

CONTRACT MODIFICATIONS AND LETTERS OF AUTHORIZATION

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OVERVIEW

This chapter provides guidance on the preparation of Contract Modifications and Letters of Authorization (LOA) documentation and the steps to successfully execute them.

CONTRACT MODIFICATIONS

NDOT has the right to modify a contract. Contract Modifications are the contractual methods to make changes and are required for changes to the character of the work, payment, specification and/or working days/completion dates. A Contract Modification is legally binding and becomes part of the contract. Just as the original plans and specifications define the scope, terms, and conditions of work to be done, the Contract Modification needs to define the same.

A Contract Modification is legally binding to the contractor and to NDOT, so it must be prepared with care. The required elements of a Contract Modification must be clear, concise, and unambiguous. A Contract Modification must be prepared so that a person not familiar with the modification can readily interpret scope, terms, and conditions of the work.

CONTRACT MODIFICATION TYPES

NDOT has 47 Contract Modification types. Each type covers a specific change to a contract.

Types 1 through 23 are general Contract Modifications. These Contract Modifications require a Cover Letter, cost justification (if applicable), and other various supporting documentation depending on their type. These Contract Modifications must include signatures from the Resident Engineer, Contractor, District Engineer/Assistant District Engineer, Chief of Construction, Assistant Chief of Construction, Assistant Director and FHWA (if applicable). DocuSign signature routing templates have been set up for each district and funding source for these Contract Modification types (refer to the Contract Modification Execution Workflow section in this chapter for details).

Types 25 through 35 are administrative Contract Modifications. These Contract Modifications do NOT require a Cover Letter or a cost justification. They can have various supporting documentation depending on their type (e.g., wage determinations, failing test reports, calculation sheets). Contract Modification types 25 and 27 must include signatures from the Resident Engineer, District Engineer/Assistant District Engineer, and Assistant Chief of Construction. A DocuSign signature routing template has been set up for the administrative Contract Modification types 25 and 27 (refer to the Contract Modification Execution Workflow section in this chapter for details). Contract Modification types 26 and 28 – 35 only require a signature from the Resident Engineer. A DocuSign signature routing template has been set up for the administrative Contract Modification types 28 - 35 (refer to the Contract Modification Execution Workflow section in this chapter for details). Contract Modification type 26 is created by the Resident Engineer and left in DRAFT status. Construction Admin Services staff review and approve this type of Contract Modification. Contract Modification type 30 - HQ Administrative is reserved for Construction Admin Services staff use only.

Types 901 through 924 are Prior Contract Modifications. These Contract Modifications require a Cover Letter, cost justification (if applicable), and other various supporting documentation depending on their type. A Prior gives the contractor authorization to commence work on an item(s) not originally included in the contract and provides an estimate of quantity for that item(s). They do require an additional Contract Modification to be created to finalize the quantity(s) for the work performed. These Contract Modifications must include signatures from the Resident Engineer, Contractor, District Engineer/Assistant District Engineer, Chief of Construction, Assistant Chief of Construction, Assistant Director and FHWA (if applicable). DocuSign signature routing templates have been set based on the funding source for these Contract Modification types (refer to the Contract Modification Execution Workflow section in this chapter for details).

CONTRACT MODIFICATION TYPE LIST

- 1 - Errors or Omissions on Plans
- 2 - Construction Stakeout Errors
- 3 - Utilities Conflicts
- 4 - Traffic Control (Temporary conditions - striping, pavement markings, phasing changes)
- 5 - ITS Changes or Additions (Signals, lighting, permanent signs and electrical)
- 6 - Roadway Changes
- 7 - Fencing / Right of Way (Gates, change of access)
- 8 - Drainage (Pipe extensions, DIs, RCB, anything underground)
- 9 - Structural Items
- 10 - Material and Testing (Alternate pits, if existing pit to materials only, materials, lime treatment, sieve changes, test methods, material spec changes)
- 11 - Safety and Traffic (Permanent conditions - guardrail, barrier rail, guideposts, striping, pavement markings)
- 12 - Specifications Changes (No materials or traffic control phasing)
- 13 - Miscellaneous
- 14 - Flaggers
- 15 - Non-Specification Material Allowed to Remain in Place
- 17 - Claims and Dispute Resolution
- 18 - Value Added Work
- 20 - Landscape & Aesthetic Treatments
- 21 - VEP: Value Engineering Proposal
- 22 - Stormwater
- 24 - Environmental
- 25 - Adjusting Incentive / Disincentive (Crew Administrative)
- 26 - Contract Closeout (Crew Administrative) (HQ reviews and processes)
- 27 - Quantity Overrun (Crew Administrative) (This applies to any item major item (\$50,000 or greater) with a quantity change over \$100,000 or 100% of the original bid amount)
- 28 - Reducing Escalation Quantity (Crew Administrative)
- 29 - Category Adjustment (Crew Administrative)
- 30 - HQ Administrative (**HQ Admin ONLY**)
- 31 - Liquidated Damage: Environmental (Crew Administrative)
- 33 - Penalty: Labor Compliance (Crew Administrative)
- 34 - Liquidated Damage: Material (Crew Administrative)
- 35 - Liquidated Damage: Time (Crew Administrative)
- 901 - Prior - Errors or Omissions on Plans
- 903 - Prior - Utilities Conflicts
- 904 - Prior - Traffic Control (Temporary conditions - striping, pavement markings, phasing changes)
- 905 - Prior - ITS Changes or Additions (Signals, lighting, permanent signs and electrical)
- 906 - Prior - Roadway Changes
- 907 - Prior - Fencing / Right of Way (Gates, change of access)
- 908 - Prior - Drainage (Pipe extensions, DIs, RCB, anything underground)
- 909 - Prior - Structural Items
- 911 - Prior - Safety and Traffic (Permanent conditions - guardrail, barrier rail, guideposts, striping, pavement markings)
- 913 - Prior - Miscellaneous
- 914 - Prior - Flaggers
- 918 - Prior - Value added work
- 920 - Prior - Landscape & Aesthetic Treatments
- 921 - Prior - VEP: Value Engineering Proposal
- 922 - Prior - Stormwater
- 924 - Prior - Environmental

