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(I) Amend **Section 104.06 Methods of Price Adjustment** as follows:

(7) In the absence of agreement by the parties:

1/10/22

48 **(B)** For change orders with value exceeding \$50,000 by a
49 unilateral determination by the Engineer of the costs attributable to
50 the events or situations with adjustment of profit and fee, all as
51 computed by the Engineer in accordance with applicable sections
52 of HAR Chapters 3-123 and 3-126, and Section 109.05 -
53 Allowances for Overhead and Profit. When a unilateral
54 determination has been made, a unilateral change order shall be
55 issued within ten days. Upon receipt of the unilateral change
56 order, if the contractor does not agree with any of the terms or
57 conditions, or the adjustment or nonadjustment of the contract time
58 or contract price, the contractor shall file a notice of intent to claim
59 within thirty days after the receipt of the written unilateral change
60 order. Failure to file a protest within the time specified shall
61 constitute agreement on the part of the contractor with the terms,
62 conditions, amounts, and adjustment or nonadjustment of the
63 contract time or the contract price set forth in the unilateral change
64 order.

65
66 A contractor shall be required to submit cost or pricing data if any
67 adjustment in contract price is subject to the provisions of HAR Chapter 3-122,
68 Subchapter 15. A fully executed change order or other document permitting
69 billing for the adjustment in price under any method listed in Subsections
70 104.06(1) through 104.06(7) shall be issued within ten days after agreement on
71 the method of adjustment."

72
73 **(II) Amend Section 104.11(B) Contractor's Duty to Locate and Protect**
74 **Utility** by adding the following after line 291:

75
76 **"(4)** The Contractor shall contact the Hawaii One Call Center at 811 prior
77 to any execution in a public right of way or on private property."
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84 **END OF SECTION 104**