



**POLICIES AND PROCEDURES**

**BASIC STEPS CHECKLIST (BSC)  
 DESIGN/BID/BUILD PROJECTS**

Note: During the project planning process and prior to requesting an appropriation, agencies should consult with State Buildings Program in the Office of the State Architect (hereafter referred to as SBP) to determine the appropriate project delivery method (i.e. design/bid/build, construction manager/general contractor or design/build). Although this document tracks the design/bid/build project delivery method, it can be used as a reference for the other methods.

Regardless of the funding source, State Agencies, not exempted from CRS 24-30 Part 13, must follow OSA Policies and Procedures Basic Steps Checklist (s) related to:

- Procurement and solicitations,
- Contracting and encumbrances
- Code Compliance
- Construction Procedures
- Record keeping

With the passing of SB19-196 all agencies and institutions are required to purchase a subscription to LCPTracker for the submission, reporting, and approval of all certified payroll and apprenticeship contributions.

**With the passing of HB21-1303, all agencies and institutions are required to comply with the Buy Clean Colorado Act requirements for public projects.**

When utilizing the templates referenced in this document, blue text should be edited, and in some cases deleted, if not applicable. Text should also be changed to black before finalizing.

**Refer to Letter of Delegation from Office of the State Architect (OSA) for specific SBP delegate authorization.**

BASIC STEPS	RESPONSIBILITY
<b>A1. UNRESTRICTING FUNDS</b>	
1. Agency receives a copy of the signed Long Bill for General Funded Capital Construction, Capital Renewal, or Controlled Maintenance appropriation (or funding from other sources for Capital Construction).	Legislature/ Governor
2. If project is included in the Long Bill, State Controller’s Office (SCO) assigns project number. <ul style="list-style-type: none"> <li>• If the appropriation adds a phase to a previously funded project and is assigned the same project number, the SC4.1 should be a revision to the previous SC4.1 document</li> </ul>	SBP and SCO
3. Follow instructions included with the <b>Construction Project Application SC-4.1</b> for completion of the document	
a. <u>Capital Construction/Capital Renewal Project Signatures &amp; Routing:</u> <ul style="list-style-type: none"> <li>• For State appropriated projects the <b>Construction Project Application (SC-4.1)</b> is to be completed and signed by the Agency/Institution’s Principal Representative. For state agency projects the <b>SC-4.1</b> is forwarded to the Office of the State Architect (OSA). Institutions of higher education forward the <b>SC-4.1</b> to the Colorado Department of Higher Education (CDHE).</li> </ul>	Agency

	<b>BASIC STEPS</b>	<b>RESPONSIBILITY</b>
	<ul style="list-style-type: none"> <li>OSA/CDHE reviews and approves the Application by signature.</li> <li>The Application is signed by the SBP delegate.</li> <li>Agency/institution distributes copies of application to their respective state controller delegate after required signatures.</li> <li>Copies of initial, revised, and final executed applications are to be retained as required for close-out documentation.</li> </ul>	OSA/CDHE SPB Delegate Agency
	<p>b. <u>Controlled Maintenance Project Signatures &amp; Routing:</u></p> <ul style="list-style-type: none"> <li>The <b>Construction Project Application (SC4.1)</b> is to be completed and signed by the Agency/Institution's Principal Representative.</li> <li>The Application is signed by the SBP delegate.</li> <li>Agency/institution distributes copies of application to their respective state controller delegate after required signatures. Copies of initial, revised, and final applications are to be retained and sent to OSA as part of the required close-out documentation (<b>BSC-Section F</b>).</li> </ul>	Agency  SBP Delegate Agency
<b>A2.</b>	<b>SETTING UP A PROJECT</b>	
1.	Agency follows Policies and Procedures established by SBP to assist all state personnel responsible for the administration of capital construction, capital renewal, and controlled maintenance projects. For integrated project delivery also refer to the <b>Basic Steps for Construction Manager/General Contractor Projects</b> . This document will assist with the prequalification process and steps toward a Guaranteed Maximum Price.	Agency and SBP Delegate
2.	If not already set up, prepare project file. Refer to <b>Project Monitoring and Cost Management Guidelines</b> policy. Budget tracking documentation should also be set up. Reference <b>Project Specific Status Report (SC-10.1)</b> if tracking spreadsheets are not already established by agency.	Agency
3.	Statutorily approved electronic Solicitation websites are available on the <i>State Purchasing and Contracts</i> website under <i>Solicitations</i>	Agency
4.	Name a project manager. This person will act as the Contract Manager for the duration of the project. They are responsible for the day-to-day management of the services being provided for the project	Agency
5.	<b>Public Projects</b> by statute are any projects over \$500,000. Review the <i>Public Projects (SBP-PublicProjects)</i> document if applicable	Agency
6.	Per CRS 24-105-101 Provide a written statement documenting the factors that led to the selection of the project delivery method/solicitation process. Save within the project file.	Agency
7.	All Project Managers as the individuals who are responsible for the day-to-day management of the services being provided by consultants and contractors are considered Contract Managers as defined by State Fiscal Policy. As such, Project Managers are required to participate in contract management training if managing contracts over \$100,000.	Agency
<b>B1.</b>	<b>STARTING THE PROJECT – PROFESSIONAL SERVICES</b>	
1.	Develop a Project Specific Criteria for the selection of professional services. Refer to policy <i>Best Practices: Design Professionals and Construction Solicitations (SBP-BP)</i> .	Agency

