HiCAMS User Guide

Chapter 3:

Contract Adjustments

Section 6:

Review Supplemental Agreements

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Revision History

Comments or concerns with this document should be directed to the NCDOT Construction Unit at 919-707-2400.

Date	Version	Description	Author
December 1997	1.0	Initial Version	HiCAMS Documentation Specialist
November 2002	2.0	Updated Document	Deirdre Warner
January 27, 2009	2.1	Renumbered due to addition of Other Line Items functionality (New Chapter 5)	Marie Novello
April 2014	3.0	Updated document to add Version 8.4 Functionality	Marie Novello
September 2014	3.1	Added additional topics to manual	Marie Novello
April 2022	4.0	Updated current processes and authority levels	Maira Ibarra

About Supplemental Agreements

A Supplemental Agreement is an agreement between the Department and the Contractor that amends the contract as necessary to satisfactorily complete the proposed construction. The modifications to the contract may affect the work requirements (104-3), unit prices of an existing contract item (104-5), addition of new work items (extra work) (104-7), contract time(s), or other terms of the contract.

A Supplemental Agreement (SA) must be executed **prior** to performing the affected work except as provided in Article 104-8(A). When the affected work is not within the limits established in Article 104-8(A)(1) and it is urgent that the work be begun, electronic copies of the agreement may be executed followed by the original agreement. If the Engineer and the Contractor do not agree to a modification to the terms of the contract prior to the performance of the affected work, neither compensation nor time can be granted by execution of a supplemental agreement.

The Resident Engineer will negotiate all terms of the Supplemental Agreement with the Contractor's representative. Supplemental Agreements will be created in and approved through HiCAMS by appropriate Department representatives.

In addition to the terms that appear on the signed Supplemental Agreement, the Resident Engineer will document in HiCAMS justifications for performing the work and for the terms contained in the signed Supplemental Agreement.

The electronic approval in HiCAMS is the official record of that action. After approval of the Supplemental Agreement by the Department, the SA is submitted to the Contractor for signing.

After the Contractor signs the SA, the Resident will enter "Contractor Concurrence" in HiCAMS and execute (sign) the paper copy of the Supplemental Agreement for the Department. Setting the SA to Contractor Concurrence creates the appropriate pay items and modifies the contract times as specified in the agreement.

An electronic copy of the agreement (and attachments) are distributed to the Contractor.

The Resident Engineer shall promptly scan the Supplemental Agreement as an attachment into the Department's Financial Management system (BSIP or SAP).

The information contained in the Supplemental Agreement becomes a part of the contract documents.

For additional information on Supplemental Agreement handling, please consult the current version of the NCDOT Construction Manual or contact the Construction Unit.

Entering Supplemental Agreements

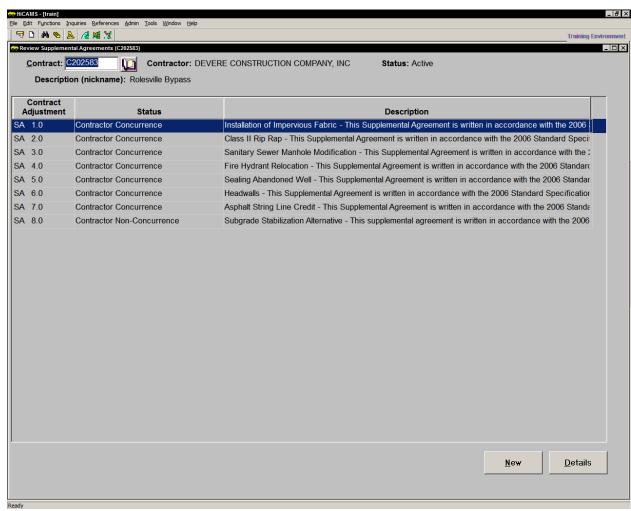
Much of the Supplemental Agreement (SA) process occurs outside of HiCAMS. HiCAMS creates the documents that detail the changes and provides a way of tracking the approval process.

Remember, a Supplemental Agreement can impact either Time, or Money, or both.

To work with the Supplemental Agreement window, go to **Functions > Contract Adjustments > Review Supplemental Agreements**. The Review Supplemental Agreements window opens.

Enter the Contract Number for which you wish to enter a Supplemental Agreement.

Below is an example of the Review Supplemental Agreement window for a Contract with existing Supplemental Agreements listed.



Tip: If you want to see the full Supplemental Agreement description in the upper grid, you can Right-Click and select Word Wrap from the menu.

To enter a New Supplemental Agreement for a contract, click the **New** button to open the Review Supplemental Agreement Details window.

General Tab

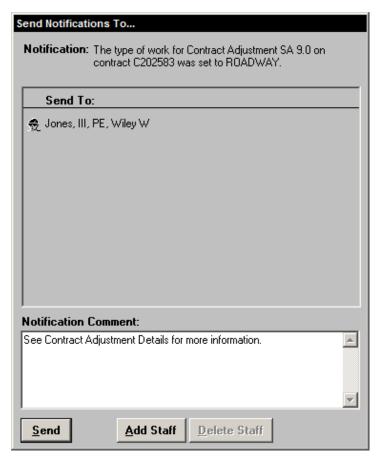
- Step 1: Select the Type of Work from the drop down list. If the Contract Type is set to Resurfacing, the Type of Work is automatically set to Roadway.
- **Step 2**: Select the Authority for Change based on the Standard Specifications.
- Step 3: Enter a detailed description of why the contract change is occurring. The Description will print on the Supplemental Agreement signed by the Contractor.

