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Appendix 46

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT HOUSING - FEDERAL HOUSING COMMISSIONER					
REQUEST FOR CONSTRUCTION CHANGES - PROJECT MORTGAGES					
No changes in the drawings and specifications may be effected unless a completed request for construction changes has been filed and approved by HUD in accordance with paragraph E, Article 1 of the Construction Contract.					
INSTRUCTIONS AND CONDITIONS OF ACCEPTANCE - See reverse side.					
NAME AND LOCATION OF PROJECT			REQUEST NO. FOR HUD USE	PROJECT NUMBER	
NAME OF CONTRACTOR			NAME OF MORTGAGOR		
NAME OF MORTGAGEE			DATE		
TO: FEDERAL HOUSING COMMISSIONER: You are requested to consider the following proposed changes in the Project, these changes are satisfactory to the parties hereto, as indicated by the signatures below.			HUD ANALYSIS V Assmt. O Unacceptable (See reverse side)		
DESCRIPTION OF CHANGES			MORTGAGEE ESTIMATE EFFECT ON COST (+ or -)	EFFECT ON COST PLUS OR MINUS (+ or -)	ARCH. VAL.
			\$	\$	
DELAY DUE TO THE ABOVE CHANGES MONTHS	TOTAL NET EFFECT ON CONSTRUCTION COST OF ACCEPTABLE CHANGES		\$	\$	SV
			SV	SV	SV
			DATE	DATE	DATE
See Statement on reverse side re: Cooperatives, Nonprofit Mortgage, Etc.			BY (Authorized official for mortgage)		
BY (Authorized official for contractor)					
NOTE: Certification required where Owner-Architect Agreement 2718A or C in effect. ARCHITECT'S CERTIFICATION - I certify that I have no financial interest in the subject project beyond the fee for my professional services, and that I have no identity of interest with the mortgagee, contractor, or any subcontractor or supplier. The changes set forth in this request are in conformity with the intent of the Consent Documents and it is my professional recommendation that the changes be approved.			BY Project Architect		
The total sum of \$ is on deposit with us to cover the net increase resulting from acceptable changes pursuant to the conditions of Request No.			BY (Authorized official for mortgage)		
FEDERAL HOUSING COMMISSIONER FINDINGS					
TO: _____, Mortgagee					
1. MORTGAGOR'S ESTIMATE					
(a) Effect on cost of previously accepted changes			\$		
(b) Net effect on cost to date - All changes			\$		%
2. A. Net effect on construction cost resulting from acceptable changes, if any, indicated herein (HUD Est.)			DECREASE	INCREASE	
			\$	\$	
B. Net effect on construction cost from previous change (HUD Est.)			\$	\$	
C. Net effect on construction cost of changes to date (HUD Est.)			\$	\$	%
3. <input type="checkbox"/> Changes are acceptable and the drawings and specifications are correspondingly amended. Provided:					
A. <input type="checkbox"/> That a total sum of \$ is on deposit with the mortgagee to cover net increase in cost resulting from acceptable changes indicated herein and previous construction changes, if any. This supersedes any previous requirements. The aforesaid sum shall not be released without written consent of HUD prior to final completion and acceptance of the project construction.					
No further advance of the mortgage proceeds under the Building Loan Agreement will be approved unless the total sum is on deposit with you.					
B. <input type="checkbox"/> That in order to reflect the net decrease in cost or reduction in mortgage based on net income or number of family units, resulting from acceptable changes indicated herein and previous construction changes, if any, the amount of \$ be deducted from the amount entered on the line entitled "Sum of Cost Breakdown Items Plus Inventories of Materials" on subsequent contractors requirements, Form No. 2046. This amount may be modified by later changes.					
C. <input type="checkbox"/> Consent of survey to these changes is obtained in writing and signed copy furnished this office prior to effecting the change.					
D. <input type="checkbox"/> There is compliance with the conditions stated on the reverse side.					
4. <input type="checkbox"/> Changes are not acceptable. For the reasons stated on reverse side.			MORTGAGE CREDIT		
			SV		
			DATE		
HUD ANALYSIS AND FINDINGS REVIEWED AND APPROVED			FEDERAL HOUSING COMMISSIONER		
MULTIFAMILY COORDINATOR	CHIEF UNDERWRITER	DATE	BY (Authorized Agent)		

Replaces Form FHA-3437, which is Obsolete

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Appendix 46

REQUEST FOR CONSTRUCTION CHANGES - PROJECT MORTGAGES

INSTRUCTIONS AND CONDITIONS OF ACCEPTANCE

An original and six copies to be submitted to HUD through the mortgagee. Designate each proposed change by a letter (using a, b, c, d, e and f). Describe each change, including (1) reason, (2) general scope, (3) fully detailed description of work to be omitted and work to be added, for each trade effected, (4) references to any attachments showing the proposed revisions, and (5) the amount by which the construction cost will be increased or decreased as the net result of each proposed change.

When the Owner-Architect Agreement Forms FHA-2719B and FHA-2719C are used, attach the written approval or waiver of the design architect to all changes relating to design.

The cost of each change is to be estimated on the basis of current cost of work of items omitted and the current cost of work or items substituted or added. Estimates include job overhead and builder's fee, or job overhead and general overhead, as applied in the HUD estimate of the project. No allowance for "Builder's and Sponsor's Profit and Risk" is included. No Architect's or Engineer's fee is included.

Form HUD-92437 is not used for off-site changes. Submit in writing in same manner as Form HUD-92437.

To be acceptable to HUD a proposed change must be actually due to necessity, or be an appropriate betterment, or qualify as an equivalent. In accepting any change it is assumed that they will be executed. If an accepted change is not executed, it must be nullified by substituting a Request for Construction Changes amending the drawings and specifications so as to restore the drawings and specifications to the status existing prior to acceptance of the change or to a status acceptable to HUD.

Conditions of Acceptance and/or Reasons for Unacceptability:

1. When the HUD estimated cost of all accepted changes results in a net decrease in the total construction cost the insurable mortgage will be similarly decreased, but if the net effect is an increase the additional costs will be defrayed by the mortgagor. The acceptance of any change or changes involving a net increase does not increase the mortgage amount.

The following is required on Requests in connection with Management or Sales Type Cooperatives and Projects involving nonprofit mortgagors:

WITH RESPECT TO ANY NET INCREASE OR DECREASE IN COSTS RESULTING FROM ACCEPTABLE CHANGES (INDICATED HEREWITH AND PREVIOUS CONSTRUCTION CHANGES, IF ANY: (CHECK APPROPRIATE PROVISION BELOW)

- ☐ The undersigned contractor hereby agrees to assume any additional costs and agrees that he will not assert any claim against the Mortgagor in connection therewith.
- ☐ The undersigned Mortgagor, acting pursuant to a resolution adopted at a meeting of its stockholders or members, and the undersigned Contractor, hereby agree to the above described construction changes and hereby agree that the construction contract executed by them under date of _____ is amended by increasing the contract price of \$ _____ set forth in Article 3 thereof to \$ _____ all other provisions of said Construction Contract to remain unchanged.
- ☐ The undersigned Mortgagor and the undersigned Contractor hereby agree to the above described construction changes and hereby agree that the construction contract executed by them under date of _____ is amended by decreasing the contract price of \$ _____ set forth in Article 3 thereof to \$ _____ all other provisions of said construction contract to remain unchanged.

BY (Authorized Official for Contractor)

BY (Authorized Official for Mortgagor)