

STANDARD PROCEDURE

Aviation Authority

Number: S410.15

Effective: 09/19/12

Revised: 05/11/22

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SUBJECT: CHANGE ORDERS AND
AMENDMENTS – CAPITAL PROJECTS

PURPOSE: To establish a procedure for approval of modifications to Capital Project contract documents which change the terms and/or conditions of the awarded contract.

GENERAL: The responsible department determines if it will be necessary to authorize a change to the contract.

Under Authority Policy P410, for changes to development related contracts and professional service agreements awarded by the Board, the Chief Executive Officer (CEO) has the power and authority to approve modifications thereto in accordance with the terms thereof up to a cumulative total of 5% of the Board approved contract amount or one hundred thousand (\$100,000) dollars, whichever is greater. This determination will be made by the Procurement Department (Procurement).

Notwithstanding any of the foregoing, the execution of any Owner Direct Purchase change orders will not modify the cumulative total.

PROCEDURE:

A. Change Order (CO) Package (For Design-Bid Contracts and Design-Build Part 2 Contracts)

1. Documents – In general, the CO Package is made up of the following documents:

a. A Request for Change Document Form PRC-10, approved by the Project Manager, Director of Construction and Vice President of Planning and Development (P&D).

b. A Change Instrument Control Document Form PRC-11.

c. Change Order Forms:

i. Design-Bid

1) Change Order CEO Approval Form PRC-12

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- 2) Change Order Board Approval Form PRC-13
 - 3) Final Change Order CEO Approval Form PRC-14
 - 4) Final Change Order Board Approval Form PRC-15
- ii. Design-Build
- 1) Change Order CEO Approval Form PRC-16
 - 2) Change Order Board Approval Form PRC-17
 - 3) Final Change Order CEO Approval Form PRC-18
 - 4) Final Change Order Board Approval Form PRC-19
- d. A Finding of Fact.
- e. A distribution memorandum.
- f. A spreadsheet if an itemization of the CO is required.
- g. A Disadvantaged/Woman and Minority-Owned Business (D/W/MBE) worksheet.
- h. A CEO authorization spreadsheet, as needed.
- i. Other backup documentation, as applicable.

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2. Processing

- a. The P&D Department will submit a Request for Change Document Form PRC-10, approved by the Project Manager and Director of Construction and Vice President of P&D, to Procurement.
- b. Procurement will:
 - i. Review the Request for Change Document Form PRC-10 and check the CO amount against previously approved or in-process COs, if any, to determine if the new CO total amount is within the CEO's authorization approval limit or if Board approval is required.
 - ii. Create a Finding of Fact.
 - iii. Create a Change Instrument Control Document Form PRC-11.
 - iv. Create a CO Document from the list below, as applicable:
 - 1) CO
 - o Design-Bid
 - Change Order CEO Approval Form PRC-12
 - Change Order Board Approval Form PRC-13
 - o Design-Build
 - Change Order CEO Approval Form PRC-16
 - Change Order Board Approval Form PRC-17

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- 2) Final CO
 - Design-Bid
 - Final Change Order CEO Approval Form PRC-14
 - Final Change Order Board Approval Form PRC-15
 - Design-Build
 - Final Change Order CEO Approval Form PRC-18
 - Final Change Order Board Approval Form PRC-19
- v. Attach any supporting documents, such as the contractor's request letter, to the back of the CO Document.
- vi. Prepare a distribution memorandum.
- vii. Assemble the CO documents in an electronic file and distribute to the individuals on the distribution memorandum for review. Such electronic file will not be sent to the Vice President of P&D or Legal Affairs for their review.
- viii. Once the electronic file review is complete, assemble the CO documents in an electronic file and distribute to the Vice President of P&D and Legal Affairs for their review. Subsequent to their review, the Vice President of P&D will sign and date the Finding of Fact.

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3. Approval Process

- a. Once the CO is approved by Legal Affairs, Procurement will give the Vice President of P&D an electronic file, and send the CO to the Vice President of P&D and the CEO, or designee, by electronic signature for execution.
- b. Vice President of P&D will:
 - i. Sign the CO.
 - ii. Present the CO to the CEO and obtain the CEO's, or designee's, signature if the CO's total amount is within the CEO's authorization limit, or will obtain the CEO's authorization to proceed with Board approval.
- c. Procurement will provide an electronic copy of the CO to Finance. Finance will adjust the purchase order amount as needed in Oracle and send out notification for approval of the change to the purchase order amount.
- d. Procurement will:
 - i. For construction contracts, send an electronic copy of the CO to P&D's Design Professional by electronic signature for their signature and then to the Contractor by electronic signature for their signature.
 - ii. For Part 2 contracts, send an electronic copy of the CO to the Design-Builder by electronic signature for their signature.
- e. Procurement will:
 - i. Process the CO for Board approval, if necessary.