TIP: It is helpful to begin the description with a few words that identify the purpose of the Supplemental Agreement so that anyone reviewing the list is able to easily determine the SA's purpose.

TIP: It is possible to write the Description using a word processor, then copy and paste the characters into the HiCAMS description

box. If the document is lengthy, click on the Notepad icon before pasting it. Pasting directly into the text field is not supported.

- Step 4: Enter a detailed Justification. The Justification prints on the Negotiation for Negotiated Prices and Contract Time Extensions
- **Step 5**: Save the Supplemental Agreement. The SA status is New.
- **Step 6:** A Notification is sent to the Area Construction Engineer. The comment can be updated if desired.



Step 7: Check the Verbal Approval check box, if applicable.

According to section 104-8 of the Standard Specifications, if the Supplemental Agreement dollar amount is \$25,000 or less, the Contractor may begin work before executing the Supplemental Agreement. This means that Verbal Approval has been given to proceed with the work.

If Verbal Approval is specified, you must enter the date Verbal Approval was given into the box that appears.

If you specified that Verbal Approval was given and after entering the Line Item data the dollar amount of the Supplemental Agreement exceeds the specification threshold of \$25,000, HiCAMS will do the following:

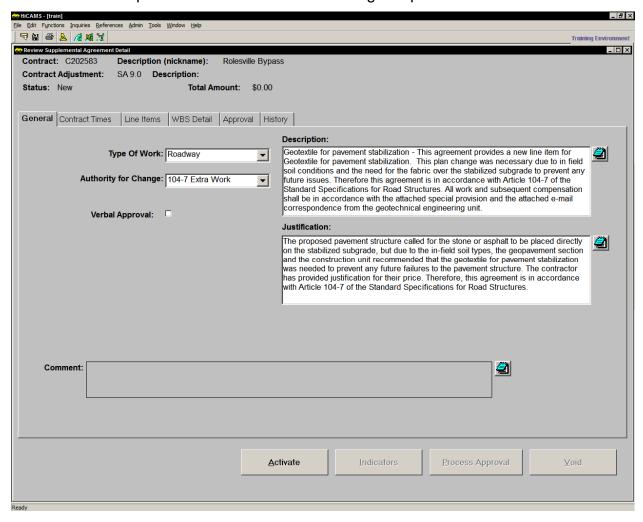
Provide a warning

Uncheck the Verbal Approval indicator

Clear the Verbal Approval date

Protect the Verbal Approval information

Below is an example of the General Tab after being completed.



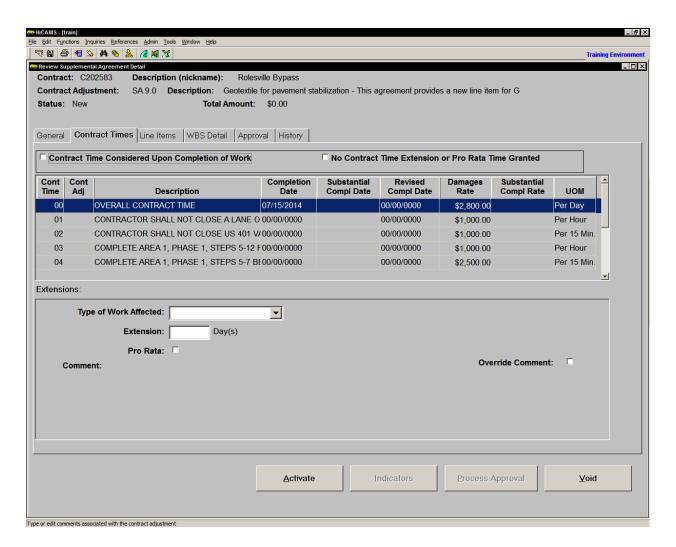
If the Supplemental Agreement will be impacting the Contract Times, or creating a new Contract Time, click on the Contract Times tab.

Contract Times Tab

Contract Times can be modified by a Supplemental Agreement several ways.

A standard comment can be added, a Pro Rata Time Extension can be granted, a Time Extension can be added to an existing Contract Time, an existing Contract Time can be modified, a new Contract Time can be added.

Below is an example of the Contract Times tab.



There are three standard comments that can be added to the Supplemental Agreement printed report. Each is selected by clicking the check box next to the summary description. The first two are in the header and apply to all the contract times.

Clicking on the box next to **Contract Time Considered Upon Completion of Work** provides the following standard comment:

Consideration for any additional contract time will be made upon receipt of the Contractor's written request after completion of the affected work. Clicking on the box next to **No Contract Time Extension or Pro Rata Time Granted** provides the following standard comment:

No contract time extensions under Subarticle 108-10(B)(1) will be allowed for the work covered under this Supplemental Agreement.

This comment is frequently used on Design Build Contracts.

The third standard comment, **Pro Rata**, functions as a Time Extension and is applied to individual Contract Times. Select the Type of Work Affected first. The Types of Work Affected can be any of the following:

Affected work

Extra and/or additional work

Extra work

NOTE: Selecting a Type of Work disables access to the first two standard comments. They can be made available again by deleting the time extension.

Clicking on the Pro Rata box then provides the following standard comment:

The contract (intermediate) completion date is extended only as allowed for overruns in accordance with Article 108-10(B)1 of the Standard Specifications in consideration of performance of the (affected work, extra and/or additional work, extra work).