BASIC STEPS	RESPONSIBILITY
Note that Professional Services are exempt from the State Procurement Code.	
2. For professional services fees estimated to be <u>less than or equal to \$25,000</u> for state agencies and institutions of higher education are considered discretionary and do not require a competitive negotiations pursuant to C.R.S. 24-30-1403 (2) (a). A RFQ is not required.	Agency
3. For professional services fees estimated to be <u>between \$25,000 and \$100,000</u> for state agencies and institutions of higher education, public notification (advertising) is not required pursuant to C.R.S. 24-30-1405. Agencies must contact/interview at least three (3) firms and select the most qualified. A RFQ is not required.	Agency
4. For professional services fees estimated to be <u>greater than \$100,000</u> for state agencies and institutions of higher education pursuant to C.R.S. 24-30-1405 both a public notification (advertisement) and a RFQ are required. Minimum solicitation time is 15 days and may include publication by electronic access or in a newspaper of general circulation.	Agency
5. Preparation of <b>Request for Qualifications (RFQ-AE)</b> draft for professional services as defined pursuant to C.R.S. 24-30-1402 as services provided by an architect, engineer, landscape architect, surveyor, and industrial hygienist. <ul style="list-style-type: none"> <li>• Professional services can also include project management and efforts to produce studies, surveys, and programming documents. Utilize the <i>Request for Qualifications for Professional Consulting Services (RFQ-PM)</i> solicitation template and the <i>Consultant Agreement (SC5.3)</i></li> <li>• Provide project specific Scoring Weight on Appendix A and A1 of the RFQ before posting.</li> </ul>	Agency
6. Review and approval of <b>RFQ-AE</b> draft for content, format and application.	SBP Delegate
7. Completion of Request for Qualifications ( <b>RFQ-AE.</b> )	Agency
8. <b>RFQ-AE</b> documents are made available to prospective respondents per advertisement.	Agency
9. Submitted qualifications from respondents are evaluated and most qualified are invited to interview.	Agency
10. Highest rated professional services firm is selected and contract negotiations commence pursuant to C.R.S. 24-30-1405.	Agency
11. A standard <b>Architect/Engineer Services Agreement (SC-5.1)</b> including the <b>Architect/Engineer Agreement Terms and Conditions (SC-5.1TC)</b> is prepared regardless of fee amount for all professional services involving design and specification of projects where the product of the services will result in construction or demolition. Or a standard <b>Consultant Agreement (SC-5.3)</b> for professional services should be used where the product does not result in construction or demolition (Considered the Limited Professional services option).	Agency
<ul style="list-style-type: none"> <li>• Attach the Proposal Letter with design services, schedule, and insurance certificate (on Acord form), Wage Rates Schedule, and Design Program/Facility Program Plan (if applicable). Note that the</li> </ul>	Agency

