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| **~~~~ SPECIFIER NOTES ~~~~~**  This specification guidelines, its sections, and text included, is intended to be used in the preparation of Contract Documents. It contains Specifier Notes which shall guide editing by the A/E consultant for the uniqueness of each project during the preparation of the Project Manual. Where **[Optional]** appears in this document, it indicates requirements which may/may not be relevant to the subject project depending upon the project complexity, scope, and unique conditions. For **DRAFT** specifications prepared during the design process, use Microsoft Word, Track Changes. Set Criteria so that deletion show as strikethrough. Deletions and additions are to be in red text.  Notes unique to this section:  *1. Job Order Contracts-use Work Order Modification form*  *2.*  **~~~ END OF SPECIFIER NOTES ~~~~** |

SECTION 01 2050 - CONTRACT MODIFICATION PROCEDURES

PART 1 GENERAL

1.01 SECTION INCLUDES

A. Documentation and procedures for changes in Contract Sum and Contract Time

B. Documentation and procedures for changes in Contract Time due to Schedule Delay

C. Change procedures

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| **~~~~ SPECIFIER NOTES ~~~~~**  *Include a reference for* ***[Optional]*** *sections 00 7400 Special Conditions if the project has additional documentation requirements for Contract Time or Contract Sum. Modify this section as appropriate.*  **~~~ END OF SPECIFIER NOTES ~~~~** |

1.02 RELATED REQUIREMENTS

A. Drawings and general provisions of the Contract, including the General Conditions for Washington State Facilities Construction and other Division 01 specification sections, apply to this section.

B. Washington State Department of Enterprise Services, Forms and Reference Documents may be obtained at <https://des.wa.gov/services/facilities-leasing/public-works-design-construction/formsreference-documents> including forms:

1. Contract Change Order Proposal (COP) form

2. Construction Field Authorization (FA) form

3. Request for Equitable Adjustment in Contract Time - Schedule Delay Supplemental Information - Required from Contractors. Per GC 3.02E, the contractor will submit a written letter to the Owner including the details of the delays. If approved, a change order must be submitted.

4. JOC Work Order Modification form

C. Section 01 2000 - Price and Payment Procedures: Obtaining payment on approved changes to Contract Sum.

D. Section 01 2200 - Unit Prices: Contract Sum adjustments due to application of Unit Prices in execution of the Work.

E. Section 01 3000 - Administrative Requirements: Submittal procedures for requesting modifications for Contract Sum or Contract Time.

F. Section 01 3216 - Construction Progress Schedule. Updating required as part of any changes to Contract Time.

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| **~~~~ SPECIFIER NOTES ~~~~~**  *It is the preference of DES to use Change Order Proposals rather than Field Authorizations. However, careful consideration needs to be given to the timeline for the COP process. In general, assume 2 weeks for Contractor Pricing, 1 week for pricing review/adjustment, and 2 weeks for DES to issue the Change Order. If this 5-week process will impact the timely execution of the work, the Field Authorization process should be utilized.*  **~~~ END OF SPECIFIER NOTES ~~~~** |

1.03 CHANGE PROCEDURES FOR CONTRACT SUM OR CONTRACT TIME

A. For changes not involving an adjustment to the Contract Sum or Contract Time, Architect will issue written instructions directly to Contractor.

B. Contractor may propose a change to Contract Sum or Contract Time by submitting a written request to the Architect, describing the proposed change and its full effect on the work, with a statement describing the reason for the change, and the effect on the Contract Sum and Contract Time with full documentation.

C. Contractor may propose a change to Contract Time due to Schedule Delay per General Conditions 3.02E by submitting a letter to the Owner, and following the documentation required by the following:

1. Request for Equitable Adjustment in Contract Time - Schedule Delay Supplemental Information - Required by Contractors.

D. For changes to Contract Sum or Contract Time, Architect will issue one of the following:

1. Change Order Proposal (COP): When the timely progression of the work permits, or when advance pricing is desired, Architect will issue a COP document.

a. The COP document will include a detailed description of a proposed change with supplementary or revised drawings and specifications.

b. Contractor shall prepare and submit a fixed price quotation and any changes to Contract Time within the 14 days of the request or within such other period as mutually agreed.

c. Contractor may not execute the change in the work until the COP has been approved and issued as a Change Order.

2. Field Authorization (FA): When the timely progression of the work will not permit the use of a Change Order Proposal, Architect will issue a Field Authorization document signed by Owner instructing Contractor to proceed with the change, for subsequent inclusion in a Change Order.

a. The document will describe the required changes and will designate the method of determining any change in the Contract Sum or Contract Time.

b. The document will indicate an anticipated Not To Exceed (NTE) amount. The NTE will be negotiated between the Architect and Contractor upon issuance of the FA. If at any time, the Contractor believes the NTE will be exceeded, provide written notice to A/E for revision of the FA.

c. The document will indicate the method of cost measurement to be used in final pricing.

d. Contractor shall execute the change in the work in a timely manner and submit pricing.

E. For any FA or COP including a change to Contract Time, the Contractor shall provide the following:

1. Written explanation of the event causing the necessity to change the Contract Time. Number of days must be indicated on the FA/COP form.

2. A current project schedule depicting work before the change.

3. A project schedule depicting the revised work with impacts to the critical path clearly identified.

F. Computation of Changes in Contract Sum, for Contractors and Subcontractors, and the required documentation to support the change: As specified in the General Conditions, Part 7.

G. Execution of Change Orders: Owner will issue Change Orders for all approved Field Authorizations and Change Order Proposals as provided in the General Conditions.

1. For any FA/COP wherein Contractor and Owner cannot reach mutual agreement on changes to the Contract Time or Contract Sum, the Owner shall prepare, within 30 days, a Change Order for the undisputed amounts. Both parties shall continue negotiations on the disputed amount until resolved. All unresolved issues shall be executed per General Conditions Part 8 – Claims and Dispute Resolution.

H. After execution of Change Order, promptly revise Application for Payment forms to record each authorized Change Order as a separate line item and adjust the Contract Sum.

I. Promptly revise project schedules to reflect any change in Contract Time, revise sub-schedules to adjust times for other items of work affected by the change, and resubmit.

J. Promptly enter changes in Project Record Documents.

PART 2 PRODUCTS - NOT USED

PART 3 EXECUTION - NOT USED

END OF SECTION 01 2050 - CONTRACT MODIFICATION PROCEDURES