To grant a **Time Extension** to an existing contract time, follow these steps:

- Step 1: In the grid listing the existing Contract Times, highlight the Contract Time that is being extended.
- **Step 2**: For the Type of Work Affected, select from the drop down box.
- Step 3: In the Extension field, enter the number of Days being given for performing the work detailed in the Supplemental Agreement. Contract Times with any Unit of Measure (UOM) can be extended.
- Step 4: If the time extension was entered in error, click on the Delete icon like following message appears:

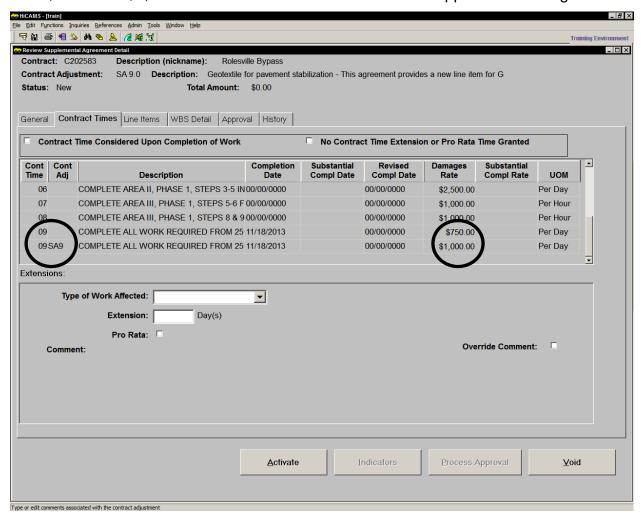


Click Yes to continue deleting the time extension or No to cancel the delete.

To **modify an existing Contract Time**, double click on the Contract Time to be modified. The Review Contract Times window opens with only the Contract Time being modified in the grid. The Contract Time will display the Supplemental Agreement number in the Cont Adj column.

Make any necessary changes to the General or Dates and Damages tab, and Save. Close the Review Contract Times window.

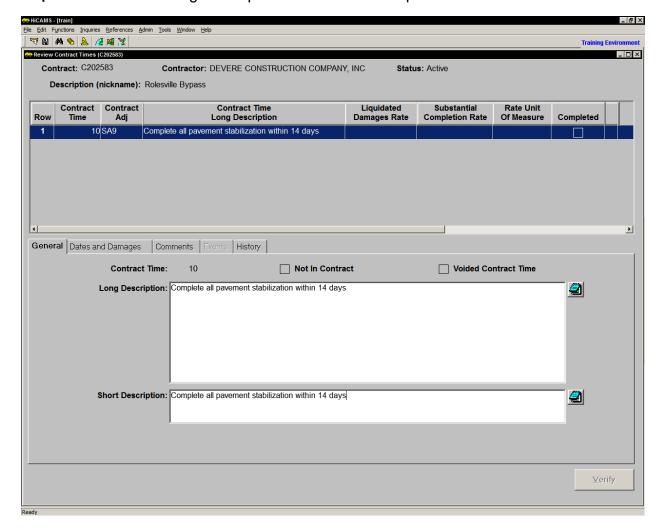
The Supplemental Agreement Contract Times tab is shown below, after making a change to Intermediate Contract Time 9. The Liquidated Damages rate was changed from \$750.00 to \$1,000.00. Notice that both Contract Times appear in the SA grid.



If the Contract Time was modified in error, highlight the Contract Time and click on the Delete icon . Confirm the deletion by clicking Yes.

The last Contract Time modification is actually a modification of the Contract by the addition of a **new Contract Time**.

- Step 1: To create a new Contract Time, click the Insert icon . The Review Contract Times window opens with a new Contract Time in the grid. The Contract Time will be the next sequential number available and display the Supplemental Agreement number in the Cont Adj column.
- Step 2: Enter the Long Description and Short Description.



- Step 3: Next, on the Dates and Damages tab, select the Liquidated Damages Unit of Measure (LD UOM). This determines what other fields will need to be completed.
- **Step 4:** Enter the Liquidated Damages rate.
- **Step 5**: If the LD UOM is Per Day, enter one of the following combinations:

the Availability Date and the Completion Date or

the Availability Date, and Calendar Days, or

the Calendar Days

HiCAMS will calculate the remaining fields for the first two, and the Completion Date for the third once the Availability Date is entered.

🤜 🔛 🗚 🗞 🔏 🗯 🏋 Contract: C202583 Contractor: DEVERE CONSTRUCTION COMPANY, INC Status: Active Description (nickname): Rolesville Bypass Liquidated Substantial Rate Unit Contract Contract **Contract Time** Damages Rate \$2,500.00 10 SA9 Complete all pavement stabilization within 14 days er Day General Dates and Damages Comments Events History CT Status: Pending Liquidated Damages
Rate Unit of Measure: Per Day \blacksquare Availability Range: Liquidated Damages Rate: 00/00/0000 **Availability Date:** \$2,500.00 Calendar Days: **Substantial Completion** 00/00/0000 \$0.00 Completion Date: Rate: Substantial Completion Date: 00/00/0000 Pro Rata Days: Revised Completion Date: 00/00/0000 **Anticipated Revised Completion Date:** Winter Weather Days: 00/00/0000 Estimated Completion Date: Work Completion Date: 00/00/0000 ⊻erify

Here is an example of the Dates and Damages tab.

Step 6: Save the Contract Time, and close the Contract Times window.

NOTE: If this Contract Time requires modification before the SA is completed, access it from the Contract Times tab of the SA by double-clicking on its row in the grid.

