



TO: SBP Delegates and Procurement Officer26d: s

FROM: Tana Lane, Interim State Architect

DATE: September 18, 2023

SUBJECT: Modifications to SBP Policies and Templates

The following lists the changes to the State Buildings Program policies, guidelines and templates

Policies and Procedures

(SBP-BSC) Basic Steps Checklist Design/Bid/Build Projects

In an effort to make the Basic Steps Checklist more comprehensive among the other policies, sections have been renamed for ease of maneuvering through the document. Steps have also been added that were always in policy but not noted in these Basic Steps

- Revised A.1 from Setting Up A Project to Unrestricting Funds
- Added steps in A.2 Setting up a Project
- B1 renamed to Starting a Project – Professional Services
 - 12b: Added reference to the 6-month rule
 - 14: Added step if A/E is not a Colorado firm
 - 15a: Added sending documents to code consultant
 - 16a: Agency must thoroughly review specifications to confirm consideration of energy efficiency, value analysis and life cycle cost. (CRS 24-104-206)
 - 16b: Agency must thoroughly review specifications to confirm nonrestrictiveness. (CRS 24-104-207)
- B2 renamed to Starting The Project – Construction Services
 - 22a: added the other documents required to be included in an Advertisement for Bidders.
 - 26d: Added “Partial SBP delegates must send draft contract and all exhibits to OSA for review and approval before signing.”
 - 28f: Added a reminder that Inspections are performed by the same consultant that performed the Plan Review
 - 28j: Requirement for CMS if over \$100,000 under the State Fiscal Rules
 - 29e: Added Preparation of contract manuals and distribution
 - 35: Added step if contractor is not a Colorado firm
- D: Changed A/E Supplements/Change Orders/Amendments to Change Management
 - 2c through 2f: Added review process for Change Orders
 - 3e: Added the step to incorporate an Emergency Field Change Order into a Change Order when work can be quantified

- 4a through 4c: Added steps for Amendments
- F3a: To accommodate State Plumbing and Electrical Board utilizing electronic certification added the step to affix a copy of the inspection if not physically sign off on the SBP-BIR

(SBP-CONT-MOD)

- Replaced State Seal with State Logo
- General clean-up occurred on grammatical or typographical errors and added language to exceptions 1 & 2:

Exception #1: A State Controller Office (SCO) waived contract could also be waived from ~~or~~ Attorney General legal review and signature by State Buildings/Delegate. If a delegated agency has classified the risk of the amendment according to State Controller Fiscal Rule.

Exception #2: After the approved amendment establishing the GMP on a CM/GC, ~~D/B-LS~~ or D/B GMP construction agreement, all subsequent amendments incorporating anticipated bid packages may be waived for Attorney General/Delegate legal review and signature upon request approval by the State Controller/Delegate.

(SBP-PROJ-MON-COST-MGMT)

- Replaced State Seal with State Logo
- Added language to III-B:
Contingencies are established to compensate for unknowns. It is not expected, however, that the budgeted sub-category amounts are fixed and static. Contingency dollars can move from one category to another as required **provided that they are not used to increase the scope of work outside the legislative intent of the appropriated funds.** The portion of the contingency attributable to the construction budget should not be factored into the Authorization to Bid (SBP-6.10) line C nor should it be used in order to compensate for a bid overage without first consultant with the Office of the State Architect.

Solicitation Forms

(AFB-1) Advertisement for Bid

- Replaced the State Seal with State Logo
- Added additional guidelines for the Project Description and Scope of Work
- Included the Sample Agreement and General Conditions as an Appendix
- Added Apprenticeship Contributions to the title of Applicable Prevailing Wage Rates Cover page
- Added the link for more information regarding State prevailing wage and apprenticeship contributions to their cover pages.

(IPD-CMGC-RFP)

- Added additional guidelines for the Project Description and Scope of Work
- Added Apprenticeship Contributions to the title of Applicable Prevailing Wage Rates Cover page
- Added the link for more information regarding State prevailing wage and apprenticeship contributions to their cover pages.

(IPD-DBGMP-RFP)

- Added Apprenticeship Contributions to the title of Applicable Prevailing Wage Rates Cover page

- Added the link for more information regarding State prevailing wage and apprenticeship contributions to their cover pages.

(IPD-DBLS-RFP)

- Added Apprenticeship Contributions to the title of Applicable Prevailing Wage Rates Cover page
- Added the link for more information regarding State prevailing wage and apprenticeship contributions to their cover pages.

