PRE-BID MEETING AGENDA
PROJECT NAME: 2022 CONTRACT MILL AND OVERLAY

MEETING DATE: December 16, 2021
CITY PROJECT NO.: 202161324
MEETING TIME: 9:00 a.m.
MEETING LOCATION: Teleconference – Phone: (720) 388-6219, Conference ID: 483-985-014# or Join Microsoft Teams Meeting
PROJECT LOCATION: Citywide

General information about teleconference: *6 will mute/unmute phone if using the call-in number. Anyone that is not speaking is asked to mute their phone during the meeting to prevent background noise.

I. Introductions
   a. Contract Administrator – Katie Ragland
   b. DOTI Project Manager – Norm Shaw
   c. DSBO Representative – Erin Croke
   d. Auditor’s Office/Prevailing Wage – Matthew Borquez

II. DSBO (Erin Croke)
   a. Participation – 15% MWBE
   b. Instructions to Bidders (Section IB-26): page BDP-10 – BDP-12
   c. Forms to be returned with bid:
      • 1A – List of Proposed Subcontractors, Subconsultants, and/or Suppliers – page BF-9
      • Commitment to MWBE Participation – page BF-13
      • Letter(s) of Intent – page BF-14

III. Auditor’s Office (Matthew Borquez)
   b. Last Section of the Bid Documents Package

IV. Treasury
   a. Instructions to Bidders (Section IB-24): page BDP-9
   b. Additional tax information has been provided at the end of this agenda
   c. General Tax Information Booklet

V. Risk Management (April Hansen)
   a. Insurance coverage requirements for this project (SC-17): page BDP-47 – BDP-48
   b. Standard 3 coverages required (Commercial General Liability, Business Automobile and Workers Compensation)
   c. Insurance requirements are non-negotiable.

VI. Prequalification (Jennifer Clark)
   a. Each bidder must be prequalified in category 1F(1) Asphalt at or above the $3,000,000.00 monetary level.
   b. Each bidder must have submitted a prequalification application a minimum of ten (10) calendar days prior to the bid opening date. Applications must be submitted electronically via B2Gnow.
   c. To view the Rules and instructions on how to apply, please visit www.denvergov.org/prequalification.
VII. **Contract Administration (Katie Ragland)**  
   a. Bid Package is available on QuestCDN for $15.00 (eBid #8078969).  
      - QuestCDN Plan Download Instructions  
      - QuestCDN V Bid Bidder Instructions  
   b. Firms and stakeholders can view the plan holders on QuestCDN by visiting the project page and selecting “View Plan Holders”. For those interested in being listed on a pre-bid meeting attendance sheet, please email me your name, number, email address and whether you are a prime or sub for this project at DOTI.Procurement@denvergov.org by the end of the day and I will put an attendance sheet together to be posted on www.work4denver.com and sent out via QuestCDN.  
   c. Verify and use legal name, per Colorado Secretary of State.  
   d. Confirm registration with the System for Award Management (SAM).  
   e. Addenda and/or notices will be sent by email notification via QuestCDN at least 5 business days prior to bid due date.  
   g. When completing the Bid Worksheet in QuestCDN, do not round prices.  
   h. Bid Form Submittal Package should be in order when submitted via Quest.  
   i. Textura is required; Contract Administration will complete the initial set-up in Textura.  
   j. **Diversity and Inclusiveness in City Solicitations Information Request Form** must be completed, signed and returned with bid: BF-16 – BF-19.  
   k. **Important Dates**:  
      - Question Deadline – December 30, 2021 no later than 3:00 p.m. Must send to DOTI.Procurement@denvergov.org.  
      - Bids Due – January 20, 2022 by 9:00 a.m. The call-in number and conference ID will be posted to the project page on www.work4denver.com.  
   l. Bids for this project will ONLY be received and accepted via the online electronic bid service through www.QuestCDN.com.  
   m. REMINDER: All communication must be sent to DOTI.Procurement@denvergov.org.  