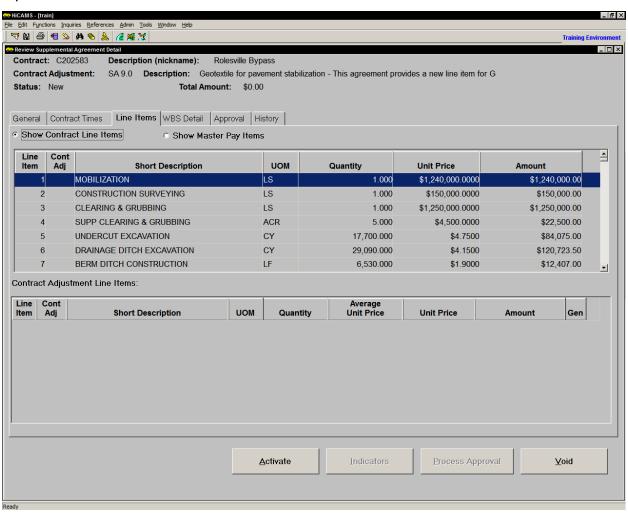
Step 7: If the Contract Time was entered and before the Supplemental Agreement is approved the decision is made that it is no longer needed, highlight the row and hit the Delete button . Confirm the deletion by clicking Yes.

Line Items Tab

Contract Line Items can be modified by a Supplemental Agreement several ways or <u>not modified at all.</u>

An existing Line Item may be modified, a new Line Item may be added from the Master Pay Item list, a line item from the Generic Master Pay Item may be added, a Generic non-Master Pay Item may be added, or the Contract Line Items Tab may be skipped.

Below is an example of the Contract Line Items tab. Notice that the default option at the top of the tab is "Show Contract Line Items".



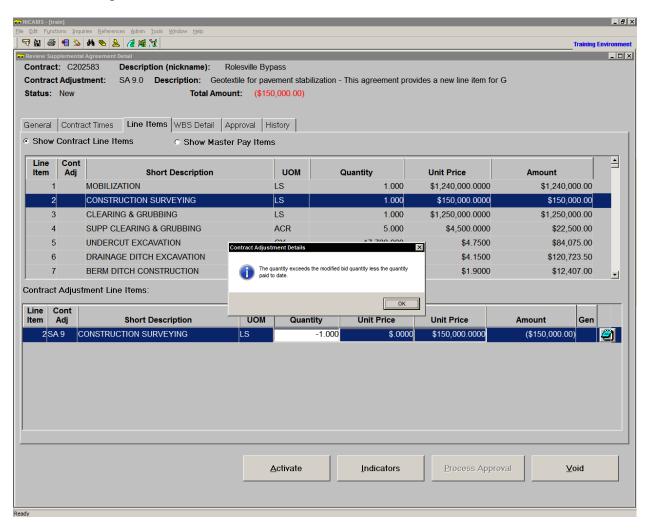
To **modify an existing Line Item**, select the line item and drag it from the upper grid to the lower grid.

NOTE: The standard multi-select options (CTRL-select, and Select-SHIFT-select) work in the upper grid.

Enter the quantity, and update the price if necessary. Save.

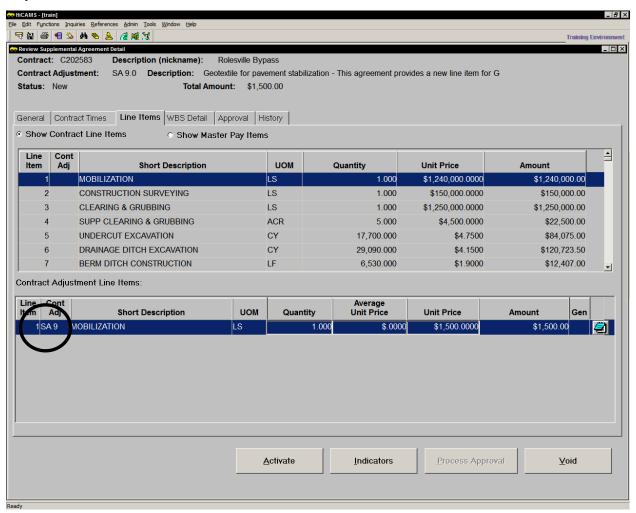
NOTE: If a negative quantity is entered, HiCAMS will display a warning message. Click ok to dismiss it. If the negative number is correct, no additional action is required. If it is incorrect, update and Save again.

NOTE: If a negative quantity greater for a line item on which payments have already been made, HiCAMS will display the following warning message:



This is an information message only and HiCAMS does not prohibit the negative quantity from being entered as there may be circumstances that require this action.

Here is an example of the Contract Line Items tab with the modified existing Line Item in the lower grid. Notice the addition of the Supplemental Agreement number in the Cont Adj column.

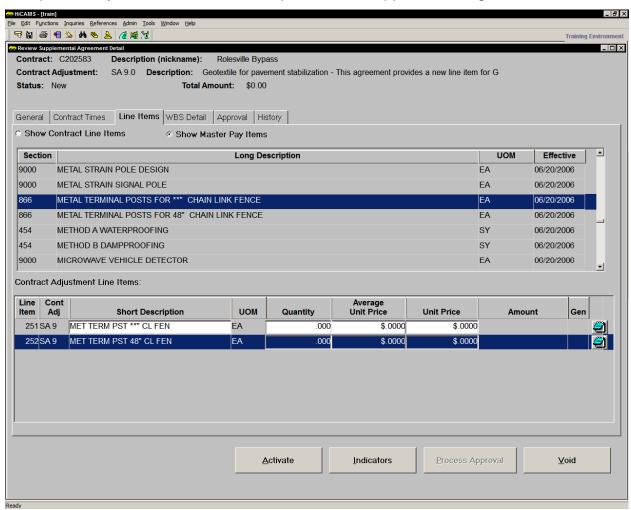


If the Line Item has been modified in error, click on the Delete icon . Confirm the deletion by clicking Yes. It is also possible to select the line item in the lower grid, and drag it back to the upper grid. Confirmation of a deletion done this way is also required.