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- ii. Upon execution by all parties, combine all of the documents electronically, and save the pdf file in the electronic project folder in Public Folders.
- iii. E-mail a copy of the original documents to all parties on the distribution memorandum and to Central Records (CR) stating that the CO has been signed by the CEO or approved by the Board.
- iii. Send to Records Management (RM) one completed CO document by email.
- iv. RM will send one completed CO to the Contractor or Design-Builder.

B. Amendments (AMs)

1. Documents – In general, the AM is made up of the following documents:

a. Development Related Professional Services Contracts

- i. A Request for Change Document Form PRC-10, signed by the Project Director, Director of P&D, and Vice President of P&D.
- ii. A Change Instrument Control Document Form PRC-11.
- iii. A Finding of Fact.
- iv. A distribution memorandum.
- v. The amendment document.
- vi. A D/W/MBE worksheet.

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- vii. Other backup documents, as applicable, including the design professional or design-builder's request or proposal letter.
 - b. All Other Contracts
 - i. The Amendment document.
 - ii. Other backup documents, as applicable.
- 2. Processing
 - a. P&D (For Design Professional, Consultant and Design-Build Part 1 Contracts)
 - i. The Project Director will submit a Request for Change Document Form PRC-10 to Procurement.
 - ii. Procurement will:
 - 1) Review the request for Change Document Form PRC-10 and check the AM amount against previously approved or in-process AMs, if any, to determine if the new AM total amount is within the CEO's authorization approval limit or if Board approval is required.
 - 2) Create a Finding of Fact.
 - 3) Create a Change Instrument Control Document Form PRC-11.
 - 4) Create a new AM.
 - 5) Prepare a distribution memorandum.

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- 6) Assemble the AM documents in an electronic file and distribute to the individuals on the distribution memorandum for review. Such electronic file will not be sent to the Vice President of P&D or Legal Affairs for their review.
- 7) Once the electronic file review is complete, assemble the AM documents in an electronic file and distribute to the Vice President of P&D and Legal Affairs for their review. Subsequent to their review, the Vice President of P&D will sign and date the Finding of Fact.

b. All Other Departments

- i. The Requestor will submit a request to Procurement for the AM.
- ii. Procurement will:
 - 1) Review the original contract and any amendments.
 - 2) Draft the AM.
 - 3) Coordinate the review of the AM with the Requestor.

3. Approval Process

- a. Once the AM is approved by Legal Affairs, Procurement will give the Vice President of P&D copies of the AM and required backup documents.
- b. Vice President of P&D will:
 - i. Present the AM to the CEO and obtain the CEO's signature if the AM's total amount is within the CEO's authorization limit, or will obtain the CEO's authorization to proceed with Board approval.

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- ii. Deliver the two copies of the AM to Procurement.
- c. Procurement will provide an electronic copy of the AM to Finance. Finance will adjust the purchase order amount as needed in Oracle and send out notification for approval of the change in purchase order amount.
- d. Procurement will
 - i. Send a copy of the AM by electronic signature to the P&D Design Professional, Consultant or Design-Builder for signature.
- e. Procurement will:
 - i. Process the AM for Board approval, if necessary.
 - ii. Upon execution by all parties, stamp “ORIGINAL” on the top right corner of the Change Instrument Control Document Form PRC-11 and scan all original documents and save the pdf file in the electronic folder in Public Folders.
 - iii. E-mail a copy of the documents to all parties on the distribution memorandum and CR stating that the AM has been signed by the CEO or approved by the Board.
 - iv. Deliver to RM the AM document.
 - v. Send the stamped original AM, the Change Instrument Control Document Form PRC-11, Finding of Fact, and supporting documents to CR in both hard copy and electronic format.

RM will send one original AM to the Design Professional, Consultant or Design-Builder.

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f. All Other Departments

Procurement will:

- i. Submit the final AM draft to Legal Affairs utilizing the yellow sheet process.
- ii. Coordinate all changes to the AM with the Requestor.
- iii. Send two originals of the AM to the company for signature.
- iv. If the contract was approved by the Board or if the contract was executed by the CEO or designee and the amended cumulative total exceeds \$100,000, then process the AM as a Board item. If the contract was executed by the CEO or designee and the amended cumulative total does not exceed \$100,000, then the AM is presented to the CEO or designee for signature.
- v. Distribute the executed AM to all parties concerned.

4. Website Posting

- a. All Change Orders and Amendments that are greater than \$65,000 shall be posted on the Authority's website no later than 7 business days after the Authority executes the Change Order or Amendment.

APPROVED: Michael Stephens

DATE: 5/11/22