

NDOR / LPA TRAINING

FEBRUARY 2012

CHANGE ORDERS

SUBMITTAL AND APPROVAL PROCESS

LPA needs to generate and submit
PROMPTLY

TYPES OF CHANGE ORDERS

Supplemental Agreements

Time Extensions

Contingency

Only “Supplemental Agreements” need the contractor’s signature.

REQUIRED SIGNATURES ???

Use the handout as a guide.

	Change Order / Supplemental Agreement LPA Project --- NOT FULL FHWA Oversight			Change Order / Supplemental Agreement LPA Project --- FULL FHWA Oversight
	All Values ****			All Values ****
1	Project Manager (CE for the LPA) *****		1	Project Manager (CE for the LPA) *****
2	RC (Responsible Charge for the LPA) *****		2	RC (Responsible Charge for the LPA) *****
3	SR (State Representative)		3	SR (State Representative)
4	District (DE, DCE or designee) ****		4	District (DE, DCE, or designee) ****
5	Contractor		5	FHWA
			6	Contractor
**** For values greater than \$100K, the Construction Engineer (Lincoln) should be consulted before Signature 4 is applied.				
Change orders / supplemental agreements for LPA projects may utilize the time extension function without adding the Construction Engineer as a signature level. The Construction Office will review and initial the time extension information on the document.				
***** In the event the CE agreement is not in place, the RC may initiate the change order.				

“Numbered” individuals should be included for wet signatures and electronic signatures.

And in the order shown.

Electronic Signatures should be made personally by those with access to SiteManager.

“Cindy Wimmer” should be selected to provide the electronic signature for the FHWA and the Contractor.

The Contractor always signs last.

FUNDING

Change Orders should be reviewed for proper funding. Make sure that Federal-aid funds are not being used to pay for “non-participating” items.

4018	0061	P	6406.00	LF	\$143.3571	0.000	0.000	14.000	This Change:	\$2,007.00
Item Description	Suppl Description	CO Item Description							Prev Revised:	\$0.00
PEDESTRIAN HANDRAIL									New Revised:	\$2,007.00
									Bid Amount:	\$0.00
									Revised Total:	\$2,007.00
									Pct Change:	0.0%

4019	0063	NP	6961.25	LF	\$8.24591	0.000	0.000	1,540.000	This Change:	\$12,698.70
Item Description	Suppl Description	CO Item Description							Prev Revised:	\$0.00
STORED MATERIAL	12" Pipe Pile Delivered Not Incorporated								New Revised:	\$12,698.70
									Bid Amount:	\$0.00
									Revised Total:	\$12,698.70
									Pct Change:	0.0%

**POTENTIAL FOR
DESIGN ERROR OR OMISSION**

Change Order Description: Additional work and Pedestrian Handrail

COISA #: _____ Potential for Design Error/Omission: No

Vendor: 2860 COMMERCIAL CONSTRUCTION, INC.

Primary Project Information: 61283 STPAA-5806(5)

Primary Project Location: BUFFALO BILL AVENUE EXTENSION

Contract Desc: GR,BR,CULV

This determination became required as part of the Department's negotiations with the FHWA that once again allowed a single consultant to do both the preliminary engineering and the construction engineering.

While the indication on the document is not a final determination that a design error or omission has or has not occurred, it is important that you not approve and forward on a change order when you do not agree with the determination.

It is better to error on the side of "yes" if the determination is not clear-cut.

The NDOR State Representatives should be reviewing the change orders to make sure the determination is reasonable.

The NDOR State Representatives should be reviewing the change orders to make sure ALL OF THE BASICS about the change order are correct.

Type?

Funding?

Signatures?

Design Error Determination?

And.....

The next level of approval at the district level has an obligation to make the same review of the change orders.

Two sets of NDOR eyes should be studying the change orders before signing them and forwarding them to the Construction Office.

Additional guidance?

Use the second handout as a guide.

Change Order Checklist Summary

PROGRESS ESTIMATES

REVIEW AND APPROVAL

- Make sure estimates are prepared regularly.
- Make sure estimates are consistent with work performed.
- Make sure that items added by change order are placed on the estimates.

LPA

Construction Project Training

Topics

Recordkeeping

Contract Closeout

Final Review

LPA Contracts Recordkeeping

Final Recordkeeping

- LPA – CEs have done well
 - Good Diaries and Item Documentation
 - Good Use of FCAC Spreadsheets and Workbooks
- Field Books
 - Prefer hard bound books to spiral bound books

LPA Contracts Recordkeeping

Time Reviews

Even when Time Extension Documents (CO/SA) provide enough days to eliminate the overrun of the Contract Time Allowance, the LPA-RC should create a brief summary of time allowed, time used and itemize extension(s) for submittal with the Final Records. The Final Review Section will submit this with the final time review documentation to the FHWA.

LPA Contracts Recordkeeping

Time Review Summary Example

BRO-7055(22) – Vesta Southeast **Contract ID. 1234X**
Bob's Bridge Building Bunch **Groups 1, 6, 7 & 10**
50 WDs Allowed **Overran 10 WDs @ \$500.00 = \$5,000.00**

50 WDs – Contract Time Allowance

60 WDs – Assessed

-10 WDs – Overrun of Contract Time Allowance

+ 8 WDs – Additional WDs granted by CO 1/SA 1

+ 3 WDs – Additional WDs granted by CO 2/SA 2

+ 1 WD – Overrun was eliminated by Contract Time Extension.

