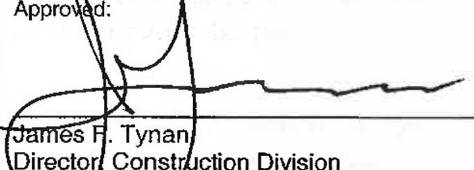


To: SUPERSEDED BY EI 06-026 EFFECTIVE 1/11/07		New York State Department of Transportation ENGINEERING INSTRUCTION	EI 02-035
Title: REVISED STANDARD SPECIFICATIONS SECTION 697 - FIELD CHANGE ORDER			
Distribution: ☐ Manufacturers (18) ☒ Main Office (30) ☒ Local Govt. (31) ☒ Regions/Agencies (32)		Approved:  James F. Tynan Director, Construction Division Date: <u>10-16-02</u>	

ADMINISTRATIVE INFORMATION:

- This Engineering Instruction (EI) is effective with projects submitted for the letting of 05/08/03.
- This EI supersedes EI 02-024.
- The Standard Specification section issued with this EI will be incorporated into the next update of the Standard Specifications.

PURPOSE:

This EI issues a revised Section 697 of the Standard Specifications of January 2, 2002. Due to incompatibilities in the estimating and payment computer systems, it was necessary to change the pay unit from Fixed Price Lump Sum to Dollars-Cents.

TECHNICAL INFORMATION:

- Design guidance is being issued concurrently under EI 02-034, contract administration guidance was issued under EB 02-043 and construction inspection guidance was issued under EB 02-044.
- The revised Section 697 introduces *Item 697.0201, Field Change Order (FCO)*, that replaces Item 697.02, Field Change Order. The Field Change Order will provide construction contracts with a source of funds more consistent with the overall value of the contract. This will allow for more efficient and timely processing of contractor payments.

IMPLEMENTATION:

- Disapproved Specifications. Item 697.02 is disapproved effective with projects submitted for the letting of 01/16/03.
- Main Office DQAB will insert the standard specification shelf note effective with projects submitted for the letting of 05/08/03.
- Designers should use the 697.0201 FCO item prior to the effective date by including the item in the engineer's estimate and the standard specification in the hard copy portion of the PS&E submittal.
- For projects containing Item 697.02 submitted for letting after 01/16/03 and before 05/08/03, the region should submit an amendment to add these changes.
- For contracts that have been awarded with Item 697.02 Field Change Order, the Engineer will incorporate these changes in place of item 697.02 by Order on Contract.

TRANSMITTED MATERIALS:

- Standard Specifications Section 697 - Field Change Order

CONTACT:

Direct questions regarding this EI to John Grady of the Construction Division at (518) 457-6472 or via e-mail at JGrady@gw.dot.state.ny.us or Brian DeWald of the Construction Division at (518) 457-6472 or via e-mail at BDeWald@gw.dot.state.ny.us.

Make the following changes to the Standard Specifications of January 2, 2002.

Volume 2 of 3, Page 6-239, **Delete** Section 697 and **Replace** it with the following:

SECTION 697 - FIELD CHANGE ORDER

697-1 DESCRIPTION

697-1.01 General. The Field Change Order (FCO) provides a contract contingency allowance for the timely payment of authorized additional work that is necessary to fulfill the intent of the plans and specifications.

697-1.02 Eligible Work. FCO payments shall be limited to work that is: (1) within the scope of the contract, (2) a quantity variation of existing contract pay items, or (3) a new contract pay item introduced as a result of minor field adjustments in the details of the project. All eligible items of work shall have a known unit price, either through use of a contract bid price or through an Agreed Price.

697-2 MATERIALS. None Specified.

697-3 CONSTRUCTION DETAILS. None Specified.

697-4 METHOD OF MEASUREMENT.

697-4.01 Bid Price. The unit price shown in the proposal for this item will be considered as the price bid, and shall not be altered in any manner. Should the amount shown be altered, the new figure will be disregarded and the original bid price will be used to determine the total amount bid for the contract.

697-4.02 Payments. Work for which FCO payments are processed will be measured in accordance with the specifications governing the work.

697-5 BASIS OF PAYMENT. All work to be paid under the FCO item must be authorized in conformance with §104-03, *Contingencies, Extra Work and Deductions*. Disputed work, force account work, work associated with §104-10, *Value Engineering Change Proposals*, or payments for time related provisions are not eligible for FCO payment.

FCO payments will be determined from the quantities and unit prices of eligible work that has been completed in conformance with applicable Specifications. Work for which FCO payments are processed will be paid in accordance with the specifications governing the work.

Prior to processing the final agreement, the FCO payments will be reconciled through a final Order-on-Contract, such that the amount of FCO payments are converted to the corresponding quantities of the pertinent contract pay items. When payments are transferred to the appropriate items, the remaining amount of FCO funds will be deleted.

Payment will be made under:

Item No.	Item	Pay Unit
697.0201 M	Field Change Order (FCO)	Dollars-Cents