

## INTRADEPARTMENTAL CORRESPONDENCE

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## ENGINEERING DIRECTIVES AND STANDARDS

Volume	Chapter	Section	Directive Number	Effective Date
III	1	1	1	10/4/2024

**SUBJECT: PROCEDURES FOR CHANGING CONTRACT PLANS AND SPECIFICATIONS FOR CONSTRUCTION WORK PERFORMED BY CONTRACT ON DESIGN BID BUILD (DBB) AND CONSTRUCTION MANAGEMENT AT RISK (CMAR)**

- 1. PURPOSE:** The purpose of this directive is to establish a uniform policy for revisions in contract plans and specifications or change orders.
- 2. SCOPE:** The directive covers all construction and contract maintenance projects utilizing standard specifications, with the exception of Design Build (DB), Progressive Design Build (PDB) and Public Private Partnership (P3) Projects. This directive does not apply to projects for Maintenance of Airports operations.

**3. CHANGE ORDER CLASSIFICATION:**

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

FHWA approval of change orders is required on projects identified by FHWA as a Project of Division Interest or Project of Corporate Interest (PoDI or PoCI). FHWA approval is also required on any change order requesting the waiver of the Buy America provision. FHWA approval of change orders on all other projects is delegated to the DOTD per FHWA/LADOTD Stewardship agreement.

**CHANGE ORDER CATEGORIES:**

**CATEGORY 1 is defined as**

- Establishes a new funding source and/or adds any non-participating items
- Changes in amount of contract +/- 25% of original project cost or over \$250,000
- Added Days over 30
- Or as specified in the Change Order Category Worksheet

**CATEGORY 2 is defined as:**

- Changes in amount of contract up to \$250,000
- Added Days up to 30
- Or as specified in the Change Order Category Worksheet

**CATEGORY 3 is defined as:**

- Changes in amount of contract up to \$50,000
- Or as specified in the Change Order Category Worksheet

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

#### **4. REQUEST FOR CHANGE ORDER (RFCO)**

A RFCO shall be submitted for all Change Orders or changes to the contract plans and specifications by the contractor on the latest approved LADOTD RFCO form posted on the DOTD Internet and Intranet.

The Project Engineer will use the information on the RFCO to draft the Change Order. If work needs to start or needs to be authorized before the Change Order is approved, the RFCO must first receive approval from the same authority level as the proposed Change Order category. The Change Order must be fully approved before the work is completed.

RFCO Forms (Use the appropriate form pursuant to the contract type.)

- RFCO CMAR
- RFCO DBB

#### **5. CHANGE ORDER APPROVAL PROCEDURE:**

All Change Orders or changes to the contract plans and specifications on CMAR projects will be categorized as a Category 1. On projects requiring FHWA approvals, the Project Engineer will discuss the proposed change order with the appropriate FHWA representative and note this in the change order. The discussion does not necessarily constitute FHWA approval unless it has been specifically requested.

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

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

Category 1 (CMAR): Change Orders. The approval authority for major change orders is retained by the DOTD Secretary or Authorized Representative. The following personnel will be represented on the Change Order:

Project Engineer (with concurrence from the Project Manager), Contractor, District Administrator or Authorized Representative, DOTD HQ Area Engineer, DOTD Chief Construction and Materials Engineer or Authorized Representative, Secretary or Authorized Representative.

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

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

- C. Category 3(DBB): Change Orders. The approval authority for Category 3 Minor

Change Orders is delegated to the DOTD District Administrator, who may further delegate to the District Area Engineer and/or the Project Engineer. The following personnel will be represented on the Change Order:

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

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

**6. NEW UNIT PRICE:**

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

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

**7. OTHER ISSUANCES AFFECTED:** All other directives, memoranda, or instructions issued heretofore in conflict with this directive are hereby rescinded.

**8. EFFECTIVE DATE:** This directive will be effective immediately upon receipt.

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