



Legislation Details (With Text)

**File #:** 24-0396      **Version:** 1

**Type:** Resolution      **Status:** Adopted

**File created:** 3/21/2024      **In control:** Land Use, Transportation & Infrastructure Committee

**On agenda:** 4/15/2024      **Final action:** 4/15/2024

**Title:** A resolution approving a proposed Amendatory Agreement between the City and County of Denver and FCI Constructors, Inc. to revise contract language for large vertical construction projects, citywide.  
Amends an on-call contract with FCI Constructors, Inc. to revise contract language for large vertical construction projects, citywide. No changes to the contract capacity or term (202371978-01/202367915-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-6-2024. The Committee approved filing this item at its meeting on 4-2-2024.

**Sponsors:**

**Indexes:** Lucas Palmisano

**Code sections:**

**Attachments:** 1. RR24-0396\_DOTI-202371978-01 [202367915-01] FCI CONSTRUCTORS, INC. Ordinance Requests, 2. FACT SHEET on call vertical large, 3. 24-0396 Filed Resolution\_FCI Constructors, Inc. 202371978-01, 4. 24-0396 Amendatory Agreement\_FCI CONSTRUCTORS INC. 202371978-01, 5. 24-0396 Filed Resolution\_FCI Constructors, Inc. 202371978-01, 6. 24-0396\_signed

Date	Ver.	Action By	Action	Result
4/15/2024	1	Council President	signed	
4/15/2024	1	City Council	adopted	Pass
4/2/2024	1	Land Use, Transportation & Infrastructure Committee	approved by consent	Pass

**Contract Request Template (Contracts; IGAs; Leases)**

**Date Submitted: 4-1-2024**

**Requesting Agency: DOTI  
Division:**

**Subject Matter Expert Name: Nick Williams  
Email Address: Nicholas.williams@denvergov.org  
Phone Number:**

**Item Title & Description:**

*(Do not delete the following instructions)  
These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).*

*Both the title and description must be entered between the red "title" and "body" below. Do **not** at any time delete the red "title" or "body" markers from this template.*

**A resolution approving a proposed Amendatory Agreement between**

**the City and County of Denver and FCI Constructors, Inc. to revise contract language for large vertical construction projects, citywide.**

Amends an on-call contract with FCI Constructors, Inc. to revise contract language for large vertical construction projects, citywide. No changes to the contract capacity or term (202371978-01/202367915-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-6-2024. The Committee approved filing this item at its meeting on 4-2-2024.

**Affected Council District(s) or citywide?**  
citywide

**Contract Control Number:**  
202371978-01/202367915-01).

**Vendor/Contractor Name (including any "DBA"):**  
FCI Constructors, Inc.

**Type and Scope of services to be performed:**

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 app 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, security provision, and replace disputes contract language. There is no additional time or money included in the amendment. In 2023 the Department of Transportation and Infrastructure procured multiple On-Call construction services contracts to establish a new group of qualified On-Call general contractors to respond to proposal requests with bidding and execution of construction work on municipal building projects. Scopes may consist of a roof replacement, mechanical upgrades (HVAC controls), lighting retrofit, concrete/asphalt replacement, or other. On-Call general contractors will be requested to mini bid projects against other On-Call General Contractors to ensure the City is receiving the best value.

**Location (if applicable):**

**WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts):**

21%

**Are WBE/MBE/DBE goals met (if applicable)?**

**Is the contract new/a renewal/extension or amendment?**  
amendment

**Was this contractor selected by competitive process or sole source?**

Competitive process

**For New contracts**

**Term of initial contract:**

**Options for Renewal:**

How many renewals (i.e. up to 2 renewals)?

Term of any renewals (i.e. 1 year each):

**Cost of initial contract term:**

**Cost of any renewals:**

**Total contract value council is approving if all renewals exercised:**

**For Amendments/Renewals Extensions:**

**Is this a change to cost/pricing; length of term; terms unrelated to time or price (List all that apply)?**

***If length changing***

**What was the length of the term of the original contract?**

**What is the length of the extension/renewal?**

**What is the revised total term of the contract?**

***If cost changing***

**What was the original value of the entire contract prior to this proposed change?**

**What is the value of the proposed change?**

**What is the new/revised total value including change?**

***If terms changing***

**Describe the change and the reason for it (i.e. compliance with state law, different way of doing business etc.)**