	<b>BASIC STEPS</b>	<b>RESPONSIBILITY</b>
	insurance certificate for the A/E Agreement must include professional liability insurance.	Agency
	<ul style="list-style-type: none"> <li>• For architects, engineers, landscape architects, and land surveyors verify that a Colorado license is current for the individual in the firm who will serve as responsible charge for the project.</li> </ul>	Agency
	<ul style="list-style-type: none"> <li>• Agency project managers should read and familiarize themselves with both the Agreement and the Terms and Conditions of the contract</li> </ul>	
	<ul style="list-style-type: none"> <li>a. Agencies <u>without</u> contract signature authority will:               <ol style="list-style-type: none"> <li>1) Forward a memo describing the selection process with the list of interview questions and a score sheet to SBP for approval and signature.</li> <li>2) Send the draft contract with their template edits in an alternative color or with “tracked changes”. Include all exhibits.</li> </ol> </li> </ul>	Agency SBP Delegate
	<ul style="list-style-type: none"> <li>b. The <b>Agreement (SC-5.1)</b> or <b>(SC-5.3)</b> is first signed by the Architect/Engineer, then the agency’s Principal Representative, then SBP Delegate.</li> </ul>	A/E and Agency SBP Delegate as authorized
	<ul style="list-style-type: none"> <li>c. If modifications are proposed to the standard agreement language, a draft of the Architect/Engineer Agreement <u>with tracked changes</u> must first be approved by SBP prior to signing the Architect/Engineer Agreement.</li> </ul>	SBP Delegate and SBP
12.	<p>After SBP signature approval of Agreement, the <b>Agreement (SC-5.1) or (SC-5.3)</b> is then sent to the State Controller’s Office or Controller delegate as applicable for Institutions of Higher Education. Attorney General review is waived on standard A/E agreements.</p> <ul style="list-style-type: none"> <li>a. State Controller will establish effective date.</li> <li>b. Six month encumbrance deadline for professional services agreements must be met if general funded. The six-month time frame commences from the date the Governor signs the Long Bill. (CRS 24-30-1404 (7)(a))</li> </ul>	Agency
13.	Architect/Engineer or Consultant receives signed (executed) <b>Agreement (SC-5.1) or (SC-5.3)</b> and commences work.	A/E
14.	If the A/E is not a Colorado office, per §24-102-206 C.R.S., under the Procurement Code, agencies are required to submit vendor notifications of work performed outside of Colorado. The form for submitting vendor notifications can be found on the State Procurement eSubmissions webpage	Agency
15.	Select a code consultant and prepare a <b>Plan Review Authorization (SBP-017)</b> . If code review is not required, document this with an email from the code consultant. Save a print of this e-mail in the file for close-out.	SBP Delegate and A/E
	<ul style="list-style-type: none"> <li>a. Progress sets of the Architect/Engineer’s prepared drawings and specifications are sent to the state’s code consultant (refer to <i>Building Code Compliance Policy, Exhibit B, Code Compliance Plan Review Procedures</i>).</li> </ul>	SBP Delegate and A/E
16.	Architect/Engineer prepared drawings and specifications are reviewed by Agency in an administrative review process.	Agency and SBP Delegate
	<ul style="list-style-type: none"> <li>a. Agency must thoroughly review specifications to confirm consideration of energy efficiency, value analysis and life cycle cost. (CRS 24-104-206)</li> </ul>	Agency
	<ul style="list-style-type: none"> <li>b. Agency must thoroughly review specifications to confirm nonrestrictiveness. (CRS 24-104-207)</li> </ul>	Agency