No additional review is required or being performed. I recommend an extension of 11 WDs without penalty.

LPA Contracts Contract Closeout

Completion Date

Date when ALL Contract Work is complete.

*Many Tentative Final Acceptance Letters written by the LPA-RCs
cite the date that the CCO became "Minor Work".*

This is NOT the Completion Date!

LPA Contracts

LPA Closeout Forms

DR Form 91, “Notification of Contract Completion”

Provides notification that all work on the contract, including any observation period and/or corrective work, is complete. DR Form 91 will be prepared and distributed by the NDOR District Engineer or District Construction Engineer upon receipt of the LPA-RC’s Tentative Final Acceptance Letter to the Contractor.

LPA Contracts

LPA Closeout Forms

DR Form 299, “Project Construction Conformity Certification”

Provides certification, by the LPA-CE and LPA-RC, that the project was constructed in accordance with the Contract. The NDOR will utilize DR Form 299, at the time of final payment to the Contractor, to notify Agencies and NDOR Divisions of project close out, and establish the *date of cessation of construction and engineering costs.**

** 45 CDs after NDOR Construction Division – Highway Construction Finals Supervisor Approval Date*

Project Completion

Submittal Procedures

Project Completion – No Observation Period

- Upon completion of the work, the CE submits Completion Notification to RC
All contract work is complete and is ready for inspection by the RC
- RC submits Tentative Final Acceptance Letter to Contractor
Within 1 Week of Final Inspection and Acceptance
All contract work is complete and accepted by the LPA
- NDOR DE or DCE completes and distributes DR Form 91
Upon receipt of the Tentative Final Acceptance Letter from the RC
Denotes Contract Completion Date
- CE and RC completes and submits DR Form 299 to NDOR District Final Reviewer
Accompanies the final records.

Project Completion Submittal Procedures

Project Completion – Observation Period

- Upon completion of the work, the CE submits Completion Notification to RC
All contract work is complete and is ready for inspection by the RC
- RC submits Partial Tentative Final Acceptance Letter to Contractor
Within 1 Week of Inspection and Partial Acceptance
All contract work is complete and accepted by the LPA, excluding those items being observed.
- End of Observation Period
Work is accepted – no corrective work is required
Or
Work is not accepted – corrective work is required

Project Completion Submittal Procedures

Project Completion – Observation Period (Continued)

- At the end of the observation period, the CE submits Completion Notification to RC
 - No corrective work was required
 - Corrective work is complete, project is ready for final inspection by the RC
- RC submits Tentative Final Acceptance Letter to Contractor
 - Within 1 Week of Final Inspection and Acceptance*
 - All contract work is complete and accepted by the LPA
 - No corrective work – Original Completion Date
 - Corrective work – New Completion Date (date corrective work completed)
- NDOR DE or DCE completes and distributes DR Form 91
 - Upon receipt of the Tentative Final Acceptance Letter from the RC*
 - Denotes Contract Completion Date
- CE and RC completes and submits DR Form 299 to NDOR District Final Reviewer
 - Accompanies the final records.

LPA Contract

Final Review Procedure

Follow the NDOR Final Review Process Manual

Located in SiteManager Help Files

LPA-CE (Consultant or LPA Employee)

- Follow Project Manager Section
- Complete LPA Checklist 14-10

This checklist is to be completed by the LPA-CE once the project and all contract related documentation is complete. Prior to completing this checklist, the LPA-CE will review the program agreement, construction contract, special provisions, correspondence and project records. The LPA-CE will complete this checklist and submit the original with the project records to the LPA-RC.

LPA Contract

Final Review Procedure

Follow the NDOR Final Review Process Manual

Located in SiteManager Help Files

LPA-Responsible Charge

- Follow District Reviewer Section
- Complete LPA Checklist 14-20

This checklist is to be completed by the LPA-RC after receipt of Checklist 14-10 and the project records from the LPA-CE. Prior to completing this checklist, the LPA-RC will review the program agreement, construction contract, special provisions, correspondence and project records. Upon completion, the LPA-RC will submit the completed checklist to the NDOR State Representative for approval. The LPA-RC will submit the original with the project records to the NDOR District Reviewer.

The NDOR State Representative will retain a copy of the completed checklist.

LPA Contract

Final Review Procedure

NDOR District Reviewer

- Complete LPA Checklist 14-40

The NDOR District Reviewer will complete this form upon receipt of the final records from the LPA-RC. The NDOR District Reviewer will submit the completed checklist with the final records to the NDOR Construction Division – Final Review Section.

NDOR Construction Division – Final Review Section

- Follow Lincoln Construction Division – Final Review Section

- Complete LPA Checklist 14-50

This checklist will be completed by the NDOR Construction Division – Final Review Section upon receipt of the final records.

QUESTIONS



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.com

Construction Division Contacts

Claude Oie	NDOR Construction Engineer
Greg Wood	LPA Finances, Eligibility
Steve Bartos	Contract Administration
Andy Dearmont	Surfacing
Jason Volz	Bridge, Culverts
Joe Kisicki	DBE/EEO
Mike Ondrak	SiteManager Support
Kendall Stege	Contracts, Lettings
Dan Necas	Payrolls, Wage Rates, Plan Revisions
Bill Hitzeman	Recordkeeping, Final Review

