

Change Order Policy for Road Bond Projects

Change Orders consists of unilateral changes in the Work directed by the county and changes in the Work that are agreed to by the contractor and the county within the scope of the contract. In accordance with Local Government Code § 262.031, if it becomes necessary to make changes in plans, specifications, or proposals after a contract is made, or it becomes necessary to increase or decrease the quantity of items purchased, the Commissioners Court may make the changes as long as the cost of changes can be paid from available funds and the original contract price is not (1) increased by more than 25 percent unless the Change Order is necessary to comply with a federal or state statute, rule, regulation, or judicial decision enacted, adopted, or rendered after the contract was made; or (2) decreased by 18 percent or more without the consent of the contractor.

The following requirements and information must be included with each Change Order:

- Contractor's name as it appears in the original contract approved by the Commissioners Court (must be same contractor)
- Name and effective date of contract
- Project Name and Williamson County Funding Source
- Project limits for the Change Order
- Reason(s) for the Change Order, listing first the primary reason followed by the secondary reason(s) if needed. Refer to the Reason Code Chart for Change Orders attached hereto as Attachment 1
- A narrative of the revised work being authorized in the Change Order
- Any new/revised plan sheet(s) for the work being authorized in the Change Order
- Signature of the authorized representative of the contractor
- Signature of either Senior Director of the Williamson County Department of Infrastructure or Deputy Director of Williamson County Department of Infrastructure to evidence review and approval of the proposed Change Order
- Signature of the third party when receiving third party funding as reimbursement (change order reason 4D)
- Approval by Purchasing and Contract Audit prior to placement of Change Order on an agenda
- County Judge's signature or Commissioner presiding over Commissioners Court after Commissioners Court's approval

After Commissioners Court approval, a formal notice to proceed that contains the Commissioners Court meeting date and agenda item number approving the Change Order must be issued prior to the contractor starting any Change Order work. Notice to proceed for minor Change Orders up to \$40,000 may be issued in accordance with Section 262.031 of the Local Government Code by the Senior Director of the Williamson County Department of Infrastructure or Deputy Director of Williamson County Department of Infrastructure following field approval and shall be submitted to the Commissioners Court for ratification and acceptance.

Exceptions to the process above include:

- Minor field changes paid under the force account line item.
- Overruns/underruns on existing bid items necessary to complete the contract scope.
- Extra Work performed and paid based on actual field costs in accordance with the terms of the contract.

ATTACHMENT 1

CHANGE ORDER REASON(S) CODE CHART

1. Design Error or Omission	<ul style="list-style-type: none"> 1A. Incorrect PS&E 1B. Other
2. Differing Site Conditions (unforeseeable)	<ul style="list-style-type: none"> 2A. Dispute resolution (expense caused by conditions and/or resulting delay) 2B. Unavailable material 2C. New development (conditions changing after PS&E completed) 2D. Environmental remediation 2E. Miscellaneous difference in site conditions (unforeseeable)(Item 9) 2F. Site conditions altered by an act of nature 2G. Unadjusted utility (unforeseeable) 2H. Unacquired Right-of-Way (unforeseeable) 2I. Additional safety needs (unforeseeable) 2J. Other
3. County Convenience	<ul style="list-style-type: none"> 3A. Dispute resolution (not resulting from error in plans or differing site conditions) 3B. Public relations improvement 3C. Implementation of a Value Engineering finding 3D. Achievement of an early project completion 3E. Reduction of future maintenance 3F. Additional work desired by the County 3G. Compliance requirements of new laws and/or policies 3H. Cost savings opportunity discovered during construction 3I. Implementation of improved technology or better process 3J. Price adjustment on finished work (price reduced in exchange for acceptance) 3K. Addition of stock account or material supplied by state provision 3L. Revising safety work/measures desired by the County 3M. Other
4. Third Party Accommodation	<ul style="list-style-type: none"> 4A. Failure of a third party to meet commitment 4B. Third party requested work 4C. Compliance requirements of new laws and/or policies (impacting third party) 4D. Received funds from a third party as reimbursement 4E. Other
5. Contractor Convenience	<ul style="list-style-type: none"> 5A. Contractor exercises option to change the traffic control plan 5B. Contractor requested change in the sequence and/or method of work 5C. Payment for Partnering workshop 5D. Additional safety work/measures desired by the contractor 5E. Other
6. Untimely ROW/Utilities	<ul style="list-style-type: none"> 6A. Right-of-Way not clear (third party responsibility for ROW) 6B. Right-of-Way not clear (County responsibility for ROW) 6C. Utilities not clear 6D. Other