

**Connecticut State Department of Education
Bureau of School Facilities**

WHEN PROJECTS CHANGE AFTER BUREAU OF SCHOOL FACILITIES (BSF) APPROVAL

All changes to the construction contract documents require BSF review/approval. The following attempts to address how to attain BSF approval for said changes.

- **Addenda (prior to awarding contract)**
- **Change Order (after awarding contract)**
- **Redesign or Project Scope Changes (substantial changes requiring the project to be rebid)**

Addenda: (and/or CM Clarification Bulletins)

An Addenda is a written and/or graphic document issued by the design professional that modifies the original contract documents during the bidding period, but before bids are received. Addenda become part of the contract bid documents when they are issued. The primary purpose is to clarify, revise, add to, or delete from the contract documents or previous addenda, and respond to questions raised by the bidders, and/or to issue new requirements including the decisions (by the owner) to increase or decrease the scope of certain work.

The Process:

- Addenda should be issued only when clarifications are required for the bidders and are issued to all bidders during the bidding process. Addenda should not be for substantial design, layout, or material changes.
- BSF review and approval of all addenda is required.
- Addenda must be submitted to BSF in sequential order by phases, shortly after bid closing/acceptance of the entire phase.
- The design professional shall call the Plan Reviewer-of-record for the phase of the project to schedule an addenda review meeting.
- Addenda submissions to BSF shall be organized and formatted for easy reference to the parts of the documents affected (utilize the State DPW format). The format shall include: the Date, Addenda No., State Project No., Phase No., and Bid Package No. (when applicable).
- The design professional shall submit (at that meeting) a written, detailed explanation summarizing each item of the addenda (on company letterhead), utilizing the format noted above. The addenda summary shall indicate who and/or what prompted the change for each item (e.g., owner requested, contractor proposal/requests, omissions/errors on the construction documents, minor material clarifications, increase or decrease of project scope of work, unanticipated condition, required by regulatory official's request, etc.).
- The Addenda submission shall include any RFI's, SK drawings (stamped and signed), as well as the original documents of the pertinent phase that went through BSF PCT/Review and Sign-off (red BSF stamp), and any other item required to complete the review of the changes (e.g., previous addenda).
- All items changed by the addenda should be highlighted on the revised specification sections and/or stamped and signed drawing sheets. (If drawing sheets or specification sections were added as a part of the addenda, it is not necessary to highlight the entire drawing or specification section.)

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Change Orders:

Change orders are amendments to the construction contracts signed by the same parties that signed the original contract that authorizes a change in the work, an adjustment in the contract sum or the contract time or both.

Change orders provide a procedure to amend construction contracts (after bids are accepted) but should be used **only** for unforeseen or emergency conditions. Overhead and profit percentages on change orders for both prime contractor and subcontractors must be identified at the bidding stage in the Special/Supplemental Conditions in the contract. The total mark-up on change orders should be limited by contractual language and be on a “sliding scale” depending on the change order amount or scope of work involved.

Form ED042CO provides the necessary means to submit change orders to the BSF in **sequential order** for each state project number (required) **regardless of phasing**. Form ED042CO for publicly bid **construction** contracts (obtainable at www.ct.gov/sde), with original signatures, must be submitted for all change orders issued. Design fees, CM fees and reimbursable expenses are to be reported only on form ED046. Submit change order packages as they occur; do not compile large numbers of change orders. Incomplete change order submissions create delays for both the BSF and the LEA's reimbursement. Thoroughly explain the reason for issuing the change order. Give information concerning the location of work and other relevant building information. Always provide information, documents, sketches, etc. that show impact on codes when applicable. Also, provide information relating to grant eligibility (see Ineligible/Limited Eligible Costs Worksheet obtainable on our Web site).

Change orders should not total more than five percent of the authorized total project cost. (P.A. 09-6/C.G.S. Sec. 10-286 (c)) For the period from July 1, 2006, to June 30, 2009, inclusive, for projects with total authorized project costs greater than ten million dollars, if total construction change orders or other change directives otherwise eligible for grant assistance under Chapter 173 exceed five percent of the authorized total project cost, only fifty percent of the amount of such change order or other change directives in excess of five per cent shall be eligible for grant assistance; and after July 1, 2009, for projects with total authorized project costs greater than ten million dollars, if total construction change orders or other change directives otherwise eligible for grant assistance exceed five percent of the total authorized project cost, such change order or other change directives in excess of five percent shall be ineligible for grant assistance.

Failure to submit Change Orders issued after July 1, 2008, to BSF within 6 months of issuance makes them ineligible for reimbursement (C.G.S. Sec. 10-286(d)).

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WHEN PROJECTS CHANGE AFTER BSF APPROVAL (continued)

Redesign or Project Scope Changes:

Any changes (including “value engineering” changes) to construction documents after BSF review/approval must be submitted to the BSF for review/approval, otherwise all of the work associated with those changes could be deemed ineligible for reimbursement.

Plan Review/Approval is required for changes that do not qualify as Addenda or Change Orders. For example, if all bids received are too high and a decision is made to redesign components or/and perform “value engineering” on the project, and later re-bid it, would require a new Plan Review/Approval. These types of changes can sometimes be reviewed and approved in a Sign-Off style meeting. Projects that have more extensive changes, however, may be required to go through the PCT submission process and subsequently be completely re-reviewed.