

COUNCIL POLICY			
Subject: AUTHORIZATION OF CONTRACT CHANGE ORDERS ON PUBLIC WORKS CONTRACTS	Policy Number	Effective Date	Number of Pages
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PURPOSE

To establish a policy that states the responsibilities and the authority for the approval of change orders of Public Works contracts.

REFERENCES

City Charter, Sections 22 and 45

City Code Section 3-44.110, Contract Award, Public Works Contract Policy

DEFINITIONS

- A. Public Works Contract. Contract for construction, improvement, major maintenance and repair of (1) public buildings and other public works; (2) work in or about streams, waterfronts, embankments or other works for protection against water overflow; (3) streets and related improvements including, but not limited to, the installation of street lighting and traffic signal systems; (4) water and sewer systems and facilities; and (6) furnishing materials and supplies for any such contracts.
- B. Award Authority. The City Council or the City official who awarded the Public Works contract pursuant to City Code Section 3-44.110.
- C. Signature Authority. Signature authority means the City Council or the City official who is authorized by this policy to approve and execute change orders for Public Works Contracts.
- D. Project Manager. The person designated overall responsibility for project coordination.
- E. City Engineer. Either the Director of Public Works, the Director of Utilities, or a City Engineer authorized by the Council and appointed by the City Manager as specified in Section 24 of the City Charter.
- F. Field Change Order. A change order to a Public Works Contract made in the field while work is in progress to eliminate a hazard to the health, safety and welfare of the public, or to protect public property or other resources, or to continue work in progress thereby saving significant additional cost which would be incurred by delay or lost time.

Amended by Resolution No. 26110
 Amended by Resolution No. 25532
 Amended by Resolution No. 21969
 Amended by Resolution No. 18380

Dated: October 26, 2004
 Dated: January 21, 2003
 Dated: October 18, 1994
 Dated: May 26, 1987

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G. Administrative Change Order. A change order to a Public Works Contract which does not change the scope of work or intent of the contract as awarded by the original award authority. Administrative change orders may include "extra work" required for the proper completion or construction of the whole work contemplated and "increases or decreases" in the quantity of a contract item or work. All "field change" orders shall be included in this definition.

H. Change in Scope Change Order. A change order to a Public Works Contract which materially changes the character of work prescribed in the contract plans and specifications.

POLICIES

- A. Signature authority shall be limited to the City Council or the City officials with designated award authority as specified in the referenced Charter and City Code sections of the City of Santa Rosa and as provided in this section. No change order approved by any other individual shall be binding upon the City or constitute a lawful charge against any City fund. In the absence of the signature authority, a superior official in line authority may exercise the power of the signature authority, or the signature authority may delegate his or her authority to a staff member, if the delegation is in writing, signed by the signature authority, and clearly states the exact length of time the delegation shall be in effect.
- B. At the time of the original award, the award authority may establish a total authorized contract amount equal to the original contract amount plus a contingency fund.
- C. The City Engineer, the Director of Building and Code Compliance, the Director of Recreation and Parks, the Director of Administrative Services, the Director of Transit & Parking or their appointee shall have signature authority for all administrative change orders which will not cause the authorized contract amount to be exceeded. Prior to being presented to the signature authority for signature, all administrative changes, except field change orders, shall be approved by the Project Manager, if there is one, having responsibility for the work.

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- D. If an administrative change order exceeds the funds available within the authorized contract amount, it shall be returned to the original contract award authority for approval. If this change order is also a field change order, it may be approved by the City Manager and submitted to the original award authority for ratification.
- E. A change order for any change in scope shall be returned to the original award authority for approval. If such a change order shall increase the total cost of the contract above the signature level of the original award authority, then the change order shall be approved by the appropriate higher award authority.
- F. The signature authority for change orders not involving monetary amounts (e.g. a change in the contract schedule) or that credit the City shall be the City Engineer, the Director of Building and Code Compliance, the Director of Recreation and Parks, the Director of Administrative Services, the Director of Transit & Parking, or their appointee unless specified otherwise in the contract.

PROCEDURE

- A. The signature authority may approve and execute a proposed change order if the signature authority determines the change order is justified and appropriate under the circumstances present.

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