Administrative Order

Administrative Order No.: 3-28

Title: Classifying, Tracking, Monitoring, and Reporting All Change Orders on Miami-Dade County Construction Projects

Ordered: 02/02/1999 **Effective:** 02/12/1999

AUTHORITY:
Section 4.02 of the Miami-Dade County Home Rule Amendment and Charter; Section 2-285 of the Code of Miami-Dade County; Resolutions R-754-97, R-1403-97, R-1404-97 and County Manager's directive, dated July 2, 1997.

SCOPE:
This Administrative Order establishes the procedures for departments to implement and maintain on a regular basis an internal formalized classifying, tracking, monitoring and reporting system for all change orders on construction projects. Specific construction change order information shall be supplied to the Department of Business Development (DBD) who will be responsible for maintaining and integrating this information into a county-wide construction award and change order database for quarterly reporting to the County Manager.

APPLICABILITY:
This Administrative Order is applicable to all construction contracting departments including, but not limited to, Aviation, General Services Administration, Fire-Rescue, Park and Recreation, Public Works, Seaport, Solid Waste, and Water and Sewer.

RESPONSIBILITY OF THE CONTRACTING OFFICER
The contracting officer for each department of County government issuing competitively bid construction contracts to be awarded by the Board of County Commissioners must submit all change order requests and attach original agenda items to DBD for processing. The following information is required:

A. The original cost estimate for the construction of the project.

B. A copy of the original bid tabulations for all bids received for the contract.

C. The time impact to the contract period (in days).

D. The cost impact to the contract value.

E. The classification of the type of change order in at least one of the following categories (multiple classifications are allowed):

   1. Regulatory Change -- Change caused by revisions in federal, state or local regulations after contract award.

   2. Other Agency Requested Change -- Change requested by other county, state or federal agencies.

3. Design Errors Change -- Change caused by design errors on the part of the architect or engineer. The identity of the party believed to be responsible for the design error shall be stated.

4. Design Omission Change -- Change to include items necessary for the project that were inadvertently not included in the contract. This type of change differs from Design Errors Change in that the County would have paid for such items if included in the original bid. The identity of the party believed to be responsible for the design omission shall be stated.

5. County Requested Change -- Change caused by revision in the County's programmatic requirements, operational requirements, or occupancy schedule after contract award.

6. Unforeseen or Unforeseeable Change -- Change such as differing sub-soil conditions, variation in location of hidden or underground utilities, unforeseeable environmental requirements or unavailability of specified product due to manufacturer's discontinuance.

7. Force Majeure -- An unexpected or uncontrollable event.

8. Cost Overruns or Underruns -- A final balancing work order of those costs which exceed or fall below the estimated contract amount.

F. The change order number (e. g., Change Order #1).

G. The word 'Final' when applicable (e. g., Change Order #2 and Final).

H. The history of previous change order requests to the contract.

I. Indication of the timely submittal by the contractor. If the change order was submitted untimely, the following statement should be included in the County Manager's memorandum:

   "The contractor did not submit this claim during the time provided in the contract for making claims. The Board of County Commissioners has no legal obligation to consider this claim."

J. The status of the allowance account including the original amount, increases and current balance.

RESPONSIBILITY OF DBD:

DBD will log in the change order request and review the item for the necessary requirements. DBD's review process should be conducted within three (3) business days unless the item is considered time sensitive and therefore requires an expedited process. In addition, DBD shall:

A. Log in the change order request and attach a report on the contractor's work history. The work history report shall include:

1. The contractor's history of change order requests on other County construction contracts including increases or decreases in time, scope and dollar value; and

2. The classification of the type of each preceding change order.

B. Return change order and work history report along with the agenda item to the managing department. The managing department will forward the item to the Agenda Coordinator's Office for submittal to the Board.

This Administrative Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

M.R. Stierheim
County Manager