



## Department of Transportation and Infrastructure Annual Work Program Ordinance Executive Summary

### **History and Background:**

In 2005, Ordinance 2005-608, Council Bill No. 591 referred to the voters an amendment to the Charter concerning City Council procedures. This voter-approved measure allows for City Council to waive the requirement that contracts be submitted for individual approval through approval of an umbrella ordinance. In 2009, a Citywide workgroup was formed to review and suggest ways to add efficiency to the Citywide contract process. Upon recommendation and support of the City Attorney's Office, the annual Work Program Ordinance was initiated by the Department of Public Works.

Beginning in 2011, the then Department of Public Works, now the Department of Transportation and Infrastructure, in an effort to expedite routine maintenance and infrastructure contracts, requests each year from City Council a waiver of individual contract submissions for those contracts that are part of the annual work program. This annual work program consists of routine maintenance and infrastructure repair projects. The ordinance lists the capital funds and program budgets from which the subject contracts will be obligated.

### **Benefits:**

This annual work program ordinance allows for expediting the contracting of select routine, annual work programs within the Department of Transportation and Infrastructure. The nature of this work varies little from year to year, it has a relatively defined pool of qualified contractors, and consists of large work programs that benefit from expedited start. This enables the City to execute contracts with these contractors earlier in the year to be able to start work as early in the season as weather permits. The ordinance typically expedites these particular contracts by 30-45 days.

### **Contract/Project Types:**

- Street paving
- Concrete work (curb, gutter, and ADA pedestrian ramp construction)
- Traffic signal construction and reconstruction
- Faded signs/pavement markings
- General storm/annual sanitary improvements

### **Procurement and Contracting:**

§2.3.3 speaks to construction, reconstruction or remodeling of general public improvements being performed under contracts awarded to lowest, responsive, qualified bidders ("hard bid") or through a competitive selection ("RFQ/P") process. The group of contracts that the Annual Work Program Ordinance request applies to are procured via a hard bid procurement where responsiveness and lowest price are the primary criteria for award in conjunction with the qualified bidder committing to and providing supporting documentation as to how they will meet the goal set by the Division of Small Business Opportunity ("DSBO") on the project.

All subject contracts have a MWBE or SBE goal issued by DSBO in advance of the project advertising and DSBO reviews bids for commitment and responsiveness to program requirements prior to the contract being awarded and moving forward in the contracting process.

City and County of Denver Department of Transportation and Infrastructure

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**Reporting:**

Each quarter, a report is submitted to City Council that summarizes the contracts awarded under the Annual Work Program Ordinance. This report includes project names, firms that bid the project, awarded firm, price, and type and percentage of goal applied to the project. The report additionally notes those contracts where a MWBE or SBE were awarded the contract.

Historically, each year 12-14 contracts are awarded that benefit from this expedited process. The total value of these contracts over the last five years ranges from \$24.5M-\$29M. On average, close to half of the lowest responsible, responsive prime bidders on these contracts are certified S/MWBE firms.