	<b>BASIC STEPS</b>	<b>RESPONSIBILITY</b>
c.	Agency shall confirm the Architect/Engineer specified Environmental Product Declarations (EPD) for each eligible material in the bid documents.	Agency
17.	Agency confirms the drawings and specifications comply with the OSA High Performance Certification Policy (Controlled Maintenance projects are exempt from the policy). A waiver from the policy or a modification of the policy is submitted to OSA and comments are incorporated into the project.	SBP Delegate
18.	Agency must determine if renovation, addition or new construction has a satisfactory site or sites for the location and operation of vending facility for a blind person (CRS 26-8.5-103)	SBP Delegate and A/E
19.	Responses to SBP and code consultant comments are incorporated into drawings and specifications. At the completion of plan review, the code consultant will issue a Compliance Notice and a list of required inspections.	SBP Delegate and A/E
20.	Prepare <b>Authorization to Bid (SBP-6.10)</b> for a design/bid/build project with Architect/Engineer's estimate and signature.	Agency and SBP Delegate
21.	Agency confirms with Architect/Engineer that all documents are included in the Bid Package per <b>Index for Bid Package (SBP-Bid Index)</b>	Agency and SBP Delegate

**B2. STARTING THE PROJECT – CONSTRUCTION SERVICES**

1.	a.	<ul style="list-style-type: none"> <li>Refer to Public Projects (SBP-Public Projects) for instructions on obtaining the prevailing wage and apprenticeship criteria to be posted with any construction project solicitation over \$500,000. Due to the current construction market, construction project budgets at the \$400,000 value should be considered Public Projects and solicited as such until the lowest responsive bid is confirmed to be below the required thresholds.</li> <li>Solicitations must contain State of Colorado wage determinations by the county where the project is located. Prevailing wages lock at posting of solicitation</li> <li>Projects subject to State Prevailing Wage must contain apprenticeship contribution rates in accordance with CRS 24-92-208</li> </ul>	Agency
	b.	<ul style="list-style-type: none"> <li>Include Apprenticeship Utilization Certification for projects over \$1 million. Due to the current construction market, construction project budgets at the \$900,000 value should be considered Public Projects and solicited as such until the lowest responsive bid is confirmed to be below the required thresholds.</li> </ul>	Agency
	c.	<p>Wage conformance requests</p> <ul style="list-style-type: none"> <li>Bidder must review the wage determinations for all public projects at the time of solicitation to determine where to classify employees. This will also need to occur with each bid package)</li> <li>If a bidder feels that there is not an appropriate classification for the type of work to be performed on the project, then a conformance may be requested.</li> <li>Note: wanting to pay a lower rate than the prevailing wage listed is not grounds for a conformance request</li> <li>Bidders will contact the Agency/IHE for clarification on the requested conformance.</li> <li>Bidder must provide the Agency/IHE with information about the work to be performed on the project, the requested labor classification, the</li> </ul>	Bidder

