

FY 2020/2021 QC Category No. 16B
STATEWIDE INSPECTION GUIDELIST
Supplemental Agreements, Unilateral Payment Documents and Work Orders

1. Use a Unilateral Payment (UP) when the cost of the work cannot be agreed to or the Contractor refuses to execute a Supplemental Agreement (SA). [CPAM 7.3]
2. SA documents, UP documents and Work Order (WO) documents must contain a detailed itemization of all items of work including quantities and unit prices. [CPAM 7.3 and 7.4.9]
3. When SA, UP or WO documents result in premium costs from a consultant designer's or CEI error or omission, Procedure 375-020-010 should be initiated for potential recovery. [CPAM 7.3.5]
4. Obtain concurrence from the District Construction Engineer, for any SA, UP or WO that extends the project limits to perform feathering (milling/resurfacing), friction course, guardrail, drainage, signing, and pavement marking. Obtain concurrence from the Director, Office of Construction, for any SA, UP or WO that extends the project limits for all other work elements. or modifies the existing contract specifications. [CPAM 7.3.5.2 and 7.3.5.3]
5. Obtain concurrence from the Director, Office of Construction, for any SA, UP or WO that modifies the existing contract specifications. [CPAM 7.3.5.3]
6. The Comptroller's Office must certify the availability of funds prior to authorizing the Contractor to begin work added by SA and UP. [CPAM 7.3.6 and 7.3.9]
7. For contracts where the original contract amount is more than \$5,000,000, funds must be encumbered for all quantity overruns experienced or anticipated before authorizing any contract payment which would cause the contract amount paid to date to exceed the current contract amount less the amount of any contingency funds encumbered for either Contingency Supplemental Agreement (CSA) documents or Contingency Pay Items (CPI). [CPAM 7.3.5.4 and FS 337.11]
8. For contracts where the original contract amount is \$5,000,000 or less, you may allow overruns up to a maximum amount calculated as follows. First, take the original contract amount and subtract any CPI amount which was included in that original contract amount. Then take 2.5% of the result. An encumbrance must be done before allowing overruns to exceed this 2.5% as had been the case in the past with overruns of up to 5%. [CPAM 7.3.5.4 and FS 337.11]

Supplemental Agreements (SA's), Unilateral Payment Documents and Work Orders continued

9. Additional work shall be paid at contract unit prices unless the work constitutes a significant change as defined by the Specifications. [Spec. 4-3.1]
10. Payment for extra work with no unit price will be in accord with the formula in the specifications. [Spec. 4-3.2]
11. Time adjustments required for the items covered in SA, UP and WO documents should be addressed in those documents. Adjustment should only be made if controlling items of work are affected. [CPAM 7.3.7]
12. Federal Aid participation shall be requested for all contract modifications on Federal Aid projects. [CPAM 7.3.10]
13. UP documents must contain final measured quantities and payment must be processed only after the work has been done. [CPAM 7.3.13]
14. All SA, UP and WO documents must contain description codes with premium costs identified. [CPAM 7.3.16 and 7.4.9]
15. WO documents shall not be used for overruns or claims but may be used to pay for Regional DRB member's meeting fees. [CPAM 7.4.9]
16. Initial CPI cannot be overrun. An additional CSA must be prepared. [CPAM 7.4.7]
17. A WO cannot be processed until the CSA, which funds that WO is fully executed. The Contractor shall not begin the additional work until either the WO is fully executed or a Notice to Proceed has been issued to the Contractor by the Department. [CPAM 7.4.8.1, 7.4.9 and FS 337.11(9) (a)]
18. Signature by the Contractor's Surety is not required to fully execute a SA or a CSA unless the current contract dollar amount will exceed 125% of the original contract dollar amount as a result of the SA or CSA being processed. [CPAM 7.3.13 and FS 337.11(9) (a)]
19. WO documents shall contain complete backup for all negotiated costs within the documentation or attachments. [CPAM 7.4.9.3]
20. FHWA approval shall be obtained retroactively for all WO documents issued on Federal Oversight projects. FHWA shall make a determination of Federal-Aid participation of WO documents issued on Federal Oversight projects. The DCE shall make a determination of Federal-Aid participation of WO documents issued on Federal Delegated projects [CPAM 7.4.9.7]