

# ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at [MileHighOrdinance@DenverGov.org](mailto: MileHighOrdinance@DenverGov.org) by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Date of Request: 3/13/2024

Please mark one:  Bill Request or  Resolution Request

## 1. Type of Request:

- Contract/Grant Agreement  Intergovernmental Agreement (IGA)  Rezoning/Text Amendment  
 Dedication/Vacation  Appropriation/Supplemental  DRMC Change  
 Other:

2. **Title:** (Start with *approves*, *amends*, *dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Amends a contract with Apricity, Inc. to revise contract language for On-Call SBE Civil Construction Services (DOTI-202368834-01 [202472184-01]), no changes to the contract capacity or term.

3. **Requesting Agency:** Department of Transportation and Infrastructure

## 4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Patrick Riley Tricia Ortega	Name: Nicholas Williams
Email: <a href="mailto:Patrick.Riley@denvergov.org">Patrick.Riley@denvergov.org</a> <a href="mailto:Tricia.Ortega@denvergov.org">Tricia.Ortega@denvergov.org</a>	Email: <a href="mailto:Nicholas.Williams@denvergov.org">Nicholas.Williams@denvergov.org</a>

## 5. General description or background of proposed request. Attach executive summary if more space needed:

The purpose of this amendment is to revise current contract language in the progress payment verbiage to remove Textura references as DOTI has implemented a program management system (Masterworks) that will utilize submission of pay apps through the program, which will discontinue our use of Textura. With this amendment, there have also been updates to the prevailing wage requirements, progress payments for work orders, add compliance with Denver wage laws, examination of records and audits, and security provision contract language. There is no additional time or money included in the amendment.

The goal of the On-Call master contract is to procure multiple Small Business Enterprise (SBE) On-Call construction services contracts to establish a new group of qualified SBE On-Call general contractors to respond to proposal requests with bidding and execution of construction work for the City's infrastructure. The General Civil Construction On-Call contract will be utilized to construct a variety of improvements to the City and County of Denver's infrastructure typically within City Right-of-Way. The City desires to award multiple On-Call SBE construction services contracts, each with a maximum contract limit of \$5,000,000.00 for the three-year duration.

6. **City Attorney assigned to this request (if applicable):** Jacob Crawford

7. **City Council District:** Citywide

8. **\*\*For all contracts, fill out and submit accompanying Key Contract Terms worksheet\*\***

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

## Key Contract Terms

**Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):** Construction Services

**Vendor/Contractor Name (including any dba's):** Apricity, Inc.

**Contract control number (legacy and new):** DOTI-202368834-01 [202472184-01]

**Location:** Citywide

**Is this a new contract?**  Yes  No **Is this an Amendment?**  Yes  No **If yes, how many?** 01

**Contract Term/Duration (for amended contracts, include existing term dates and amended dates):** 11/19/2023 – 11/18/2026

**Contract Amount (indicate existing amount, amended amount and new contract total):** \$5,000,000.00

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
\$5,000,000.00	\$0.00	\$5,000,000.00

  

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
11/19/2023 – 11/18/2026	N/A	11/19/2023 – 11/18/2026

**Scope of work:**

The purpose of this amendment is to revise current contract language in the progress payment verbiage to remove Textura references as DOTI has implemented a program management system (Masterworks) that will utilize submission of pay apps through the program, which will discontinue our use of Textura. With this amendment, there have also been updates to the prevailing wage requirements, progress payments for work orders, add compliance with Denver wage laws, examination of records and audits, and security provision contract language. There is no additional time or money included in the amendment. The goal of the On-Call master contract is to procure multiple Small Business Enterprise (SBE) On-Call construction services contracts to establish a new group of qualified SBE On-Call general contractors to respond to proposal requests with bidding and execution of construction work for the City's infrastructure. The General Civil Construction On-Call contract will be utilized to construct a variety of improvements to the City and County of Denver's infrastructure typically within City Right-of-Way. The City desires to award multiple On-Call SBE construction services contracts, each with a maximum contract limit of \$5,000,000.00 for the three-year duration.

**Was this contractor selected by competitive process?** Yes **If not, why not?**

**Has this contractor provided these services to the City before?**  Yes  No

**Source of funds:** Funded at the work order level

**Is this contract subject to:**  W/MBE  DBE  SBE  XO101  ACDBE  N/A

**WBE/MBE/DBE commitments (construction, design, Airport concession contracts):** SBE 30% Self Performed

**Who are the subcontractors to this contract?** SBE 30% Self Performed

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*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_