ESSENTIAL ELEMENTS OF CONTRACT MODIFICATIONS

Contract Modifications include the following elements (depending on the type):

- Cover Letter - Description of the work to be performed
- Independent Cost Analysis/Cost of the work
- Method of payment and time to complete the work
- Appropriate signatures

GUIDANCE FOR COMPLETING CONTRACT MODIFICATION DOCUMENTATION

COVER LETTER

Cover Letters are required except when processing an administrative type Contract Modification. The following is guidance on composing a Contract Modification Cover Letter (Figure 3-2):

- Use Department, District specific letterhead.
- Include the date the letter was composed.
- Address the letter to the Director and ATTN: to the Chief Construction Engineer.
- Include the contract number, federal/state project number(s), and the location.
- Clearly explain the reason for the Contract Modification for an audience who is seeing it for the first time.
- The letter should address the who, what, why, where and how of the Contract Modification. (Can a person without any knowledge of the Contract Modification understand why the change is needed?)
- Identify who requested the Contract Modification.
- Identify who (the name of the person, title and Division, e.g., Design, Materials, Construction, and District, etc.) was consulted about the Contract Modification. Don't refer to conversations/concurrences if the conversations/concurrences didn't take place.
- Include the Type of Contract Modification including the type #, (e.g., errors/omissions - type 1, drainage - type 8, and utilities - type 3).
- The letter needs to state whether additional working days were granted. If the Contract Modification increases or decreases working days (or milestone dates), a detailed explanation with back-up is needed, i.e., schedule impact analysis. Keep in mind if FHWA does not agree with additional working days the amount of the liquidated damages will be withheld by FHWA from NDOT, as specified in Subsection 108.09, (*Prosecution and Progress*) *Failure to Complete the Work on Time*, of the Special Provisions.
- The letter needs to state whether there is an increase or decrease in cost. If no cost increase, state that as well.
- Discuss how the Contract Modification will be paid (i.e., existing bid items, new items, and lump sum).
- Third party agreements should be mentioned and identify the responsible signer.
- If the Contract Modification includes specification changes, explain why the changes are necessary.
- If the project is a [Project of Divisional Interest, PODI](#), the only way a specification change can be made is if it meets one of three criteria. Use the following exact language in the letter:
 - "The Specification, as written, is impossible or impractical to comply with."
 - "A product of equal in all respects to the one specified can be furnished at a savings to the contract."
 - "A product superior to one specified can be furnished at no increase in cost."
- If a Prior Contract Modification has been executed, the cover letter must address the Prior and any changes not addressed in the Prior that are being covered with the follow-up Contract Modification.
- The cover letter will be saved to the appropriate EDOC Contract Files\Contract Files\Division No. 5 - Contract Modification\5.# Contract Modification No. directory. The file name must contain the contract ID and the Contract Modification number.

COST JUSTIFICATION

Adequate cost justification must be provided with Contract Modifications except when processing an administrative type Contract Modification. Cost justifications explain why the price is reasonable or justified. Each cost element needs to be assigned to the appropriate category (AEB).

The most common methods of cost justification include:

- Reference the historical bid price found in the integrated Project Development (iPD) program. The iPD program is accessed using the [E-Bidding log-in](#) link located in the Applications area in SharePoint.
- Similar scope of work on other contracts
- Invoices
- Third Party Quotes from an independent source
- Independent cost analysis (Cost Analysis form) (Figure 3-1)
- The method of payment needs to be identified whether it be force account, agreed lump sum, agreed unit price or individual bid items.

When preparing a Cost Analysis form for a Contract Modification, the Resident Engineer should follow these guidelines:

- Use prevailing wage rates for labor
- Use EquipmentWatch for hourly equipment rates (attach EquipmentWatch report, refer to Chapter 4, Force Account, in this manual for details)
- Use invoice/quote for materials (attach invoice/quote)
- Ensure the correct markup has been applied. Subcontract work can be limited to 5% and is left up to the Resident Engineer during negotiation with the contractor. Refer to Subsections 104.03, (*Scope of Work*) *Extra Work*, and 109.03(d), (*Measurement and Payment*) *Force Account Work (Subcontracted Work)*, of the Standard Specifications.
- All cost justification files will be saved to the appropriate EDOC Contract Files\Contract Files\Division No. 5 - Contract Modification\5.# Contract Modification No. directory. The file name must contain the contract ID and the Contract Modification number.