To add a new Line Item from the Master Pay Item listing, click the button next to "Show Master Pay Items". Select the master pay item from the drop down list, and drag it from the upper grid to the lower grid.

Below is an example of the Line Items tab after selecting two items from the Master Pay Item listing. Notice that the upper grid now displays the Long Description, while the lower grid still displays the Short Description. In addition, the section number that describes the pay item requirements is shown.

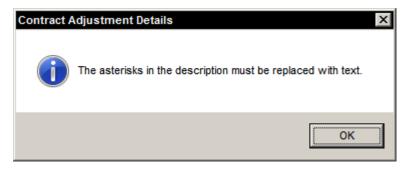
When section 9000 is shown, the special provision detailing that work needs to be incorporated by reference in the Description of the Supplemental Agreement.



Whenever a Master Pay Item displays asterisks (*****), they must be replaced with true numerical values. In the example above, the **" would be replaced with the actual height in inches of the Chain Link Fence.

Enter the quantity, the Average Unit Price, and the Unit Price for the Line Item. Save.

If the asterisks are not replaced, HiCAMS will display the following message when the SA is saved:



Click OK and then highlight the asterisks and enter the actual measurement.

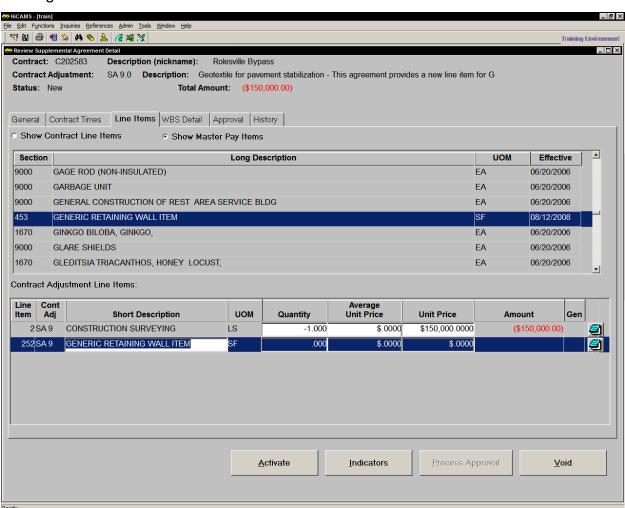
There are two ways to add a **Generic Line Item** to a Supplemental Agreement.

The preferred way is to add a **Generic Master Pay Item**. This type of Generic Pay Item has function codes already assigned. It also has the Pay Item Category Code (used for Queries) assigned. Pay item categories include Grading, Paving, and Traffic Control.

To add a Generic Master Pay Item, select the Show Master Pay Item option. Find the Pay item that begins with the word Generic and has the correct Category (Grading, Pipe, Landscape, etc.) and the correct Unit of Measure (EA, CY, TON, etc.). Drag this Pay Item down from the upper grid to the lower grid. The Line Item Description is usually highlighted.

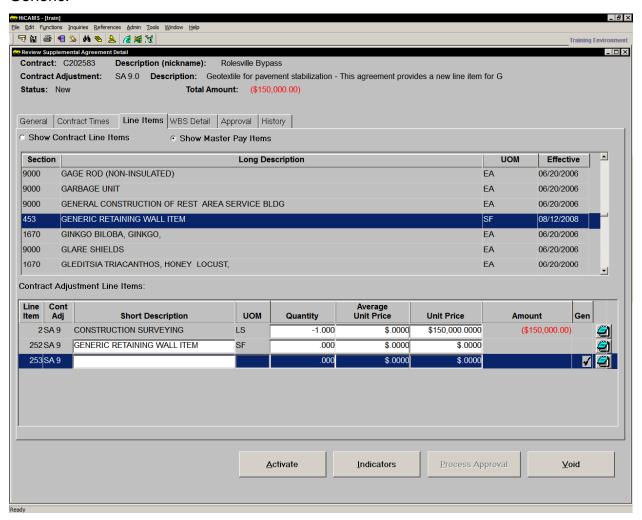
If it is not, highlight the description and update it with the description of the Item of work that is being added.

Here is how the Line Items tab looks after the Generic Master Pay Item has been added to the grid:



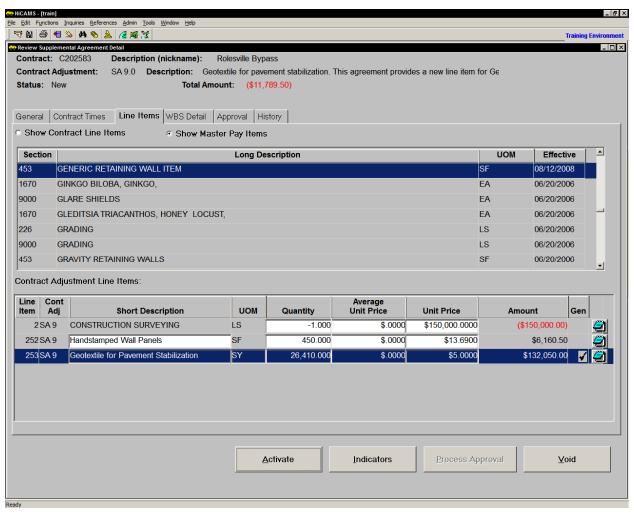
Again, if the line item as been added in error, it can be deleted. If the erroneous line item has been saved, the Line Item number is not reused.

