

**FORM SCG-3047****MEMORANDUM**

TO: Superintendents of Schools

FROM: Konstantinos Diamantis, Director of the Office School Construction Grants

April 22, 2016

RE: Project Change Orders and Construction Change Directives pursuant to CSG10-286 10(d)

This memorandum serves to further clarify school construction project Change Orders (CO) and Construction Change Directives (CCD) submitted to CT DAS Office of School Construction Grants (SCG), the documents to be submitted, and the time frame in which the submission are to be made. The intent of CGS 10-286 10(d) is to provide a consistent, timely, and efficient procedure to expedite SCG review and allow LEA's to anticipate reimbursement eligibility determination.

The relevant Connecticut statute pertaining to school construction project CO's and CCD's is:

*State Statute Sec. 10-286 10(d) For any school building project receiving state grant assistance under this chapter, all change orders or other change directives issued for such project (1) on or after July 1, 2008, until June 30, 2011, shall be submitted, not later than six months after the date of such issuance, to the Commissioner of Education, and (2) on or after July, 1, 2011, shall be submitted, not later than six months after the date of issuance, to the Commissioner of Administrative Services, in a manner prescribed by the Commissioner of Administrative Services. Only change orders or other change directives submitted to the Commissioner of Education or Commissioner of Administrative Services, as applicable, in accordance with this subsection shall be eligible for state grant assistance.*

**SCG Plan Review staff and DAS legal staff interpret this statute and the term "after the date of such issuance" as follows:**

1. Date of Change Order is the *first date the CM (GC) or trade contractor signifies approval for additional work to proceed* (physical signature or electronic acceptance) at the request of either the project's Controlling Contractor or Owner. If a LEA has a contract for program management services, this 6-month rule interpretation applies to service contracts issued by the LEA's Program Manager. All Change Orders (trade, service, or credit change orders) must be submitted to SCG for eligibility determination review.

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2. Date of Construction Change Directive is the date on which additional work is initiated in the field at the request of either the project's Controlling Contractor or Owner as shown on the time and material verification form or field work "ticket". Depending on the construction project's form of delivery, the term Controlling Contractor is the Construction Manager (Construction Manager at Risk contract or Construction Manager as Advisor contract) or General Contractor.

Change Orders which are issued for project cost decreases (credit change orders) are NOT subject to the 6-month rule to discourage LEA's from erroneously construing that a failure to issue credit change orders in a timely fashion will cause the CO or CCD to be determined to be ineligible for reimbursement. Credit Change Orders must be submitted with back-up documentation to allow SCG to evaluate the reasonableness of credit amounts.

CO's and CCD's which are issued prior to project cost change authorization by the LEA's building committee may be (a) submitted prior to the 6-month deadline, and (b) later revised and resubmitted following completion of the work. The initial/preliminary submission date shall be the SCG-recorded date received in SCG office.

A *State Change Order Summary spreadsheet* and *Form SCG-042CO* shall accompany all CO's and CCD's submitted to SCG. The state's CO summary spreadsheet and Form SCG-042CO are NOT change orders.

The State Change Order Summary is an Excel spreadsheet summary form which must be used and is available on the SCG website, and shall be submitted electronically to [das.scg.changeorder@ct.gov](mailto:das.scg.changeorder@ct.gov). The date hardcopy back-up materials are received at the Office of School Construction Grants and stamped in by SCG staff shall be the official "received" date of the CO.

Form SCG-042CO (formerly ED-042CO) is a covering document, similar to a transmittal, and is used to verify acceptance and approval by the LEA and assist SCG to track submissions accurately. However, the date(s) shown with the signatures on Form SCG-042CO is not relevant to the 6-month provision of CGS 10-286 10(d).

Please share this memo with your Building Committees and owner representatives and contractors.