- The impact of time, or added working days, should be stated on the Contract Modification. If no working days are added, the Contract Modification should state so. The explanation of time impact should be addressed on the cover letter, not in the Contract Modification. An independent analysis to support the time extension must be performed and a copy of the new schedule will be included in the Contract Modification supporting documentation.
- When adding a liquidated damage (LD)/Penalty item make sure to add it to the appropriate category (AEB):
 - LD Environmental – Add the item to the category (AEB) where the damage occurred.
 - LD Material – Add the item to the category (AEB) where the material was placed and failed.
 - LD Time – If the LD is for the overall completion of the contract (day or date), add the item to the largest category (AEB). If the LD is for a time overage (related to Subsection 108.09, *(Prosecution and Progress) Failure to Complete the Work on Time*, in the Special Provisions), add the item to the category (AEB) where the time was not met.
 - Penalty Labor Compliance – Add the item to the largest category (AEB).
- The following language must be included at the end of the Description of Changes on all Contract Modifications, except for the administrative Contract Modifications:
 - “Acceptance of this Contract Modification constitutes accord and satisfaction and represents payment in full (for both time and money) for any and all costs, impact effect, and/or delays arising out of, or incidental to, the work as herein revised and present and future the extension of the completion time.”
- The following language must be included at the end of the Description of Chances on all Prior Contract Modification:
 - “This Contract Modification is being processed as a Prior Approval in order to authorize the commencement of work and provide an estimate of quantities (and associated payment) to be performed as outlined above and per the direction of the Resident Engineer. The actual quantities required to complete the work per this Prior Approval shall be finalized and paid for accordingly upon completion of the work. Contract Modification #__ will be generated to complete and finalize the quantities and associated payment.”

Note: If a Contract Modification adds a new item that requires a material certification, go to the *FieldManager Material list* and add the material. Refer to Chapter 6, *Working with Materials*, in the [FieldManager User Guide](#), for details.

OTHER SUPPORTING DOCUMENTS

The following contains a list of supporting documentation/correspondence that must be included with a Contract Modification (as applicable):

- Revised plan sheets
- Email correspondence
- Contract Modification Request Memo and Construction Division concurrence
- Specifications
- Calculation sheets
- Third Party Agreements
- Independent Cost Analysis

These files will be saved to the appropriate EDOC Contract Files\Contract Files\Division No. 5 - Contract Modification\5.# Contract Modification No. directory. The file names must contain the contract ID and the contract modification number.

CONTRACT MODIFICATION EXECUTION WORKFLOW

The following is guidance for executing ALL Contract Modifications. Refer to Chapter 10, Contract Modifications and Appendix C, Contract Modification Step-By-Step Guidelines, in the [FieldManager User Guide](#), for details.

1. Determine if the contract is an FHWA PoDI project. Refer to the [Current PoDI Contract Modification Approval Tracking](#) document for details.
2. Complete the [FHWA Pre-Authorization form](#) (FHWA-1365) as necessary for the Contract Modification and route through DocuSign for approvals.

3. Create the appropriate supporting documentation required for the Contract Modification (cover letter, cost justification, etc.)
4. Create the DRAFT Contract Modification.
5. Send an email to the appropriate Assistant Construction Engineer and copy (Cc) the HQ Construction Admin Section, requesting a review.
 - a. Attach the entire Contract Modification packet to include all supporting documentation.
6. The Construction Division will review the Contract Modification packet for the following items and work with the Resident Engineer on necessary revisions.
 - a. Assistant Construction Engineers review for the following:
 - i. Concurrence with guidelines.
 - ii. Verify that scope, corresponding days and costs, seem reasonable.
 - iii. Completeness of contractual documents to include a clearly defined change.
 - b. Construction Admin Services staff will review for the following:
 - i. Verify Contract Modification type.
 - ii. Review for completeness to ensure document meets FHWA requirements.
 - iii. Review estimate of costs and justification for reasonableness.
 - iv. If reviewing a Contract Modification with associated Prior Approval, verify that the dollar amount is accurate.
7. Assistant Construction Engineer will notify the Resident Engineer that the Contract Modification packet is complete and ready for processing.
8. Generate the DRAFT Contract Modification so the status becomes 'Pending Approval', print it to a PDF file, and save to the appropriate EDOC Contract Files\Contract Files\Division No. 5 - Contract Modification\5.# Contract Modification No. directory. The file name must contain the contract ID and the Contract Modification number.
9. Log on to DocuSign and create a NEW envelope. Upload the generated FieldManager Contract Modification PDF file and all supporting documents as separate files. Refer to the [How to Send Contract Modification in DocuSign using a Template](#) guide for details.
10. Use the appropriate template.
 - a. District 1 DocuSign templates:
 - i. Const D1, CM, FHWA Funding (Federal funding and PODI)
 - ii. Const D1, CM, State Funding
 - b. District 2 DocuSign templates:
 - i. Const D2, CM, FHWA Funding (Federal funding and PODI)
 - ii. Const D2, CM, State Funding
 - c. District 3 DocuSign templates:
 - i. Const D3, CM, FHWA Funding (Federal funding and PODI)
 - ii. Const D3, CM, State Funding
 - d. Shared DocuSign templates:
 - i. Const D1, D2, D3, CM, Admin Types 25 & 27
 - ii. Const D1, D2, D3, CM, Admin Types 28 - 35
 - iii. Const D1, D2, D3, CM, FHWA Prior
 - iv. Const D1, D2, D3, CM, State Prior

Note: Construction Admin Services staff route the Contract Modification to the appropriate staff, divisions and FHWA (if appropriate) after the Resident Engineer has signed.