If a Generic Master Pay Item with the correct Category and Unit of Measure is not listed in your Master Pay Item list, a truly **Generic Line Item** can be added by clicking the Insert button. Doing this inserts a new row directly in the lower grid. This row will have a Line Item Number and the Contract Adjustment number completed but all the other fields will be blank. It will also have a check box in the far left column labeled "Gen" for Generic.



Type the Short Description, select the UOM from the drop down list, and enter the Quantity, Average Unit Price (if known), and Unit Price. Then Save the Supplemental Agreement.

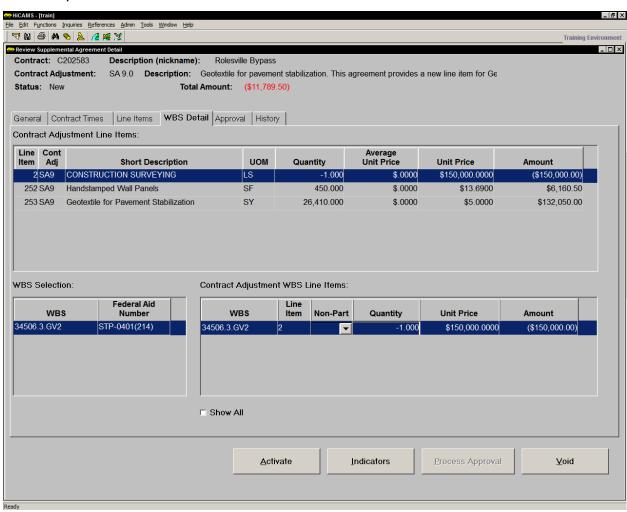
Below is how the Line Items tab looks after entering three line items and Saving the Supplemental Agreement. Notice that the Total Amount displayed at the top of the window is the Net Change Amount. This is the additional amount of money that the Supplemental Agreement will encumber when the transaction is approved in SAP.



WBS Details

The next step is to assign the line items to a WBS element (funding source for the SA line items). This is done on the WBS Detail Tab of the Supplemental Agreement.

An example of the WBS Detail Tab is shown below.

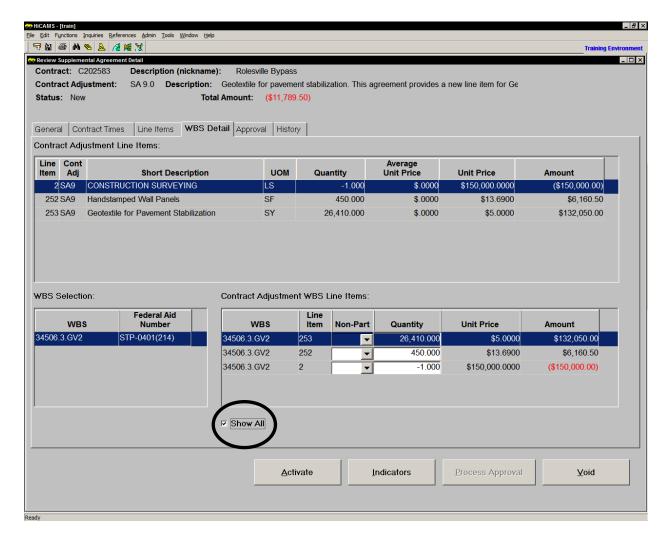


There are three parts to the window. The upper grid lists all the Line Items that are on the Line Items tab. Nothing about them can be modified on this tab. Updates are made on the Line Item tab and changes are reflected in the upper grid when the changes have been Saved.

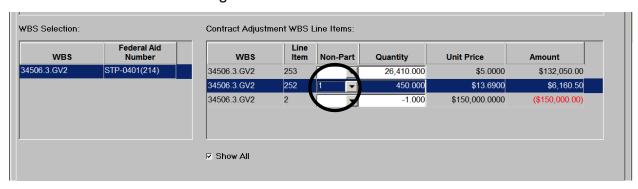
The lower left grid lists the WBS elements assigned to the contract. The WBS element is only listed once, even when part of its funding is Non-Participating.

The right lower grid shows the WBS information for the Line Item that is highlighted in the upper grid. Checking the **Show All** check box will show all the Line Items in this grid.

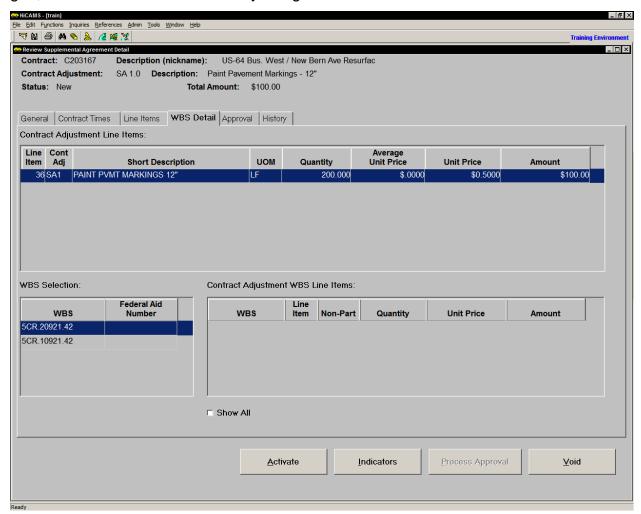
NOTE: When there is only one WBS element, the Line Item quantities are automatically assigned to it.



The work can be designated as Non-Participating by clicking the down arrow in the Non-Part column and selecting 1 from the list.

