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

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

(A) For change orders with value not exceeding \$50,000 by documented actual costs of the work, allowing for overhead and profit as set forth in Section 109.05 - Allowances for Overhead and Profit. A change order shall be issued within fifteen days of submission by the contractor of proper documentation of completed force account work, whether periodic (conforming to the applicable billing cycle) or final. The Engineer shall return any documentation that is defective, to the contractor within fifteen days after receipt, with a statement identifying the defect; or

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  
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74  
75 **END OF SECTION 104**