11. Once the Contract Modification has been routed through all required signers the originator of the DocuSign envelope will receive an email from DocuSign. This email contains attached PDF copies of the signed (executed) Contract Modification and supporting documents. Save the executed (signed) FieldManager Contract Modification PDF file to the appropriate EDOC Contract Files\Contract Files\Division No. 5 - Contract Modification\5.# Contract Modification No. directory. The file name must contain the contract ID, the Contract Modification number, and the executed date.

Note: If this Contract Modification is part of a Prior, make sure to attach the executed Prior PDF file to the associated Contract Modification as backup documentation.

12. Upload the executed Contract Modification PDF file to FieldManager as an attachment.
13. Resident Engineer approves the Contract Modification.

Note: When adding a NEW category (AEB) through a Contract Modification, DO NOT approve the Contract Modification in FieldManager until a notification from Construction Admin Services is received stating that the new category (AEB) has been funded.

Note: Contact the Construction Admin Services Section staff or the Assistant Construction Engineer with questions.

CONTRACT MODIFICATION PACKET EXAMPLE

The following is an example of an executed Contract Modification packet (Figure 3-2 through Figure 3-11):

DocuSign Envelope ID: 7CBFF910-D6FA-49E9-96C0-8D6DB85F8BA1



STATE OF NEVADA
 DEPARTMENT OF TRANSPORTATION
 DISTRICT II
 310 GALLETTI WAY
 SPARKS, NEVADA 89431
 (775) 888-7708 FAX (775) 687-3380

October 3, 2016

BRIAN SANDOVAL
 Governor

RUDY MALFABON, P.E., Director
 In Reply Refer to:

Mr. Rudy Malfabon, P.E., Director
 Nevada Dept. of Transportation
 1263 South Stewart St
 Carson City, Nevada 89712

Contract No. 3627
 Project No's.
 SPF-050-1(040) &
 SPF-050-1(049)
 RE: Contract Mod. No. 7

ATTN: Sharon Foerschler, P.E., Chief Construction Engineer

Dear Ms.:

Reference is made to Contract No. 3627, for constructing a portion of the State Highway System, on US 50 from Cave Rock to SR 28 Spooner Junction.

Attached for your approval is Contract Modification No. 7 for Contract No. 3627 on the US50 Cave Rock Tunnel Extension Project. This Contract Modification reflects adjusted quantities of existing bid items for hydraulic design changes.

After the Contract had been bid, it was decided that an existing drop inlet should be left in place, rather than being replaced as indicated in the plans. An additional drop inlet will be placed and connected to an existing sediment can to address problematic bypass flows recently identified by maintenance. This change was requested by the NDOT Design Division. No additional working days will be added to the Contract with this Contract Modification.

This Contract Modification consists of quantity adjustments to bid items. The increase to the Contract amount as a result of the Contract Modification will be \$11,442.75, to be charged to AEB 1. This Contract Modification is identified as a Type 8 – Drainage.

This Contract Modification was discussed with Steve Lani, Assistant Construction Engineer, Rick Bosch, Assistant District Engineer, Paul Frost, Chief Roadway Designer, and Matt Nussbaumer, Hydraulic Designer.

Sincerely,

Digitally signed by

 7886753837AA0417
 John Angel, P.E.
 Resident Engineer

JA:alc

Figure 3-2: Example of a Contract Modification Cover Letter

DocuSign Envelope ID: 7CBFF910-D6FA-49E9-96C0-8D6DB85F8BA1



Contract Modification

Department of Transportation

10/4/2016 8:21 AM

FieldManager 5.3a

Contract: 03627, CONSTRUCT WATER QUALITY IMPROVEMENTS

Cont. Mod. Number	Revision Number	Cont. Mod. Date	Net Change	Awarded Contract Amount
7		10/4/2016	\$11,442.75	\$8,099,958.57
Route US050-1				Entered By Amanda L Callegari
Contract Location US50 FR. CAVE ROCK TO SR. 28				

Short Description

Requested by Paul Frost, Chief Roadway Design

Description of Changes

CM Type 8 - Drainage

This Contract Modification directs the Contractor to perform the following work: Contract Modification Type Code 8 for hydraulic changes.

The following changes are shown on attached revised Plan Sheet 13 and Structure List Sheets S1 and S6. The type 2 drop inlet at station "L2" 339+58, 27.3' LT will be left in place and will not be replaced as indicated in the plans. Construct an additional type 2 drop inlet at "L2" 334+84, 26.74' LT and install 61" of HDPE pipe to connect the drop inlet to the existing sediment can at Station "L2" 334+77, 34.6' RT.

Acceptance of this Contract Modification constitutes an accord and satisfaction and represents payment in full (for both time and money) for any and all costs, impact effect, and/or delays arising out of, or incidental to, the work as herein revised and present and future the extension of the contract completion time.

Increases / Decreases

Project: 73653C1C, CAVE ROCK TO SR 28 SPOONER JUNCTION DO 8.44 TO DO 11.42

CNST

Category: 01, HYDRAULIC IMPROVEMENTS 5% NEW 95% EXISTING

Item Description	Item Code	Prop.Ln.	Item Type	Unit	Quantity Chg.	Unit Price	Dollar Value
REMOVAL OF DROP INLET	2021040	0025	ORIGINAL	EACH	-1.000	700.00000	\$-700.00

Reason: Drop inlet staying in place.

STRUCTURE EXCAVATION	2080110	0045	ORIGINAL	CUYD	29.180	50.00000	\$1,459.00
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Reason: Added drop inlet and pipe crossing.

GRANULAR BACKFILL	2070110	0050	ORIGINAL	CUYD	17.450	65.00000	\$1,134.25
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Reason: Added drop inlet and pipe crossing.

