

CITY OF SAN DIEGO
ADMINISTRATIVE REGULATION

SUBJECT ALTERATIONS IN PUBLIC WORKS CONTRACTS	Number 25.40	Issue 5	Page 1 of 3
	Effective Date July 6, 1996		

1. PURPOSE

1.1 To establish a procedure for processing change orders to Public Works contracts.

2. AUTHORITY

2.1 Section 98 of the City Charter, as amended November 4, 1975, refers to a Council ordinance establishing the maximum amount of a change order the Manager may authorize without Council approval.

2.2 Municipal Code Section 22.0209 amended July 21, 1980 by Ordinance 0-15295 (new series) establishes criteria for contract changes authorized by the Manager.

3. POLICY

3.1 Execution of all Public Works contracts in excess of \$200,000 requires Council approval. The procedure applicable to processing documents for Council approval is contained in A.R. 3.20.

3.2 Alterations to existing Public Works contracts, the cost of which increases (or decreases) contract by more than \$200,000 upon written recommendation of the Manager. All other alterations shall be made by agreement, in writing, between the Contractor and the Manager as provided in Sec. 22.0209. A fully executed Change Order shall serve as a sufficient and legal written agreement as required by Section 98 of the City Charter.

(Supersedes Administrative Regulation 25.40, Issue 4, effective March 30, 1993.)

Authorized

(Signed by Jack McGrory)

CITY MANAGER

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Responsibility

Action

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| <p>4. <u>Procedure</u></p> <p><u>Originator:</u> (Engineering & Capital Projects Department/Field Division; or Metropolitan Wastewater Department)</p> | <p>4.1</p> <p>4.2</p> <p>4.3</p> <p>4.4</p> | <p>Prepare change orders as required: Contract Change Order, Form E&D-1, for contract changes requiring Council approval or E&D-24 as revised (pink) for contract changes not requiring City Council approval, whichever is appropriate</p> <p>After obtaining the Contractor's agreement to the proposed change, the appropriate approvals as indicated on Forms E&D-1 or E&D-25 (rev.) shall be obtained which will indicate recommendation to the City Manager or administering Deputy Director.</p> <p>If the change order requires Council approval, the procedure set forth in A.R. 3.20 shall be followed.</p> <p>If the change order does not require Council approval, the following procedure will be followed.</p> <p>ED-25 (rev. form) and any necessary supporting information forwarded through the following steps.</p> |
| <p>Auditor & Comptroller</p> | | <p>a. If sufficient funds are available, Auditor & Comptroller issues an Auditor Certificate encumbering the funds and signs the change order. Auditor & Comptroller retains one copy of Contract Change Order and forwards original to City Attorney.</p> <p>b. If sufficient funds are not available, Auditor & Comptroller returns all copies to the originator with appropriate notations, and procedure set forth in A.R. 3.20 is initiated.</p> |
| <p>Attorney</p> | | <p>c. Approves Change Order and forwards to the originator.</p> |
| <p>Originator</p> | | <p>d. Make copies and distribution as indicated on Contract Change Order form.</p> |

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APPENDIX

Legal References

City Charter, Section 94 - Contracts, and Section 98 - Alterations in Contracts
San Diego Municipal Code Section 22.0209 - Alterations in Contracts as amended July 21, 1980 and Section 22.0210 - Contracts.
Other: Administrative Regulation 3.20.

Forms Involved

E&D-1 Contract Change Order requiring Council approval.
E&D-25 (rev) Contract Change Order not requiring Council approval.

Subject Index

Alterations in Public Works Contracts

Administering Department