |

APPENDIX F - Basic Change Order Flow Chart

