Department of Transportation and Infrastructure
On-Call SBE Vertical Construction Services Contracts Amendment
Fact Sheet

On-Call SBE Vertical Construction Services Contracts
DOTI is seeking an amendment to the On-Call SBE Vertical Construction Services contracts to remove Textura language due to DOTI's implementation of its new project management system, Masterworks. This amendment is for administrative purposes only, relating to pay applications, and will not affect the contract capacity or term.

Purpose and Use of Contracts: This set of on-call contracts provide and maintain a pool of qualified SBE construction firms available to respond to proposal requests in support of various vertical construction projects throughout the City and County of Denver on an "as needed" basis. Examples of the type of work include, but are not limited to, interior finishes, building renovations, drywall and painting, concrete, masonry, carpentry, plumbing, windows and doors, and roofing.

Contracts Description:

There are four (4) contracts in this set which have a three (3) year term expiring in July 2026 and a capacity of $5 Million each. The firms holding the contracts are:

- Bauen Studios LLC (SBE)
- Halcyon Construction, Inc. (SBE)
- Sky Blue Builders LLC (SBE)
- Wilderness Construction Co. (SBE)

Scope of Amendment:

This set of four (4) On-Call SBE Vertical Construction Contracts contains language referring to Textura, a software used to process vendors' pay applications. It is desired that the Textura language is removed from the contracts.

> Language to be removed: The application for payment shall be submitted through Textura® Corporations Construction Management Website. Contractor recognizes and agrees that it shall be required to use the Textura Construction Payment Management System (CPMS) for this Project. Contractor further agrees that, to the fullest extent possible within the CPMS, the City shall be entitled to all non-Confidential records, reports, data and other information related to the project that are available to Contractor through the CPMS, including, but not limited to, information related to Contractor and subcontractor billings. To that end, Contractor agrees that it will activate any available settings within the CPMS that are necessary to grant the City access to such non-Confidential information related to the contract and the project. Applications for payment shall be based on the Contract Unit Prices or the approved Schedule of Values described in GC 903.1

In accordance with General Contract Condition 902, PAYMENT PROCEDURE, the party(ies) responsible for review of all Pay Applications shall be the Project Manager assigned to each Work Order:

In accordance with General Contract Condition 906, APPLICATIONS FOR PAYMENT, each Application submitted shall include the following:

1. The estimate of Work completed shall be based on the approved schedule of values or unit prices, as applicable, and the percent of the Work complete.
2. Each Application for Payment shall include each and every independent subcontractor's payroll information including pay dates and pay amounts.
3. The Contractor shall also submit to the Auditor and other appropriate officials of the City in a timely fashion, information required by General Contract Condition 1004, REPORTING WAGES PAID.
4. Starting with the second payment application, the payment applications shall be accompanied by a completed Contractors' Certification of Payment Form (CCP), listing all first-tier subcontractors and suppliers and all certified subcontractors or suppliers that are listed for participation towards any assigned SMWDBE program goal. The final payment application must be accompanied by an executed Final/Partial Release and Certification of Payment Form and Certificate of Contract Release Form from the Contractor.

    * If subcontractor or supplier payments are disbursed via Textura® CPMS, those systems generated Final/ Partial Release of Certification Form and CCP forms are acceptable.

Title 20, 2003 Final Settlement, section .2, item F is modified to read as follows:

F. At time of request for final payment, Contractor shall submit a complete and final, unconditional waiver or release of any and all lien and claim rights for all labor, equipment, and material used or furnished to complete the Work in the form and format generated within the Textura CPMS. Contractor shall also return an executed Certificate of Contract Release (above), upon request from the City.

Proposed New Language: "PROGRESS PAYMENTS FOR WORK ORDERS" is hereby deleted in its entirety and replaced with:

Applications for payment shall be based on the Contract Unit Prices or the approved Schedule of Values described in GC 903.1

In accordance with General Contract Condition 902, PAYMENT PROCEDURE, the party(ies) responsible for review of all Pay Applications shall be the Project Manager assigned to each Work Order.

In accordance with General Contract Condition 906, APPLICATIONS FOR PAYMENT, each Application submitted shall include the following:

Starting with the second payment application, the payment applications shall be accompanied by a completed Contractors' Certification of Payment Form (CCP), listing all first tier subcontractors and suppliers and all certified subcontractors or suppliers that are listed for participation towards any assigned SMWDBE program goal. The final payment application must be accompanied by an executed Final/Partial Release and Certification of Payment Form and Certificate of Contract Release Form from the Contractor.

Purpose of Amendment:

The benefit of removing the Textura language is to ensure continuity of service in the processing of vendor pay applications as DOTI implements its new program management system Masterworks. Masterworks will take over the function that Textura currently serves. While there may be minor differences in function and procedure, this change of system will not impact the contract capacity or term, including the projects in-motion or future projects. Amending the contracts will assist in integrating Masterworks into new and existing work processes.

Main Functionalities of the new Masterworks system:

Document Management	Full permissions (uploading/editing/deleting documents, creating new folders, etc. in areas where authorized)
Contractors	Adding any sub-contractors to the contract.
Item Posting	Recording their work progress (quantities).
Request to Sublet Work	Documenting which contract work is being sublet and to whom.
Sub-Contractor Payment	Recording payments they have made to their subs.
Materials on Hand	Requesting advance payments for materials.
Submittals	Submitting official deliverables to the City for review.
Non-Conformance Report	Creating/responding to non-conformance reports regarding work performed.
Request for Information	Submitting RFIs to the City.
Change Request	Creating/responding to change requests that will eventually become official change orders.
Change Orders and Amendments	Creating contract change orders for submission to the City.
Field Order Change Directive	View only access to review directives from the City.
Punch List	Documenting punch list items for City review.
Notice of Intent to Claim	To view and edit the claim records, but they cannot take any workflow actions

Questions? Contact: Patience Reuter – Director, Program Management Division
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