TYPE 2 DRAIN BACKFILL	2080130	0055	ORIGINAL	CUYD	1.600	85.00000	\$136.00
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Reason: Added drop inlet.

Contract: 03627

Cont. Mod.: 7

Page 1 of 3

Figure 3-3: Example of a FieldManager Contract Modification Body

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Contract Modification

Department of Transportation

10/4/2016 8:21 AM
FieldManager 5.3a

Increases / Decreases

Project: 73653C1C, CAVE ROCK TO SR 28 SPOONER JUNCTION DO 8.44 TO DO 11.42 CNST
 Category: 01, HYDRAULIC IMPROVEMENTS 5% NEW 95% EXISTING

Item Description	Item Code	Prop.Ln.	Item Type	Unit	Quantity Chg.	Unit Price	Dollar Value
TYPE 1 CLASS B AGGREGATE BASE	3020140	0085	ORIGINAL	CUYD	7.660	100.00000	\$766.00
Reason: Added drop inlet and pipe crossing.							
PLANTMIXING MISCELLANEOUS AREAS	4020100	0090	ORIGINAL	SQYD	23.800	24.00000	\$571.20
Reason: Added pipe crossing.							
PLANTMIX SURFACING (TYPE 2)(WET)	4020180	0100	ORIGINAL	TON	11.620	115.00000	\$1,336.30
Reason: Added pipe crossing.							
12 - INCH HIGH DENSITY POLYETHYLENE PIPE, TYPE S	6050140	0150	ORIGINAL	LFT	61.000	110.00000	\$6,710.00
Reason: Added pipe crossing.							
EPOXY PAVEMENT STRIPING (DOUBLE SOLID YELLOW)	6321070	0320	ORIGINAL	LFT	5.000	6.00000	\$30.00
Reason: Added drop inlet and pipe crossing.							

Subtotal for Category 01: \$11,442.75
 Subtotal for Project 73653C1C: \$11,442.75

Figure 3-4: Example of a FieldManager Contract Modification Body (Cont.)

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Contract Modification

Department of Transportation

10/4/2016 8:21 AM

FieldManager 5.3a

DS PF _____ Signature	_____ Date	Q&D CONSTRUCTION INC DocuSigned by: Kurt Matzoll _____ Signature	_____ Date
_____ Signature	10/10/2016 Date	Kurt Matzoll _____ Signature	10/5/2016 Date
_____ Signature	_____ Date	Resident Engineer DocuSigned by: John Angel _____ Signature	_____ Date
_____ Signature	_____ Date	John Angel _____ Signature	10/4/2016 Date
_____ Signature	_____ Date	District Engineer DocuSigned by: Thor Dyson _____ Signature	_____ Date
_____ Signature	_____ Date	Thor Dyson _____ Signature	10/6/2016 Date
_____ Signature	_____ Date	Chief Construction Engineer DocuSigned by: Sharon Foerschler _____ Signature	_____ Date
_____ Signature	_____ Date	Sharon Foerschler _____ Signature	10/13/2016 Date
_____ Signature	_____ Date	Assistant Director, Nevada Department of Transportation DocuSigned by: Reid G. Kaiser _____ Signature	_____ Date
_____ Signature	_____ Date	Reid G. Kaiser _____ Signature	10/14/2016 Date
_____ Signature	_____ Date	Federal Aid Coordinator _____ Signature	_____ Date
FEDERAL PARTICIPATION - ACTION BY F.H.W.A.			
___ Approved ___ Not Eligible ___ See Letter Dated _____	_____ (Signature)	_____ (Date)	_____ (Date)

