

# ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo, Public Works  
at [pw.ordinance@denvergov.org](mailto:pw.ordinance@denvergov.org) by **12:00pm NOON on Monday**. Contact Jason with questions.

Date of Request: September 17, 2021

Please mark one:  Bill Request or  Resolution Request

1. Type of Request:

- Contract  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 SWINERTON BUILDERS to add an additional \$10,000,000.00 and to extend the term for 2 years until 6/26/2024 to the 2019 General Contractor Construction Services On-Call contract (DOTI-202160296-01[201947343-01]).

3. Requesting Agency: Department of Transportation and Infrastructure

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Gabrielle Schuller	Name: Jason Gallardo
Email: <a href="mailto:Gabrielle.Schuller@denvergov.org">Gabrielle.Schuller@denvergov.org</a>	Email: <a href="mailto:jason.gallardo@denvergov.org">jason.gallardo@denvergov.org</a>

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

To provide on-call construction services as needed for construction work on municipal buildings. It is in the best interests of the Department of Transportation and Infrastructure and the City at large to extend these contracts beyond the standard three (3) years. All of these on-call agreements were procured together and awarded at the same time.

The vendors that have been providing Large On-Call Construction Services for The City and County of Denver have been performing well and provide an important resource for the City to implement construction projects. The current contract durations for the Large On-Call Construction Services vendors are set to expire on 6/26/2022. Under analysis of the remaining capacity of the current contracts, it is recommended to extend these contracts for an additional 2 years, + \$10M additional capacity added to each contract, with the removal of the \$5M work order limit, and removal/striking of the last sentence of this Term clause in the existing Large On-Call Construction Services contract (see page 3, and Fig. 1 below): "However, in no event shall the Term of this Agreement be extended by Work Order or Work Order Change for more than a year beyond the initial three-year term." The reasoning for the extension includes economic uncertainty in the mid-term making re-procurement scope unclear, and current vendors are well performing and progressing toward meeting DSBO goals. Formal procurement for the Large On-Call Construction Services will be set to issue new contracts once the extended contracts expire on 6/26/2024.

6. City Attorney assigned to this request (if applicable): Jill Ferguson

7. City Council District: Citywide

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

## Key Contract Terms

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: RR21 1124

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

**Type of Contract:** Amendment to a Construction Services On-Call

**Vendor/Contractor Name:** SWINERTON BUILDERS

**Contract control number:** DOTI-202160296-01[201947343-01]

**Location:** Citywide

**Is this a new contract?**  Yes  No **Is this an Amendment?**  Yes  No **If yes, how many?** 1

**Contract Term/Duration (for amended contracts, include existing term dates and amended dates):** Existing term: 6/27/2019 – 6/26/2022, extending term until 6/26/2024.

**Contract Amount (indicate existing amount, amended amount and new contract total):** Existing amount \$15,000,000.00, adding an additional \$10,000,000.00 for a contract total of \$25,000,000.00.

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
\$15,000,000.00	\$10,000,000.00	\$25,000,000.00

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
6/27/2019 – 6/26/2022	2 years	6/27/2019 – 6/26/2024

**Scope of work:** To provide on-call construction services as needed for construction work on municipal buildings, including predominantly deferred maintenance and renovation work.

**Was this contractor selected by competitive process?** Yes, RFQ advertised by DOTI (fka Public Works) on November 16, 2018.

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

**Source of funds:** Funding will be identified upon Work Order issuance.

**ELEVATE DENVER BOND:**  Funding will be identified upon Work Order issuance; however, some funding will be utilized with Elevate Bond money determined on a Work Order basis.

**Is this contract subject to:**  M/WBE  DBE  SBE  XO101  ACDBE

**WBE/MBE/DBE commitments (construction, design, Airport concession contracts):** 15% MWBE

**Who are the subcontractors to this contract?** Individual Work Orders. Compliance Plan Specified.

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