BASIC STEPS		RESPONSIBILITY	
	duties to be performed by that labor classification and a recommended wage rate.		
d.	<ul style="list-style-type: none"> <li>The Agency/IHE will research the existing classifications and verify; <ul style="list-style-type: none"> <li>there is an existing classification fitting the work to be done</li> <li>there is not an existing classification fitting the work to be done</li> </ul> </li> <li>If the Agency/IHE deems that there is not an acceptable, existing classification, the request is sent to OSA for review and determination.</li> </ul>	Agency	
e.	<ul style="list-style-type: none"> <li>A Conformance Request Form (SF-1444) is to be completed by the Agency/IHE and submitted to the Federal Wage and Hour Division (WHD)</li> </ul> <p><a href="https://www.gsa.gov/forms-library/request-authorization-additional-classification-and-rate">https://www.gsa.gov/forms-library/request-authorization-additional-classification-and-rate</a></p> <p>or email to: <a href="mailto:whd-cbaconformance_incoming@dol.gov">whd-cbaconformance_incoming@dol.gov</a></p>	Agency	
2.	a.	Preparation of <b>Advertisement for Bids (AFB)</b> may include publication by electronic access ( <b>BSC-A.5</b> ) and/or in a newspaper of general circulation. Always include the <b>Information for Bidders (SBP-6.12)</b> and includes SBP policy concerning bid form, inconsistencies and omissions, applicable laws and regulations, taxes, "as equal" submittal process, addenda, method of award with deductible or additive alternates and selection of newspaper vs. electronic media for settlement advertising. Each bidder is required on the <b>Bid Form (SBP-6.13)</b> form to acknowledge receipt of all addenda and indicate the time to substantial completion and the period of time to finally complete the project from the date of substantial completion, If necessary include <b>Bid Alternates (SBP-6.131), Multiple Project Bid (sbp-6134) or Unit Pricing (sbp-613)</b> .	Agency and SBP Delegate
	<ul style="list-style-type: none"> <li>Allow a minimum of 3 days prior to the bid date for questions to be received by the agency.</li> </ul>		
	b.	Construction projects less than \$50,000 are considered discretionary and do not require a competitive bid or documented quote. An Advertisement for Bids is not required. A purchase order or <b>Contractor's Agreement (SC-6.21)</b> is required if the cost is \$10,000 or more. Refer to <i>Small Construction Purchases</i> policy (SBP/SCP).	Agency and SBP Delegate
	c.	Projects between \$50,000 and \$250,000 can be procured by use of a documented quote process (Procurement Rule R-24-105-101.4). (Refer to policy <i>Small Construction Purchases</i> ). Publish an Advertisement for Bids, as defined in Electronic Access ( <b>BSC-A.5</b> ), for at least three days. <ul style="list-style-type: none"> <li>These documented processes do not require a public bid opening (R-24-1058-101-13(d)).</li> <li>If the cost of the project is estimated to be \$50,000 or more, a <b>Bid Bond (SBP-6.14)</b> and power of attorney are required.</li> <li>Use of a purchase order or the <b>Contractor's Agreement (SC-6.21)</b> as the commitment voucher is acceptable for projects less than \$150,000.</li> <li>For projects greater than \$150,000, use of the <b>contractor's agreement</b> is required. For projects greater than \$150,000, a <b>Performance Bond (SC-6.22)</b> and <b>Labor and Material Bond (SC-6.221)</b> are also required.</li> </ul> <p>Refer to the <i>Small Construction Purchases</i> policy (SBP/SCP) for further clarification.</p>	Agency and SBP Delegate as authorized

	<b>BASIC STEPS</b>	<b>RESPONSIBILITY</b>
d.	Projects of \$250,000 or more may be solicited through Advertisement for Bids (AFB) with adequate public notice given at least fourteen days from the opening of bids for <i>Competitive Sealed Bidding</i> or thirty days for <i>Competitive Sealed Best Value Bidding</i> and require publication by electronic on-line access ( <b>BSC-A.5</b> ) and/or in a newspaper of general circulation. Projects may be awarded by Complete Sealed Bidding pursuant to CRS 24-92-103, or Competitive Sealed Best Value Bidding pursuant to CRS 24-92-103.5.(Refer to <i>Public Projects</i> policy). (A <b>Bid Bond (SBP-6.14)</b> with power of attorney, <b>Contractor's Agreement (SC-6.21)</b> , <b>Performance Bond (SC-6.22)</b> , and <b>Labor and Material Bond (SC-6.221)</b> are all required.	Agency and SBP Delegate as authorized
e.	For electronic submissions and virtual bid openings, agencies should utilize a platform that allows documents to be timestamped. Email is not an acceptable bid submission platform. Bids must be electronically opened during the virtual bid opening, not before.	Agency
3.	Bids are received with accompanying <b>Bid Bond (SBP-6.14)</b> or security per C.R.S. 24-105-201 and opened publicly pursuant to Procurement Code 24-105-201. If the construction cost is \$50,000 or more, documented quotes must also be accompanied by a <b>Bid Bond (SBP-6.14)</b> , but are not subject to public opening up to \$150,000. Bids should be recorded on the <b>Bid Tabulation (SBP-6.132)</b> .	Agency and SBP Delegate
4.	A <b>Notice of Award (SBP-6.15)</b> is prepared by the Agency for all projects over \$25,000 (documented quote or sealed bid) prior to distribution by Agency.  Post an award notice as defined in Electronic Access <b>A.5</b> .	Agency and SBP Delegate
5.	Distribution of <b>Notice of Award (SBP-6.15)</b> signed by Principal Representative. <ul style="list-style-type: none"> <li>• Include the <b>Contractors Setup Information Form (SBP-2.6)</b> for projects over \$500,000. This form needs to be returned by the contractor in order to have an LCPtracker account established for certified payroll submission.</li> </ul>	Agency
6.	a. Preparation of the standard <b>Contractor's Agreement (SC-6.21)</b> . Agreement is sent to Agency for Principal Representative's signature. (If timing is critical, Principal Representative may sign Agreement at signing conference.) b. <u>NOTE</u> : If modifications are proposed to the standard Agreement, the draft of the Agreement must first be approved by SBP prior to signatures by the Principal Representative, Contractor and SBP. c. Project Managers should read and become familiar with both the agreement and the General Conditions of the Contract d. Partial SBP delegates must send draft contract and all exhibits to OSA for review and approval before signing	Agency and SBP Delegate  SBP  Agency  SBP Delegate
7.	For construction over \$1 million, the Contractor must submit an <b>Apprenticeship Utilization Certification (SBP-6.17)</b> for all the mechanical, sheet metal, fire suppression, sprinkler fitting, electrical and plumbing trades prior to execution of the contract. a. The certification must be posted on the Agency website within 30 days of receipt b. A <b>Waiver (SBP-2.2)</b> may be issued if there are no responsive, eligible contractors or any responsive, eligible contractors and apprentices are in excess of 50 miles one way from the project. c. Waivers must be posted along with the specific rational for granting the waiver, on the Agency website.	Contractor  Agency  Agency  Agency