Contract: 03627

Cont. Mod.: 7

Page 3 of 3

Figure 3-5: Example of a FieldManager Contract Modification Signature Page

PROJECT INFORMATION		CLIENT	
DATE	PROJECT NO.	PROJECT NAME	PROJECT ADDRESS
REV	NO.	DATE	DESCRIPTION
STRUCTURE LIST			
ITEM NO.	DESCRIPTION	STANDARD	REVISION
201 0290	REMOVE TREES (18-INCHES TO 24-INCHES)		
202 0295	REMOVAL OF HAZARDOUS MATERIAL		
203 0298	REMOVAL OF CULVERT PIPE		
204 0300	RESET CONCRETE BARRIER RAIL		
205 0302	REMOVAL OF CONCRETE BARRIER RAIL		
206 0305	REMOVAL OF GUARDRAIL		
207 0308	REMOVAL OF DROP INLET		
208 0310	REPAIR OF IMPROVED CURB AND GUTTER CONCRETE WATER RAIL		
209 0312	DRAINAGE EXCAVATION		
210 0315	STRUCTURE EXCAVATION		
211 0318	GRANULAR BACKFILL		
212 0320	SURRY CEMENT BACKFILL		
213 0322	TYPE 2 DRAIN BACKFILL		
214 0325	TOP SOIL		
215 0328	HYDROSEEDING		
216 0330	ESTHETIC PATTERNING		
217 0332	PAINTING		
218 0335	TYPE 1 CLASS B AGGREGATE BASE		
219 0338	PAINTING MISCELLANEOUS AREAS		
220 0340	PLANTING PAVED DITCHES		
221 0342	PLANTING BITUMINOUS SHOULDER DITCHES		
222 0345	CONCRETE BARRIER RAIL (MODIFIED)		
223 0348	CLASS AA CONCRETE (MINOR)		
224 0350	REINFORCING STEEL		
225 0352	12-INCH CORR METAL PIPE (18 GADE)		
226 0354	12-INCH CORR METAL PIPE (18 GADE)		
227 0356	12-INCH CORR METAL PIPE (18 GADE)		
228 0358	12-INCH CORR METAL PIPE (18 GADE)		
229 0360	12-INCH HIGH DENSITY POLYETHYLENE PIPE, TYPE B		
230 0362	18-INCH HIGH DENSITY POLYETHYLENE PIPE, TYPE B		
231 0364	ANCHOR ASSEMBLY (12-INCH)		
232 0366	ADJUST DROP INLET		
233 0368	STORMWATER TREATMENT VAULT (TYPE B)		
234 0370	CASTINGS		
235 0372	STRUCTURAL STEEL GRATES		
236 0374	12-INCH PIPE LINER		
237 0376	12-INCH PIPE LINER		
238 0378	GEOTEK (CLASS 1)		
239 0380	REPAIR (CLASS 150)		
240 0382	REPAIR (CLASS 300)		
241 0384	REPAIR (CLASS 550)		
242 0386	REPAIR BEDDING (CLASS 150)		
243 0388	REPAIR BEDDING (CLASS 300)		
244 0390	EROSION CONTROL MAT		
245 0392	CLASS AA CONCRETE CURB AND GUTTER (TYPE B)		
246 0394	GUARDRAIL TERMINAL (FLARED)		
247 0396	GUARDRAIL BARRIER RAIL CONNECTION		
248 0398	ADVANCED GUARDRAIL (TRIPLE CORRUGATION)		
249 0400	RECONSTRUCT GUARDRAIL		
250 0402	12-INCH DUCTILE IRON PIPE		

Figure 3-7: Example of a Contract Modification Updated Plan Sheet (Cont.)

DocuSign Envelope ID: 7CBFF910-D6FA-49E9-98C0-8D6DB85F8BA1



X
1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7490
Fax: (775) 888-7401

MEMORANDUM

Roadway Design Division

August 24, 2016

TO: Sharon Foerschler, Chief Construction Engineer

FROM: Paul Frost, Chief Road Design Engineer *P.F.*

SUBJECT: Change Order Request

PIN: 73653 & 73948 **Project:** SPF-050-1(040) & SPF-050-1(049) **PCEMS:** 2-05115 & 2-05124

Location: US 50 from Cave Rock to SR 28 Spooner Junction

Milepost limits: DO 6.794 to 7.378 & DO 8.440 to 11.420 **Project type:** Preservation

Scope: Extend westbound tunnel and construct water quality and erosion control improvements

Please initiate a Change Order for the above referenced project (Contract 3627).

The change order consists of adjustment in quantities presented in the Table below. This change order includes the following plan sheets (Sheet 13 & S6).

It has been decided that an existing drop inlet at station "L2" 339+58, 27.3' LT will be left in place and will not be replaced. To address problematic bypass flows recently identified by maintenance, an additional drop inlet at "L2" 334+84, 26.74' LT is proposed. It will be connected to an existing sediment can at Station "L2" 334+77, 34.6' RT.

Item No.	Unit	Item	Contract Quantity	Proposed Quantity	Change
2020475	LINFT	REMOVAL OF GUARDRAIL	464	464.00	0.00
2021040	EACH	REMOVAL OF DROP INLET	7.00	6.00	-1.00
2060110	CUYD	STRUCTURE EXCAVATION	1660.7	1689.88	29.18
2070110	CUYD	GRANULAR BACKFILL	400.2	417.65	17.45
2090130	CUYD	TYPE 2 DRAIN BACKFILL	55	57.00	2.00
3020140	CUYD	TYPE 1 CLASS B AGGREGATE BASE	2578.8	2586.46	7.66
4020100	SQYD	PLANTMIXING MISCELLANEOUS AREA	627.2	651.00	23.80

Figure 3-8: Example of a Contract Modification Request Memo

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4020130	LINFT	PLANTMIX BITUMINOUS SHOULDER DIKES	205.00	205.00	0.00
4020180	TONS	PLANTMIX SURFACING (TYPE 2) (WET)	2932.00	2943.62	11.62
5020750	CUYD	CLASS AA CONCRETE (MINOR)	74.33	74.33	0.00
5050100	LBS	REINFORCING STEEL	6041.00	6041.00	0.00
6050140	LINFT	12-INCH HIGH DENSITY POLYETHYLENE PIPE, TYPE S	322.00	383.00	61.00
6091040	LBS	STRUCTURAL STEEL GRATES	8393.00	8393.00	0.00
6100050	SQYD	GEOTEXTILE (CLASS1)	2296.00	2296.00	0.00
6180600	LINFT	RECONSTRUCT GALVANIZED GUARDRAIL	288.00	288.00	0.00
6321070	LINFT	EPOXY PAVEMENT STRIPING (DOUBLE SOLID YELLOW)	120.00	125.00	5.00

This change order has been discussed with and agreed upon by the Resident Engineer John Angel, Matt Nussbaumer with Hydraulics and Paul Frost from Roadway Design.

Copies to: Rick Bosch, Assistant District Engineer, Construction
 John Angel, Resident Engineer Crew 911
 Jerry Vradenburg, Supervisor III, Crew 911
 Shawn Howerton, Principal Road Design Engineer
 Charles Wolf, Chief Hydraulic Engineer
 Matt Nussbaumer, Hydraulics
 Devin Cartwright, Designer
 Sarah Vido, Roadway Design
 Michael Griswold, Materials--Geotech
 File (2 copies)

Figure 3-9: Example of a Contract Modification Request Memo (Cont.)

