M e m o r a n d u m

To:        DEPUTY DISTRICT DIRECTORS, Construction
          DEPUTY DIVISION CHIEF, Structure Construction
          CONSTRUCTION MANAGERS
          SENIOR CONSTRUCTION ENGINEERS
          RESIDENT ENGINEERS

Date:      July 22, 2011

File:      Division of Construction
           CPD 11-2

From:      MARK LEJA
           Chief
           Division of Construction

Subject:   Grandfathered Risk Level 1 Projects Continuing Past September 2, 2011


The CGP allows projects that meet certain criteria and that submitted a Notice of Construction before July 1, 2010, to be grandfathered at Risk Level 1 until September 2, 2011. This CPD provides instruction on how ongoing grandfathered projects at Risk Level 1 that will not be completed by September 1, 2011, will implement the training qualifications and the certification and risk level requirements of the CGP.

For grandfathered projects at Risk Level 1 that will not be completed by September 1, 2011, resident engineers must contact the project engineer and request a project risk level calculation. The project engineer will coordinate with the district National Pollution Discharge Elimination System coordinator to provide the risk level determination.

If the recalculated project risk level is either Risk Level 2 or 3, the project implements the requirements of the CGP using a contract change order that follows the procedure in CPD 10-9.

If the recalculated project risk level is Risk Level 1, the resident engineer issues a change order. The change order includes contractor compensation for the following:

• Hiring a water pollution control manager who meets the qualified SWPPP developer requirement of Section IV of the CGP.
• Amending the project SWPPP to include the CGP risk level requirements.
• Completing weekly stormwater site inspection reports.
• Monitoring quarterly visual non-stormwater discharge.
• Writing stormwater annual reports.

For assistance in calculating contract change order estimated costs for the water pollution control manager, weekly stormwater site inspections, and stormwater annual report refer to CPD 10-9.

This directive provides a sample change order memorandum and a sample change order (attached) for these grandfathered projects and two specifications, “Water Pollution Control” and “Construction Site Management,” to help implement the new CGP requirements.

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This directive serves as delegation of authority from the Division of Construction and the Federal Highway Administration for approval of change orders when implemented under their requirements. The Division of Construction must approve if the change order language is altered or has a total absolute value exceeding $200,000 according to CPB 06-5, “Contract Change Order Approval Delegation.” High-profile projects that have change orders with altered language, require time extensions or have value exceeding $200,000 need FHWA approval.

For additional information or assistance, please contact Hamid Hakim at hamid_hakim@dot.ca.gov or (916) 653-7289.

Attachments: Sample Change Order Memorandum
Sample Change Order
Change Order Attachment 1, Water Pollution Control
Change Order Attachment 2, Construction Site Management
FHWA—Record of Blanket Prior Approval for Major Contract Change Order