VIII. **Project Overview (Norman Shaw)**  
Citywide mill and overlay program supplement STM crews.  

IX. **Q & A** - please send any additional questions or those needing a more thorough answer to DOTI.Procurement@denvergov.org so they may be answered in a subsequent addendum.
DSBO MISSION

Be the bridge that promotes and improves the participation and engagement of small businesses through the creation and implementation of programs, thereby achieving an equitable Denver economy.
DIVISION OF SMALL BUSINESS OPPORTUNITY

- Certifies socially and/or economically disadvantaged eligible businesses.
- Tracks, monitors and reports small business utilization to ensure accordance with ordinances.
- Conducting outreach to certified firms, providing technical assistance, capacity building services (i.e. mentor protégé program).
- Establishes project specific goals for certified firms to participate as primes or subs. on city projects.
- Establishes opportunities for small businesses to perform as prime contractors directly with the City.

☑ Creates and expands contract opportunities for small, minority, and women–owned businesses.
COMMITMENT TO MWBE UTILIZATION

• DSBO has established an MWBE participation goal of 15%.

• Participation goals must be met with MWBE firms certified with the City and County of Denver in the scopes of work you intend for them to perform as set forth in Section 28-59, DRMC or through the demonstration of a good faith effort under Section 28-60, DRMC.

• You can find a directory of MWBE certified firms at denvergov.org/dsbo. That website is also listed within the bid document package.
MWBE REQUIRED FORMS

Proposers must complete and submit at the time of the bid opening:

✓ Commitment to MWBE Participation Form; identifying the percentage of MWBE utilization the Proposer is committed to, and

✓ Form 1A – List of Proposed Subcontractors, Subconsultants, and/or Suppliers.

✓ Letter(s) of Intent

✓ All forms due at time of bid opening

*FAILURE TO SUBMIT A REQUIRED FORM MAY DEEM YOU NONRESPONSIVE
COUNTING PARTICIPATION FOR SUPPLIERS

If the materials or supplies are obtained from an MWBE:

- **Manufacturer**, count **100%** of the cost of the materials or supplies toward MWBE goals. DRMC Sec. 28-35(33)

- **Regular dealer**, count **60%** of the cost of the materials or supplies toward MWBE goals. DRMC Sec. 28-35(48)

- **Packager, broker, manufacturers' representative, or other persons who arrange or expedite transactions**, count the entire amount of fees or commissions charged. DRMC Sec. 28-35(5) and (34)

Additional information about counting MWBE participation can be found on page 10 of the Bid Document Package.
NEW DSBO ORDINANCE REAUTHORIZATION

- **Contractor Prompt Pay (Section 28-72, DRMC):**
  - For contracts $1M+,
  - MWBE subcontractors shall be paid within 35
  - Not paid when paid

- **Termination, Substitution, and Reduction in Scope (Section 28-73, DRMC):**
  - A contractor/consultant must have good cause to terminate, substitute or reduce scope of an MWBE.
NETWORKING/ENGAGEMENT

Contractors/Consultants and certified firms are strongly encouraged to begin networking/engaging now to identify partnerships for the duration of the project.

- **Tips for Contractors/Consultants**
  - Visit [Small Business Certification and Contract Management System](#) to locate certified firms.

- **Tips for Certified Firms**
  - Utilize the plan holders list and registration list to identify what Contractors/Consultants to develop potential partnership.
  - Begin making introductions and sending capability statement.
  - Make sure certifications are **current** and **NAICS Codes are applicable** to the work you perform.
Erin Croke, Compliance Officer
Division of Small Business Opportunity
Erin.Croke@denvergov.org

For more information about DSBO and to find certified firms, please visit: denvergov.org/dsbo
The City and County of Denver imposes a 4.81% consumer’s use tax on all construction materials, supplies, tools, and equipment used on a Denver construction job unless the vendor has charged Denver sales tax. Credit against the Denver use tax liability is allowed for a legally imposed sales tax previously paid, to the extent the rate does not exceed the combined rate in Denver of 8.81%. If sufficient sales tax has not been paid at time of purchase, the contractor is required to self-report use tax.