(RFQ-AE)

- Replaced the State Seal with State Logo
- Added language to the Submittal Requirements:

Appendix C, Acknowledgement and Attestation Form must be fully completed and certified.

The following are elements that will be used to evaluate each firm's qualifications:

- Replaced language under Appendix A2 – Final Ranking System:

~~(This form is to be used separately)~~ Use this form to rank and determine the most qualified architectural/engineering/consulting services firm for both the preliminary and interview evaluations.)

- Replaced language under the notes of Appendix A2-Final Ranking System:

Insert total score from each evaluator's PRELIMINARY SELECTION or AND INTERVIEW SELECTION/EVALUATION FORMS. DO NOT combine scores of the two evaluations. The scores from the Preliminary Selection process are not used to determine the final score or ranking unless there is a tie score during Phase 2.

- Added an Appendix D – Scope of Work

(SBP-6.12) Information for Bidders

- Replaced State Seal with State Logo
- Revised the first paragraph to include “and applicable bid security”

(SBP-6.131) Alternates

- Replaced State Seal with State Logo

(SBP-6.132) Bid Tab

- Replaced State Seal with State Logo

(SBP-Bid) Index

- Replaced State Seal with State Logo
- Changed the Index name from Bid Package to Project Manual-Bidding
- Added the below language to page 1:
This information should be included in the Project Manual or uploaded to the Solicitation if no Project Manual is provided.
- Line 1 – Added Consultant Project Manual Cover

- Line 4 – Added (If applicable)
- Updated Line 5 to: ~~Specimen of Bid Form~~ (SBP-6.13)
- Updated Line 6 to: ~~Specimen of Bid Alt Form~~ (SBP-6.131) (If applicable)
- Updated Line 9 to: ~~Specimen of Contractor’s Agreement or SBP Purchase Order~~ (SC-6.21)*
- Added a Line 10: General Conditions of the Contract
- Updated Line 11 to: Supplementary General Conditions (if applicable) (SC-6.23)
- Added the below language at the end of the document:
Items in **Bold** should be included in the electronic solicitation

(SBP-DQ) Template

- New Optional Template

Contractual Forms

All contracts listed below received a clean-up based on recommendations from SBP delegates.

(SBP-3.1) PO-OSA Template

- Replaced State Seal with State Logo

(SBP-6.18) Labor Burden

- Replaced State Seal with State Logo
- Revised words in paragraph 1

(SC-5.1) Architect/Engineer Agreement (DBB)

- Replaced State Seal with State Logo

(SC-5.1TC) Architect/Engineer Agreement Terms and Conditions (DBB)

- Replaced State Seal with State Logo
- Section 10.1.1: d) and e) were edited and f) was added.
- Section 12.24 change “highest” to “customary”
- Section 12.24.2: §8 was corrected to §1.1.6.
- Replace “his or her” with “their”

(SC-5.2) Architect/Engineer Agreement (CMGC)

- Replaced State Seal with State Logo
- Section 1.1.7 Corrected Exhibit D to Exhibit C
- Section 1.4.2 Corrected Exhibit E to Exhibit D
- Section 1.4.8 c) Added ;and
- Section 1.4.9 a) Corrected Exhibit D to Exhibit C
- Section 1.4.9 h) Added ;and
- Section 1.5.6 a) Corrected Exhibit D to Exhibit C
- Section 1.5.6 h) Added ;and
- Section 1.6.4 c) Added ;and
- Section 1.6.4 d) Corrected Exhibit D to Exhibit C
- Section 1.8.8 i) Added ;and
- Section 1.8.29 c) Added ;and
- Section 2.1.2 g) Added ;and
- Section 3.2.5 and 3.2.9 removed “3” at the beginning of the sentence
- Section 5.1.1 Corrected Exhibit E to Exhibit D
- Section 6.5.2 3) Added “or”

- Section 6.5.2 4) removed “or”
- Section 12.24 change “highest” to “customary”
- Section 12.8 Corrected §17.A to §12.5
- Added Article 14 Definitions
- Replace “his or her” with “their”

(SC-5.3) Consultant Agreement

- Replaced State Seal with State Logo
- Replace “his or her” with “their”
- Section 9 Special Provisions Added Definitions.
- Section 9.24 change “highest” to “customary”
- Revised language on Exhibit C Building Code Compliance Policy.

(SC-6.0A) Amendment

- Replaced State Seal with State Logo
- Changed language on Summary of Changes from ~~Total Amount of Agreement~~ to Contract Sum

(SC-6.0B) Amendment

- Replaced State Seal with State Logo

(SC-6.0C) Amendment-Early Bid Package

- Replaced State Seal with State Logo

(SC-6.21) Contractor’s Agreement Design/Bid/Build (D/B/B)

- Replaced State Seal with State Logo
- General cleanup throughout of the document.