BASIC STEPS	RESPONSIBILITY
<p>8. a. A contract signing conference may be held with the Principal Representative, SBP Delegate, and the Contractor. The contract signing can also be conducted through the mail or DocuSign. Refer to <i>Contract Signing Instructions</i> for more specific information.</p> <p>b. Contractor provides <b>Performance Bond (SC-6.22)</b> and <b>Labor and Material Payment Bond (SC-6.221)</b> with limits of each equal to 100% of the accepted bid with power of attorney; certificate of insurance on Acord form; <b>Direct Labor Burden Calculation(s) (SBP-6.18)</b> for all major trades, and submit <b>Apprenticeship Utilization Certification (s) (SBP-6.17)</b> as described above</p> <p>c. Agency provides complete sets of contract documents-drawings and specifications stamped and signed by the A/E and specifications stamped and signed by the A/E. Refer to <b>Assembling the Construction Project Manual</b> for more information.</p> <p>d. Contractor provides their <b>Direct Labor Burden Calculations (SBP-6.18)</b> to agency for review and approval</p> <p>e. Agency provides to the Contractor the state code consultant's recommended inspections which have been transferred to the <b>Building Inspection Record (SBP-BIR)</b> to be posted by the Contractor at the job site.</p> <p>f. Inspections are to be performed by the state's code consultant and the Agency completes a <b>Building Inspection Authorization (SBP-018)</b>.</p> <p>g. Agency completes the bottom portion of the Department of Revenue's <b>Application for Sales Tax Exemption Form (DR 0172)</b> and attaches to the contract / forwards to contractor electronically</p> <p>h. SBP Delegate and the Contractor sign the cover of contract documents-drawings and specifications that have previously been signed and stamped by A/E.</p> <p>i. Delegate and Contractor sign <b>Contractor's Agreements (SC-6.21)</b>. <ul style="list-style-type: none"> <li>The Agreement and all exhibits (minus the drawings and specifications) are uploaded to DocuSign with the Contractor, SBP Delegate, Principal Representative, Legal Council (AGO) and Controller Delegate signing in that order</li> <li>Attorney General review is waived for standard agreement (SC6.21).</li> </ul> </p> <p>j. If contract is over \$100,000 and your agency is required to report in CMS, attach a CMS print screen (if applicable) and a personal services waiver for standard agreements (Fiscal Rule).</p>	<p>Agency, Contractor and SBP Delegate as authorized Contractor</p> <p>Agency and A/E</p> <p>SBP Delegate and Contractor SBP Delegate and Contractor</p> <p>SBP Delegate SBP Delegate</p> <p>Agency</p> <p>SBP Delegate as authorized</p> <p>Agency, Contractor and SBP Delegate as authorized</p> <p>Agency</p>
<p>9. The following documents are fully executed and distributed as described:</p> <p>a. Fully signed (executed) <b>Contractor's Agreement (SC-6.21)</b> are received. One (1) Electronically Certified or three (3) originals are distributed</p> <p>b. <b>Notice to Proceed (SC-6.26)</b> is prepared, signed and forwarded to Principal Representative. The Compliance Notice with certification on contingent references if required and inspection recommendations are signed by the Agency project manager and are submitted as attachments <ul style="list-style-type: none"> <li>SBP Delegate signs the <b>Notice to Proceed (SC-6.26)</b></li> </ul> </p> <p>c. Agencies must add their contact phone number and email to the <b>Prevailing Wage Poster</b> prior to sending it to the contractor. The poster is available in English and Spanish and must include the Prevailing Wage Rates from the solicitation.</p>	<p>Agency and SBP Delegate as authorized</p> <p>Agency</p> <p>Agency</p> <p>SBP Delegate as authorized Agency</p>

