



**CITY AND COUNTY OF DENVER
DEPARTMENT OF PUBLIC WORKS and
DEPARTMENT OF AVIATION**

Policy Statement

Subject: Field Orders, Change Directives and Change Orders	
Number: 8	Effective Date: February 5, 2010
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The City and County of Denver STANDARD SPECIFICATIONS FOR CONSTRUCTION-GENERAL CONTRACT CONDITIONS (Orange Book) governs all construction contracts entered into by the City and County of Denver. In the event of a conflict between the Orange Book and this Policy, the Orange Book provisions shall control.

This policy is intended to clarify Title 11 of the Orange Book. The intent of this Policy Statement is to provide direction to both City personnel and the City's contractors regarding Change Orders. Cooperation between the City and the contractor is essential to the complete the Change Order process. The objective is to limit the occurrence of problems within and the duration of the Change Order process.

1. City Project Managers will notify their supervisor if a contractor has been directed to do additional work and shall immediately prepare a field order/change directive generally in the form attached hereto. City Project Managers are responsible for finalizing the field order/change directive into a Change Order with the Contractor as applicable.
2. City intends to resolve all pending Field Orders/Change Directives into Change Orders within the current billing period. City Project Managers shall endeavor to complete the negotiations of all contract changes monthly and draft these into a Change Order for execution. The City Project Manager and the Contractor shall make every effort to resolve the disparities in the estimates and complete the overall Change Order process within the billing period. At the start of each billing period, any change directives outstanding shall be justified by the City's Project Manager to their direct supervisors and supported with proper justification and communicated to contractor.
3. If additional drawings or information are required for the Contractor to provide the cost estimate for a field order/change directive, the City Project Manager shall develop a schedule acceptable to the Contractor for providing the drawings or information, and submitting the cost estimate.
4. City Project Managers will track outstanding field orders/change directives with the project status.

5. If an agreement hasn't been reached any time after 20 calendar days or as directed in the field order/change directive, the City may choose to initiate a change order based on the City Project Managers estimate while negotiations continue.
6. If any outstanding field order/change directives have not been finalized into a Change Order within 60 days, the City Project Manager and Supervisor will meet with the Contractor.
7. City Project Manager shall periodically review the project funding available with Supervisor.
8. If an agreement still hasn't been reached, reference General Contract Conditions Title 13 Disputes.

Reference:

City and County of Denver
STANDARD SPECIFICATIONS FOR CONSTRUCTION
GENERAL CONTRACT CONDITIONS

TITLE 11 - CHANGES IN THE WORK, CONTRACT PRICE OR CONTRACT TIME

1102 CITY INITIATED CHANGES

1102.3 **Field Order/Change Directive** *A Field Order/Change Directive is a written order, signed by the Manager or his designated representative, which directs the Contractor to commence a change in the Work prior to complete agreement on or execution of a Change Order. A Field Order/Change Directive may be used when:*

A The City determines that the Contractor must proceed immediately to perform a change in the Work in order to avoid an adverse impact on the schedule or other work, or to avoid or correct a situation where the health or safety of persons may be affected, and sufficient time is not available to negotiate a Change Order; or

B the City and Contractor have not completed their negotiation and reached agreement on all of the terms of a Change Order, but the City requires the Contractor to proceed without such agreement.

1102.4 **Contractor's Duties** *Upon receipt of a Field Order/Change Directive, the Contractor shall promptly sign the Field Order/Change Directive and return it to the Project Manager, and shall promptly proceed with performing the change in the Work. The Contractor, within twenty (20) Days after receiving the Field Order/Change Directive, shall provide the Project Manager with a complete and itemized proposal which includes the estimated increase or decrease in the Contract Amount and/or Contract Time attributable to the planned changes based on the criteria and methods described in GC 1104 and 1105. The Contractor shall be responsible for delays to the Work and any additional costs incurred by the City caused by its failure to submit complete pricing information within the time provided above.*

1102.5 **Time and Materials**

A If the maximum cost of the change in the Work to be performed under a Field Order/Change Directive has not been agreed upon and reduced to writing in the actual Field Order/Change Directive, or if such change is not fully described under a unit price set forth in the Contract Documents or the Field Order/Change Directive, the Contractor shall proceed with such Work on a Time and Materials basis.

B Whenever Work is performed on a Time and Materials basis, the Contractor shall fully document all costs associated with such Work Beginning with the first Day such Work is performed, and on a daily basis thereafter, the Contractor shall

submit to the Project Manager a daily itemization of all such costs in such form as the Project Manager may require.

C The final Contract adjustment for Field Order/Change Directive changes in the Work performed on a Time and Materials basis shall be calculated in accordance with GC 1104_2.

1102.6 **Change Order to Be Executed** *When the City and the Contractor reach agreement on an adjustment to the Contract Amount and/or Contract Time, such agreement shall be promptly executed as a Change Order.*