Denver also has an occupational privilege tax, which is due for any employee who earns at least $500 within a calendar month while working in Denver. A total of $9.75 per month per eligible employee must be remitted: $5.75 withheld from the employee and $4.00 paid by the business for each taxable employee, owner, partner or manager.

Please note that subcontractors, as well as general contractors, are deemed to be the end user of all materials, supplies, tools, and equipment used on a Denver job. Denver does not provide an exemption from sales or use tax for materials used on any construction project located in Denver including governmental or charitable.

Any contractor, as well as any subcontractor, who does work in Denver must be licensed with the Treasury Division to pay taxes. Taxes are not collected through any other licensing or permitting mechanism.

We encourage you to learn more about Denver taxes by going directly to the Denver Treasury Website at www.denvergov.org/treasury and click on the Tax Guide and Tax Rules links. Tax Rule #5, Tax Guides #61 (Occupational Privilege Tax) and #83 (Use Tax) are recommended for review. We also encourage you to consult with a tax professional when making decisions regarding application of tax to any portions of a proposal or operations.

If you have any questions please don’t hesitate to contact Taxpayer Service at 720-913-9400 or by email at treasinfo@denvergov.org.

Thank you for engaging in business in Denver!
General Contractors and Subcontractors – Construction within Denver

The City and County of Denver imposes a 4.81% **consumer’s use tax** on all construction materials, supplies, tools, and equipment used by a construction contractor on a Denver job. Credit against the Denver use tax liability is allowed for a legally imposed sales tax previously paid to the extent the rate does not exceed the combined rate in Denver of 8.81%.

Tools and equipment are subject to the 4.81% use tax on the cost or fair market value at the occasion of first use in Denver. Exceptions are:

1. Automotive vehicles required by law to be registered outside Denver are exempt.
2. If equipment will be used or stored in Denver for 30 consecutive days or less, a declaration completed prior to the equipment being brought into Denver may result in a smaller tax liability.

In addition to the above, it is important to note the following:

1. Denver **does not** provide an exemption from sales or use tax for construction or building materials used on any construction project located in Denver, including government, religious, or charitable.
2. Denver **does not** collect use tax at the time a building permit is issued. Tax is paid to suppliers at the time of purchase, or directly to the City of Denver on the consumer’s use tax return.
3. Denver **does not** provide an exemption from sales or use tax for energy (natural gas, electricity, etc.) used in building construction.
4. Denver sales or use tax applies to diesel fuel for off-highway use, including that used for the operation of construction equipment.
5. Contractors that manufacture materials or other items of tangible personal property that are to be incorporated into a structure are liable for use tax on the manufactured cost of these items, which in addition to materials, includes labor and services used in the manufacturing process.
6. The City of Denver has an **occupational privilege tax** (OPT), which is due for employees earning at least $500 in a calendar month while working in Denver. A total of $9.75 per month per eligible employee must be remitted: an Employee OPT of $5.75 withheld from the employee and a Business OPT of $4.00 paid by the business for each taxable employee, owner, partner or manager. If your business is a corporation, any officers and owners/shareholders that perform services for the corporation are considered employees, and the full $9.75 would be due when the $500 earnings-in-Denver threshold is met. No fee is required for occupational privilege tax registration.
7. In addition to occupational tax registration, “construction contractors” may be issued a consumer’s use tax account; “contractor-retailers” are issued either a sales tax license, if the business is located in Denver, or a retailer’s use tax license for business locations outside the city. No fee is required for consumer’s use tax registration; however a license fee is required for both sales and retailer’s use tax licensure.

For additional information on Denver taxes, go to [www.denvergov.org/treasury](http://www.denvergov.org/treasury), and click on the Tax Guide link. Questions may be addressed with our Audit Unit at 720-913-9955 or by email at constructiontaxinfo@denvergov.org.