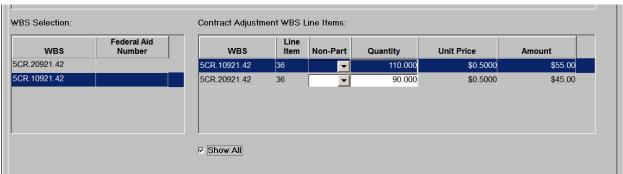


When the contract has multiple WBS elements, they will all be displayed in the lower left grid, and none will be automatically assigned to the Line Items.

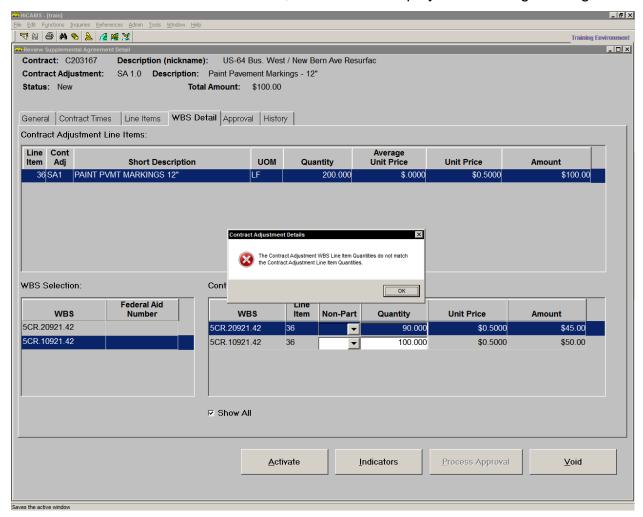


To assign a funding source, select the line item in the upper grid. Next, select the funding WBS element and drag it from left to right. The entire Line Item Quantity will be assigned to the first WBS element. If the quantity needs to be portioned among multiple WBS elements, drag additional WBS elements from left to right, and update the Quantity column. Save the Supplemental Agreement.

Here is how the WBS Detail tab appears after portioning the quantity to two WBS elements.



If the sum of the quantities allocated to each WBS element does not match the total amount allocated at the Line Item level, HiCAMS will display the following message:



Notice in this example that the line item total in the upper grid is 200 LF, while the sum of the WBS element amounts is only 190 LF (100 LF + 90 LF = 190 LF). Click OK and either correct the allocation of the WBS element amounts on this tab, or correct the Line Item quantity on the Line Items tab.

This message will also be displayed if quantity changes are made on the Line Items Tab and the WBS Details tab is not updated.

Activate the Supplemental Agreement

When entry of the Contract Times and/or Line Item information has been completed, it is time to Activate the Supplemental Agreement. This involves some of the same steps as when a Contract is Activated.

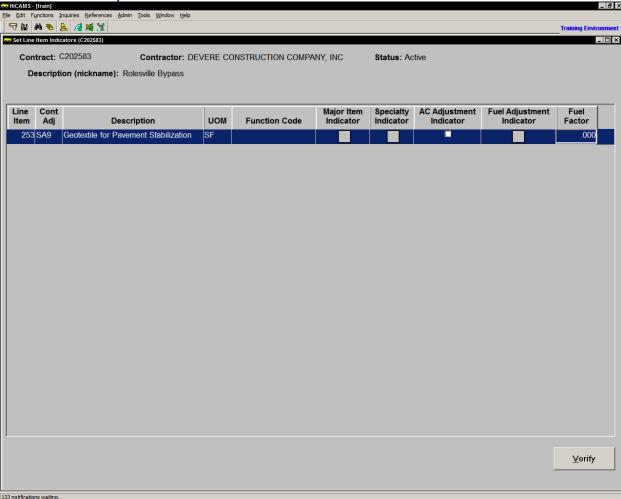
If the Supplemental Agreement has only a modification of Contract Times, click that Activate button.

If the Supplemental Agreement modifies Contract Times and/or just Line Items, the Line Item Indicators must be Verified before the SA can be activated. To do this, click on the

Indicators button at the bottom of the Supplemental Agreement window. Review the indicators for accuracy and update as needed, then click the Verify button. Notice the missing Function Code on the inserted Generic Line Item.

Close the Indicators window.

Here is an example of the Set Line Item Indicators window:



Most Line Items do not require any changes to be made before Verification.

Now click on the Activate button. The Supplemental Agreement status changes to Pending Approval.

Approving the Supplemental Agreement

The current Approval levels for Supplemental Agreements were set in May 2016. At that time, Division Engineers were given responsibility for all Supplemental Agreements within the Specifications. Supplemental Agreements with an Authority for Change of Other must be approved by the State Construction Engineer.

Supplemental Agreements within the Specifications for over \$100,000 and/or with Time Extensions in excess of 30 days are to be reviewed by the Area Construction Engineer before approval. Supplemental Agreements within the Specifications that are greater that \$200,000 and/or with a Time Extension in excess of 90 days must be reviewed by the State Construction Engineer or Assistant State Construction Engineer.

Please see the latest version of the Construction Manual for more information about this topic.

To access the Supplemental Agreement for approval, go to **Functions > Contract Adjustments > Review Supplemental Agreements**. The Review Supplemental Agreements window opens. You can also navigate directly from a Notification.

Select the Supplemental Agreement that needs to be approved and either click the Details button at the bottom of the window, or double click on the row to open the Review Supplemental Agreement Detail window.

Click on the Approval tab, and find the field Decision. Click on the drop down list to see the decisions available to you based on Authority for Change and total dollar impact to the contract (may or may not be the net change amount).