	<b>BASIC STEPS</b>	<b>RESPONSIBILITY</b>
d.	Fully executed <b>Contractor's Agreement (SC-6.21)</b> and <b>Notice to Proceed (SC-6.26)</b> with all exhibits, and the Agency's <b>Prevailing Wage Poster</b> is distributed to the Contractor	Agency
e.	Agency prepares contract manuals that incorporate documents as described in <b>Assembling the Construction Project Manual (SBP-PR02)</b> . Manuals are distributed to Agency, Contractor, and A/E.	Agency and SBP Delegate as authorized
10.	Contractor must display the <b>Prevailing Wage Poster</b> and associated Prevailing Wages where easily accessible to workers. The <b>Prevailing Wage Poster</b> must be readily accessible to all workers. Failure to comply may result in a \$100/day fine to contractor and deemed guilty of a Class 3 misdemeanor. For more information, see <b>CDLE INFO #13</b>	Contractor
11.	Contractor is authorized and directed to proceed with the work within ten days of date stipulated on <b>Notice to Proceed (SC-6.26)</b> . These ten days are included <u>within</u> the time of completion indicated on the <b>Bid (SBP-6.13)</b> .	Contractor
12.	Prior to the start of construction, the agency project manager conducts a coordination meeting with the code consultant who will serve as inspector of record for the project and others who may have building inspection responsibilities to identify the responsible parties for each required inspection and assign the responsibility for the final inspection sign off. The Architect/Engineer, Contractor and representative from local fire district (if applicable) also attend this meeting.	SBP Delegate
13.	Agency provides the Contractor with the state code consultant's recommended inspections which have been transferred to the <b>Building Inspection Record (SBP-BIR)</b> to be posted by the Contractor at the job site.	SBP Delegate and Contractor
14.	Prior to mobilization, the agency project manager should schedule regular partnering sessions as described in the construction agreements. At a minimum the design team, stakeholders, general contractor and major subcontractors should attend.	Agency, SBP Delegate and Contractor
15.	If the Contractor is not a Colorado company, per §24-102-206 C.R.S., under the Procurement Code, agencies are required to submit vendor notifications of any work performed outside of Colorado. The form for submitting vendor notifications can be found on the State Procurement eSubmissions webpage	Agency

**C1. MANAGING THE PROJECT: (Architect/Engineer Agreement)**

- |    |  |                         |
|----|--|-------------------------|
| 1. | Preparation of <b>Application for Payment of Architect / Engineer / Consultant Fees (SBP-7.1)</b> for portion of work completed and sends to Agency. A/E attaches an invoice on their letterhead that reflects dollar amount of contract, breakdown of fees, fees requested to date, and balance due. Invoices for reimbursable should also be included. | A/E                     |
| 2. | <b>Application for Payment of Architect/Engineer/Consultant Fees (SBP-7.1)</b> is reviewed against contract and progress of services provided to date and dollar amount requested.   | Agency and SBP Delegate |
| 3. | Process is repeated monthly until all contractual services have been completed.  | Agency                  |