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Callegari, Amanda L

From: Lani, Stephen L
Sent: Friday, September 16, 2016 3:52 PM
To: Angel, John W; Vradenburg, Jerry J; Callegari, Amanda L
Cc: Bosch, Richard C; Liebherr, Robert A; Whited, Cecilia A
Subject: FW: 73653 & 73948 - Change Order Request
Attachments: 73653 & 73948 - Change Order Request.pdf

#3627 – US50 Cave Rock

John / JP / Amanda,

Please see the attached change order request from Design and consider this e-mail as confirmation from the Construction Office to proceed with the Contract Modification. These proposed changes are what has been previous discussed and make modifications to the drainage and water quality work. Please make sure the contract modification is inclusive of all work necessary to complete the requested changes and addresses any additional costs or time associated with these changes.

The category of work included in this request relates directly to the drainage system, therefore I would recommend the type code be a Code 8 (Drainage), and should be identified in the cover letter.

If you have any questions or concerns regarding the contract modification in Field Manager please don't hesitate to contact our office. Once you have completed the draft of the CM please forward to the Construction Office for review prior to final signatures.

Thanks S. Lani,
 Stephen L. Lani, P.E.
 Assistant Construction Engineer
 Nevada Department of Transportation
 1263 S. Stewart Street
 Carson City, NV 89712
 (775) 888-7460
 (775) 888-7065 Direct
 (775) 888-7210 Fax
 (775) 720-4528 Cell
<mailto:slani@dot.state.nv.us>

This communication, including any attachments, may contain confidential information and is intended only for the individual or entity to whom it is addressed. Any review, dissemination or copying of this communication by anyone other than the intended recipient is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and delete all copies of the original message.

From: Foerschler, Sharon L
Sent: Thursday, September 08, 2016 7:35 AM
To: Lani, Stephen L <slani@dot.state.nv.us>
Subject: FW: 73653 & 73948 - Change Order Request

FYI – you know the routine. Looks like this is a little late in arrival?

Sharon Foerschler, P.E.
 Chief Construction Engineer
 Nevada Dept. of Transportation
 1263 So. Stewart Street
 Carson City, NV 89712
 Work: 775-888-7228

Figure 3-10: Example of a Contract Modification Construction Division Concurrence Email

DocuSign Envelope ID: 7CBFF810-D6FA-49E9-96C0-8D6DB85F8BA1

Cell: 775-350-0887
<mailto:sfoerschler@dot.state.nv.us>

From: Drake, Abigail S
Sent: Wednesday, September 07, 2016 2:07 PM
To: Foerschler, Sharon L <sfoerschler@dot.state.nv.us>
Cc: Frost, Paul M <pfrost@dot.state.nv.us>; Bosch, Richard C <rbosch@dot.state.nv.us>; Angel, John W <jangel@dot.state.nv.us>; Vradenburg, Jerry J <jvradenburg@dot.state.nv.us>; Howerton, Shawn P <showerton@dot.state.nv.us>; Wolf, Charles P <cwolf@dot.state.nv.us>; Nussbaumer, Matthew L <mnussbaumer@dot.state.nv.us>; Cartwright, Devin P <dcartwright@dot.state.nv.us>; Vido, Sarah S <svido@dot.state.nv.us>; Griswold, Michael R <mgriswold@dot.state.nv.us>
Subject: 73653 & 73948 - Change Order Request

Please find attached, 73653 & 73948 - Change Order Request.
Thank you,

Abbey Drake

*Office Manager
NDOT - Roadway Design
1263 S Stewart Street, RM 401
Carson City, NV 89712
775-888-7490*

2

Figure 3-11: Example of a Contract Modification Construction Division Concurrence Email (Cont.)

Refer to [Contract Modification Examples](#) in the Construction Crew Portal of the Construction Division SharePoint for various examples of completed Contract Modifications.

LETTERS OF AUTHORIZATION (LOA)

Occasionally minor construction items, not anticipated in the original scope of a contract, must be completed on a project. These minor construction items are incidental construction items, which do not have bid items, and is a means to compensate the contractor for incidental construction items. The Resident Engineer can pay for these incidental construction items with a Letter of Authorization (LOA).

The following are the Resident Engineer's limitations on Letters of Authorization:

- The spending limit per incident is set at \$15,000.
- The cumulative total of incidental construction items cannot exceed the amount programmed for the contract.
- Multiple LOAs cannot be written to cover the same issue, (i.e., the same thing multiple times or multiple LOAs to achieve one goal).

ESSENTIAL ELEMENTS OF AN LOA

The Letter of Authorization must contain the following information:

- Contract number and project number
- Letter of Authorization number (numbered consecutively beginning with 1)
- Date of authorization
- Reason for work
- Description of work
- Cost of work
 - Cost justification for work:
 - The Resident Engineer prepares an independent cost analysis of the contractor's cost estimate and compares the two. Any significant differences are resolved with the contractor. Refer to the Cost Justification Section in this chapter for additional information on preparing a cost analysis.
 - Include the cumulative total of incidental funds used on project, expressed as a dollar amount and cumulative amount of incidental funds used compared to incidental funds budgeted, expressed as a percentage.
- Signature of contractor and Resident Engineer.

