

SECTION 01 26 00
CONTRACT MODIFICATION PROCEDURES

PART 1 GENERAL

1.01 SECTION INCLUDES

- A. NYCHA Initiated Changes.
- B. Contractor Initiated Changes.
- C. Change Order Procedures.

1.02 RELATED REQUIREMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and other Division 01 Specification Sections, apply to this Section.

1.03 DEFINITIONS

- A. Potential Change Order Request: A proposal to change the Contract in response to either a NYCHA Initiated Change or Contractor Initiated Change.

1.04 GENERAL

- A. The Contractor shall submit a proposal in the form of a Potential Change Order Request to NYCHA in response to all proposed contract changes.
 - 1. Include a list of quantities of work items required or eliminated with their associated unit costs, with the total amount of purchases and credits to be made. If requested, furnish survey data to substantiate quantities.
 - 2. Insure costs of all labor and supervision are included.
 - 3. NYCHA is tax exempt; all proposals shall not include tax.
 - 4. Substantiate for inclusion any general conditions not included in each unit cost.
 - 5. Include an updated Contractor's construction schedule that indicates the effect of the change, including, but not limited to, changes in activity duration, start and finish times, and coordination of work.

1.05 NYCHA INITIATED CHANGES

- A. The CMNYCHA Designated Representative / Designer of Record will issue supplemental instructions authorizing minor changes in the Work, not involving adjustment to the Contract Sum or the Contract Time. Authorization for modified, additional or deleted work shall be by bulletin only. Verbal agreements without written confirmation shall not constitute authorizations for any work under any circumstance.
- B. NYCHA Designated Representative or Designer of Record will issue a Bulletin detailing the description of proposed changes in the Work that may require adjustment to the Contract Sum or the Contract Time. If necessary, the description will include supplemental or revised Drawings and Specifications.
 - 1. Bulletins issued by NYCHA Designated Representative or Designer of Record are not instructions either to stop work in progress or to execute the proposed change.
 - 2. Within 7 calendar days after receipt of the Bulletin, the Contractor is to submit a quotation estimating cost adjustments to the Contract Sum and the Contract Time necessary to execute the change.
 - 3. Change Order Proposal from Contractor after 14 calendar days shall be denied at the discretion of NYCHA.

1.06 CONTRACTOR INITIATED CHANGES

- A. If latent or changed conditions require modifications to the Contract, the Contractor may initiate a Potential Change Order Request to NYCHA Designated Representative. Include a statement outlining reasons for the change and the effect of the change on the contract work. Provide a complete description of the proposed change. Indicate the effect of the proposed change on the Contract Sum and the Contract Time.

1.07 ADMINISTRATIVE CHANGE ORDERS

- A. Allowance Adjustment: See Division 01 Section "Allowances" for administrative procedures for preparation of the Change Order Proposal for adjusting the Contract Sum to reflect the actual costs of allowances.
- B. Unit-Price Adjustment: See Division 01 Section "Unit Prices" for administrative procedures for preparation of the Change Order Proposal for adjusting the Contract Sum to reflect the measured scope of unit-price work.

1.08 CHANGE ORDER PROCEDURES

- A. If NYCHA Initiated Change, The Designer of Record will issue a Bulletin to the Contractor or direction from administering department.
- B. If Contractor Initiated Change, or in response to a Bulletin, the Contractor will issue a Potential Change Order Request.
 - 1. Invalid Potential Change Order requests will not be processed and will be returned to the Contractor.
 - a. The Contractor will negotiate Potential Change Order Requests with NYCHA.
- C. Potential Change Order Requests that exceed NYCHA's threshold (10% of Contract Value) will be presented to NYCHA's Board for formal consideration.
- D. Upon NYCHA's approval of a Potential Change Order Request, NYCHA will negotiate with the Contractor on the cost for the Change Order work. Once the price of the Change Order is agreed upon, NYCHA will issue execute a Change Order for signatures.

PART 2 PRODUCTS (NOT USED)

PART 3 EXECUTION (NOT USED)

END OF SECTION