

# REGULATION

## MONTGOMERY COUNTY PUBLIC SCHOOLS

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**Related Entries:** FEA  
**Responsible Office:** Chief Operating Officer  
Department of Facilities Management

### Change Order for Construction Contracts

- I. Changes which may be required after a construction contract has been awarded must be approved in accordance with state regulations and the policy of the local Board of Education. This regulation sets forth the procedures for initiating, approving, and reporting change orders for construction contracts.
- II. The director of the Department of Facilities Management is responsible for ensuring that the Board of Education policy covering construction contract change orders and the procedures outlined below are properly implemented.
  - A. Initiating and Processing a Request for a Change Order
    1. Using MCPS Form 281-20, *Construction Contract Change Order*, or appropriate IAC form, a request for a change order may be initiated, following consultation with the MCPS project inspector, by the general contractor, architect/engineer, or MCPS school facilities staff.
    2. All change order requests are reviewed by the project architect/engineer who will ensure that the following information is included:
      - a) A description and justification for the requested change(s) in relation to the original bid specifications
      - b) Documentation, as required, of the subcontractors' itemized costs and/or credits
      - c) The general contractor's summary of total costs and/or credits to effect the change order
      - d) The basis for any requested change in the contract completion date

3. The project architect/engineer examines the requested change order to determine that the request is justified and reasonable and that the information provided is accurate and submits his recommendation to the director of the Division of Construction.

B. Approving a Change Order

The director of the Division of Construction is responsible for ensuring that change orders were approved by the appropriate official or agency as required below and for discussing with the director of facilities management any unusual change order recommendations before final action is taken.

1. Director of the Division of Construction -- The director of the Division of Construction is authorized to approve change orders for \$25,000 or less unless the change order:
  - a) Provides facilities not included in the standards for facilities as approved by the Board of Education
  - b) Authorizes bid alternatives specifically excluded in the award of the original contract
  - c) Extends the contract completion date
  - d) Significantly alters the design or extent of facilities provided for in the original contract documents
  - e) Is judged to be higher than the fair market value of the change
  - f) Is not acceptable to both the director of the Division of Construction and the project architect/engineer
  - g) Results in the number of change orders for a project being determined as excessive
2. Director of the Department of Facilities Management -- The director of Facilities Management is authorized to approve change orders for \$50,000 or less, unless the change is related to the factors outlined in 1.a) - 1.d) above.

3. Superintendent -- The superintendent or his/her designee is authorized to approve change orders for \$100,000 or less, unless the change is related to the factors outlined in 1.a) - 1.d) above.
4. Board of Education -- All change orders which would significantly alter a contract as defined by items 1.a) through 1.d) above and/or change orders that exceed \$100,000, are submitted by the superintendent to the Board of Education for approval.
5. State Interagency Committee -- All change orders considered eligible are submitted to the State Interagency Committee for approval if state funds for construction are involved.
6. The director of the Division of Construction is responsible for ensuring that all approved change orders are made a part of the contract.

C. Reporting Change Orders

All approved change orders involving state funds for construction are reported to the State Interagency Committee by the director of the Division of Construction.

*Regulation History:* Formerly Regulation No. 230-8, revised October 1982; revised May 7, 2001; revised February 3, 2006.