Important: *The Resident Engineer and contractor must sign Letters of Authorization before the work begins.*

LOA EXECUTION WORKFLOW

1. Complete LOA and all supporting documentation (e.g., Independent Cost Analysis, invoices).
2. Send to HQ Construction Admin Section, requesting a review.
3. Log on to DocuSign and create a NEW envelope. Upload the LOA and supporting documents. Route to the Resident Engineer and Contractor for signature.
4. Once the LOA has been routed through all required signers, the originator of the DocuSign envelope will receive an email from DocuSign. This email contains attached PDF files of the signed (executed) LOA and supporting documents. Save the LOA and all supporting documents in the appropriate EDOC Contract Files\Contract Files\Division No. 7 - Construction Pay Estimate and Related Data\7.# Incidental Construction (LOAs) directory.
5. The Resident Engineer sends copies of signed LOA and supporting documents to the District and Construction Division.
6. Create an IDR in FieldManager, Posting to item 7360040 - Incidental Construction, for the amount authorized in the LOA.

LOA AND SUPPORTING DOCUMENTATION EXAMPLE

The following is an example of an LOA and supporting documentation (Figure 3-12 through Figure 3-14):



STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

District III
795 E. Fourth St
Winnemucca, Nevada 89445
February 2, 2017

BRIAN SANDOVAL
Governor

RUDY MALFABON, P.E., Director

Road and Highway Builders, LLC.
P.O. Box 70846
Reno, Nevada 89570

Contract No. 3604-READV
LOA # 2
Repair Luminaire Lighting

Attention: Colin Maher, Project Manager

Dear Sir:

Reference is made to Nevada Department of Transportation Contract 3604-READV, Project Number IM-080-3(063) and SPI-080-3(032), on I-80 from 1.065 miles west of HU/LA county line to the HU/LA county line; I-80 from HU/LA county line to 0.93 miles east of the East Battle Mountain Interchange; and SR 304, Allen Road from the cattle guard on the south side to the cattle guard on the north side of the West Battle Mountain Interchange in Lander and Humboldt Counties.

During repair of a wiring run for the MP 233 Interchange lighting (Eastbound) the contractor identified a previously damaged section of the run from the meter panel to the lighting that was crushed, buried (pull box) and inadequately fixed by others. To complete the repair work and activate the interchange lighting it became necessary for the contractor to remove a crushed and unnecessary pullbox (from the previous repair), install new conduit and conductor.

Payment will be in the amount of \$4,780.00 as shown on the Cost Analysis and shall be considered full compensation for repair of the service run from ~"PE" 159+30 to ~"PE" 162+25.

Please signify your concurrence to perform this work at the lump sum unit price in the amount of \$4,780.00 by signing below. No additional working days shall be allotted for the performance of this work.

APPROVED

DocuSigned by:
Donald Kalkoske

Donald C. Kalkoske, Asst. Resident Engr.
2/2/2017

DATE

CONCUR

DocuSigned by:
Colin Maher

Colin Maher, Project Engineer
2/6/2017

DATE

AEB No. 4
Increased Cost for this Letter of Authorization: \$4,780.00
Cumulative Amount of Letters of Authorization to Date: \$10,500.00
Percentage of Original Bid Price for Cumulative Amount to Date: 0.09%

cc: Sharon Foerschler, P.E., Chief Construction Engineer
Dave Lindeman, P.E., Asst. District Engineer

File

Figure 3-12: Example of an LOA

DUPLICATE INVOICE									
WEDCO, INC. 775-329-1131 323-7339 FAX P.O. BOX 1131 RENO, NV 89504									
Order # : 312564			Invoice # : 401359			Inv Date : 01/25/17			
Page : 1			Printed At : 07:04:12 01 FEB 2017						
Sold to: TITEL-0001					Shipped To:				
TITAN ELECTRICAL CONTRACTING ACCOUNTS PAYABLE 5450 MILL STREET RENO NV 89502					TITAN ELECTRICAL CONTRACTING 5450 MILL STREET RENO NV 89502				
Instructions DELIVER TO SHOP TODAY					Quoted			Whse 1	
Inv #	Customer Order #	Ship Via Desc			Shipped	Sls	Writer		
401359	6785	WEDCO TRUCK			01/24/17	10	AW		
Ln	Order Quant	Ship Quant	B/O Quant	EDP Code / Description	Net Price	UM	Ext Price		
1	900	900	0	4 THHN BLACK CU 4 STR THHN BLACK CUTTING 3 X 300 FEET	574.03	M	517.17		
[Redacted]									
5	2	2	0	B1324-BOX CHRISTY	120.80	EA	241.60		
6	2	2	0	B1324-61JH-B BLANK	182.60	EA	365.20		
7	2	2	0	PVC290	155.28	C	3.11		
8	2	2	0	2" PVC 90 DEG ELBOW	154.51	C	3.09		
9	8	8	0	2" PVC COUPLING	37.54	C	3.00		
10	2	2	0	3" PVC 90 DEG ELBOW	464.64	C	9.29		
11	2	2	0	3" PVC 45 DEG ELBOW	469.09	C	9.38		
12	8	8	0	3" PVC COUPLING	105.74	C	8.46		

\$300 not part of repair

Terms of sale are : 2%
If you pay this invoice by 02/10/17,
you may take a discount of \$29.20.

Total Net Amount \$1,460.30
Tax 112.81

Invoice Amount \$1,573.11

Figure 3-14: Example of an LOA Cost Justification Invoice

Refer to the [Construction Administrative Services Document Resources](#) area for an LOA template.