(SC-6.23) General Conditions of the Contract (DBB)

- Replaced State Seal with State Logo
- Replace “his or her” with “their”
- Added definitions for CORA, Incident, PII, State Confidential Information, State Fiscal Rules, State Records and Work Product
- Section 2.3 b, d & e) were edited and f) was added
- Replace “his or her” with “their”
- Revised ~~him~~ with them
- Section 27.2 c) Revised ~~monthly~~ with weekly
- Section 52 Added Colorado to title
- Article 53.3 Wage Rates was removed as it is not applicable to General Contractors, only Professional Services
- Section 53.23.2 Replaced ~~§8~~ with Article 54
- Article 54 Added

(SC-631B) Change Order GMP

- Replaced State Seal with State Logo

(SC-6.50) Construction Manager / General Contractor Agreement (CMGC)

- Replaced State Seal with State Logo
- Added: ATTACHMENT 1: The General Conditions of the Construction Manager/General Contractor (CMGC) Agreement (SC-6.51)
- Section 3.4.6 Replaced ~~SC-65~~ with SC-5.1

(SC-6.51) General Conditions of the Contract (CMGC)

- Replaced State Seal with State Logo
- Replace “his or her” with “their”
- General cleanup throughout of the document.
- Definitions edited to align with Fiscal Rules
- For exact changes reach out to State Buildings Program

(SC-8.0) Design/Build Agreement Lump Sum (DB/LS)

- 1.1.1: added “as identified in Section 1.2.”
- 1.2.1: Added reference to the General Conditions
- Article 7: Added Reference to the Agreement and the SC-8.1)

(SC-8.1) General Conditions of the Contract (DB/LS)

- Replace “his or her” with “their”
- Section 53.22 change “highest” to “customary”

(SC-9.0) Design/Build Agreement Guaranteed Maximum Price (DB/GMP)

- Added: ATTACHMENT 1: The General Conditions of the Construction Manager/General Contractor (CMGC) Agreement (SC-6.51)
- Corrected: *(WHEREAS, funds are available for only a portion of the services defined herein, as more fully described in the funding Condition Precedent clause in 6.65 hereof; and)*
- 1.2.1: Modified as follows:
The Contract Documents are described in Article 1 of the General Conditions of the Design/Build Guaranteed Maximum Price Agreement (SC-9.1) (the “General Conditions”). The Contract Documents, including the General Conditions, and are essential parts of this Agreement and are fully incorporated herein.

(SC-9.1) General Conditions of the Contract (DB/GMP))

- Replace “his or her” with “their”
- Section 53.24.2 replace §8 with §54.

Procedural Forms

(SC4.1) Project Application

- Added or corrected agency names

(SBP-07) Notice of Substantial Completion

- Change the State Seal to the Colorado logo
- Revised the first paragraph from Article 17.3 in SC-6.4 to Article 41 SC6.51

(SBP-071) Notice of Partial Substantial Completion

- Change the State Seal to the Colorado logo
- Revised the first paragraph from Article 17.3 in SC-6.4 to Article 41 SC6.51

(SBP-7.2) Application and Certificate for Contractors Payment

- Replaced State Seal with State Logo
- Reformatted only

(SBP-7.26) Notice to Proceed to Commence Construction (CM/GC)

- Replaced State Seal with State Logo
- Replaced CM/GC Agreement to GMP Agreement
- Added a line for project completion date

(SBP-05) Checklist

Replaced State Seal with State Logo

(SBP-6.16) Award GMP

- Replaced State Seal with State Logo
- Removed and cleaned up language:

If you fail to execute said Agreement and to furnish said Performance Bond, Labor and Material Payment Bond, Insurance Policy and Certificates of Insurance, and Certification and Affidavit Regarding Unauthorized Immigrants, and Labor Overhead ...

(SBP-7.3) Settlement

- Replaced State Seal with State Logo

(SBP-7.31) Settlement - Partial

- Replaced State Seal with State Logo

Building Code Documents

(Exhibit A) Approved State Building Codes

- Revised the NEC adoption to the 2023 edition
- Added Amendment to Chapter 29, Plumbing Systems
- See Alert #009 for prior updates

(Exhibit M)

- Replaced State Seal with State Logo

(SBP-017 PRA)

- Replaced State Seal with State Logo

(SBP-018 BIA)

- Changed Colorado Logo

(SBP-BIR)

- Changed Colorado Logo