



**CITY AND COUNTY OF DENVER
DEPARTMENT OF PUBLIC WORKS**

RFQ – 2018 GENERAL CONTRACTOR CONSTRUCTION ON-CALL

eBid # 5961137

Addendum #2

December 7, 2018

UPDATED CLARIFICATION OF M/WBE REQUIREMENTS:

Contracts pertaining to City construction, reconstruction and remodeling projects are generally subject to the requirements of Article III, Division 1 and 3 of Chapter 28 of the Denver Revised Municipal Code (DRMC) and any Rules and Regulations adopted by the Director of the Division of Small Business Opportunity (DSBO) (collectively the “Ordinance”). The Ordinance generally provides for the adoption of a Minority/Women Business Enterprise (M/WBE) Goals Program (“the Program”) to be administered by DSBO. In accordance with the requirements of the M/WBE Ordinance, the Contractor is committed to, at a minimum, meet the participation goal of fifteen (15%) established for this Project utilizing properly certified M/WBE subcontractors and suppliers. Section 28-60(b) provides that for contracts let by means of a competitive process rather than a competitive bid process, a department head may require proposers to address the project goal by means of a compliance plan, as authorized by the Director. In addition to the applicable provisions of the M/WBE Ordinance, the Contractor agrees, as an express condition of its performance hereunder, to comply with the requirements of any approved Compliance Plan. The successful proposer(s) must be prepared to submit a Compliance Plan after the conclusion of the solicitation process as a component of contract negotiations and award. Such plan shall, at a minimum, include a narrative regarding compliance with the goal; a list of committed M/WBE participants along with dollar and percent participation for each evidencing compliance with the overall goal, and fully executed letters of intent for each listed participant, all in a form satisfactory to the City. Without limiting the general applicability of the foregoing, the Proposer accepts their continuing duty pursuant to Sections 28-72, 28-73 and 28-75 DRMC and the M/WBE Program, to meet and maintain throughout the duration of this project its participation and compliance commitments and to ensure that all Subcontractors subject to the M/WBE Ordinance or the M/WBE Program also maintain such commitments and compliance. Failure to comply with these requirements may result, at the discretion of the Director of the Division of Small Business Opportunity (“DSBO”), in the imposition of sanctions against the Contractor in accordance with Section 28-77, DRMC. Nothing contained in this Paragraph or in the referenced City ordinance shall negate the City’s right to prior approval of Subcontractors or substitutes therefore.

This on-call RFQ requires contractors to complete a compliance plan. The inclusion in the RFQ of a letter of intent (“LOI”) as Attachment 3 is merely intended to be an example of the documentation contractors will be required to submit at the time of work order following contract award. After the time of award, contractors will work with DSBO to submit LOIs for individual work orders as the actual scope of work and subcontractors needed will both be known. The LOIs from each work order will be used toward the total required M/WBE % goal on this contract.

End of Addendum No. 2