Select your decision, and click the Process Approval button. If the Recommend Approval Decision was made, send a Notification to the person who will be making the final Approval by clicking on the staff icon next in the **Tracking > Forward** to: field.

As that allows modification of the Supplemental Agreement so that it meets FHWA approval for participation.

Final Processing - Contractor Concurrence

After approval of the Supplemental Agreement by the Department, the Resident Engineer should send the supplemental agreement to the Contractor, via DocuSign, for concurrence by electronic signature.

Upon receipt of the Contractor's signed concurrence, the Resident Engineer should enter "Contractor Concurrence" in HiCAMS. This is done on the Approval tab.

Enter the name of the Contractor's authorized representative, and click the Process Approval button. When the Process Approval button is selected, the Supplemental Agreement status changes to Contractor Concurrence, any Contract Time modifications are applied to the Contract Times, Line Items are active and available, and transactions are sent to the SAP BSIP system encumbering the additional funds.

Copies of the signed Supplemental Agreement are distributed as per the Construction Manual.

The last step is to access the Contract Record in SAP and scan the signed copy to the contract so that the Fiscal Unit's representative can verify that the electronic transactions match the signed copy, and approve the transactions.

Changing or Correcting Supplemental Agreements

Most ways to make changes or corrections to a Supplemental Agreement have been covered in the previous instructions for each tab.

Sometimes, the change is not identified until after the Supplemental Agreement has been Approved or Denied. At this point in the process, none of the data on the tabs can be changed.

However, as long as the Supplemental Agreement has not been put in the final status of Contractor Concurrence, changes can be made.

First, access the details for the Supplemental Agreement that needs changing.

For a Supplemental Agreement that has been <u>Approved</u>, go to the Approval tab, and select the Decision "Contractor NON-Concurrence". Enter the name of the Contractor Authorized Representative, and click the Process Approval button.

- Step 1: Click on the white Save As icon in the toolbar. A copy of the existing Supplemental Agreement is made. The Supplemental Agreement number remains at the original number until the copy is Saved.
- Step 2: Save the copy. The Supplemental Agreement number updates to the original number plus a .1 designation to denote the first revision. If a second Save as is done, that copy would be the original number plus a .2 designation.
- Step 3: Make the changes or corrections, and complete the Activation and Approval process a second time.

For a Supplemental Agreement that has been <u>Denied</u>, it is not necessary to set the Supplemental Agreement to Contractor Non-Concurrence before doing the Save As.

For assistance with this process, please contact the Area Construction Engineer or the Construction Unit.

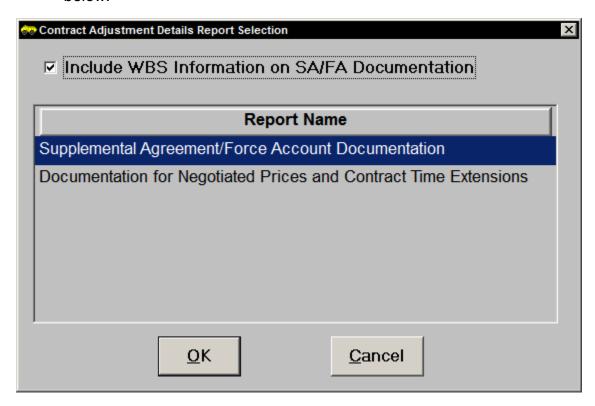
Printing Supplemental Agreements

The Supplemental Agreement must be printed to apply the Department's representative and contractor representative signatures. Because this is a contract change, original signatures are required.

The Supplemental Agreement documents can be printed from either the Supplemental Agreement module or from the Standard Reports window.

Printing from the Supplemental Agreement module

- **Step 1:** Access the Details of the Supplemental Agreement that needs to be printed.
- Step 2: Click on the Print icon, or use an alternate method to access the Contract Adjustment Details Report Selection dialogue box. The dialogue box is shown below.



- Step 3: Select the Report Name to Print. The "Include WBS Information" check box is defaulted to checked. The signed copy should include the WBS information so that the funding source is identified for Fiscal Approval.
- **Step 4:** Click the OK button. The Print Preview window opens.
- Step 5: Review the contents of the Supplemental Agreement. If it is acceptable, click the print icon again to open the Print dialogue box. Continue with the printing as for any other document.

Appendix: Supplemental Agreement Statuses Definitions

The Supplemental Agreement's **Status** describes how far along in the approval process the Supplemental Agreement is. The possible statuses are as follows:

New: Indicates that information about the Supplemental Agreement has been entered but it has not been Activated. Data on the tabs of Supplemental Agreements in this status can still be changed

Pending Approval: Indicates that the Contract Time and/or Contract Line Item modifications have been entered and the Supplemental Agreement is ready for Approval. Data on the tabs of Supplemental Agreements in this status can still be changed.

Approved: Indicates that the Supplemental Agreement has been reviewed and the Department agrees with the Contract change. Supplemental Agreements in this status can be changed, but must be set to Contractor Non-Concurrence before making the revision.

Denied: Indicates that the Supplemental Agreement has been reviewed and the Department does not agree with the Contract change. Supplemental Agreements in this status can be changed, but require a Save As to make the revision.

Contractor-Concurrence or Contractor Non-Concurrence: Indicates whether the Contractor has agreed to the terms and conditions of the Supplemental Agreement payments. Supplemental Agreements that are set to Contractor Concurrence cannot be changed. Supplemental Agreements set to Contractor Non-Concurrence changed, but require a Save As to make the revision.

Void: Indicates that the Supplemental Agreement is no longer needed or was in error. Supplemental Agreements in this status cannot be changed.