**C2. MANAGING THE PROJECT: (Contractor's Agreement)**

BASIC STEPS		RESPONSIBILITY
1.	Preparation of <b>Application and Certificate for Contractor's Payment (SBP-7.2)</b> for portion of work completed and sends to A/E for approval.	Contractor
2.	A/E reviews progress of work completed to date and dollar amount requested and recommends for approval <b>Application and Certificate for Contractor's Payment (SBP-7.2)</b> and sends to Agency.	A/E
3.	<b>Application and Certificate for Contractor's Payment (SBP-7.2)</b> and LCPTracker Certified Payroll are reviewed against contract, wage rates and retainage held (required for projects greater than \$150,000) per C.R.S. 24-91-103.	Agency and SBP Delegate
a.	No payment is made if there are unpaid Certified Payrolls for the time frame included in the Pay Application (SBP-7.2)	
b.	All Apprentice contributions must be paid in the appropriate manner	
c.	If a temporary wage classification is in use pending a wage conformance determination, the contractor is responsible for paying all employees the correct wage and tracking said wages in LCPtracker	
4.	A contract amendment will need to be executed should the Federal Wage and Hour Division (WHD) provide a new wage determination. If a wage conformance is granted, the contractor must verify that all employees working under the new classification have been paid in accordance with the set wages. If overpayment was made, no refund will be given to the contractor. If an underpayment was made, restitution must be made to all employees within 15 calendar days. See CDLE violations chart referenced in <b>INFO #13</b>	Agency, SBP Delegate and Contractor
5.	Process is repeated monthly until project is complete and retainage is released after final settlement.	Agency
<b>C3. MANAGING THE PROJECT: On-Going</b>		
1.	During the submittal process the consultant shall work with the contractor to ensure that eligible materials are obtainable and can be installed. If an eligible material with a compliant EPD is unobtainable, the waiver process defined by OSA shall be utilized.	SBP Delegate, A/E and Contractor
2.	Agency should periodically confirm that contractor has daily logs and Prevailing Wage poster available on site	Agency
<b>D. CHANGE MANAGEMENT</b>		
1.	A/E SUPPLEMENTS <b>Supplement to Architect/Engineer Agreement (SC-7.0A)</b> and <b>Supplement to Consultant Agreement (SC-7.0B)</b> are used to make modifications to a professional services contract. Refer to <i>Contract Modification Guidelines</i> policy (SBP/CONTRACTMOD01) for appropriate application. Applicable for additional A/E services requested within the original scope of the Agreement and Agency's professional services budget.	
a.	Agency prepares the <b>Supplement (SC-7.0A) (SC-7.0B)</b> form and sends to SBP for review.	Agency and SBP Delegate
b.	When signature authorization is provided, it is sent to A/E for signature.	Agency and A/E
c.	Principal Representative and SBP Delegate sign next	SBP Delegate as authorized

	<b>BASIC STEPS</b>	<b>RESPONSIBILITY</b>
	d. Supplement (SC-7.0A) (SC-7.0B) is sent to State Controller's Office if delegation is not within Agency.	SBP Delegate as authorized
	e. Distribution of signed <b>Supplement (SC-7.0A) (SC-7.0B)</b> .	Agency
	f. A/E receives signed (executed) Supplement <b>(SC-7.0A) (SC-7.0B)</b> and commences additional work. Distribution of signed <b>Supplement (SC-7.0A) (SC-7.0B)</b> .	A/E and Agency
2.	<b>Change Orders (SC-6.31)</b> are used to make modifications to the Contractor's Agreement. Refer to <i>Change Order Management Guidelines</i> policy <b>(SBP-CO-MGMT)</b> . <b>CHANGE ORDERS</b>	
	<ul style="list-style-type: none"> <li>Change work can be requested by Principal Representative, Architect/Engineer, or Contractor. <b>Change Orders (SC-6.31)</b> are used to make modifications to the Contractor's Agreement. Refer to <i>Change Order Management Guidelines</i> policy <b>(SBP-CO-MGMT)</b>.</li> <li><b>Change Orders (SC-6.31)</b> are used to make modifications to the Contractor's Agreement. Refer to <i>Change Order Management Guidelines</i> policy <b>(SBP-CO-MGMT)</b>.</li> </ul>	Agency and SBP Delegate
	a. A/E or Agency issues Change Order Bulletin (SC-6.311) with instructions to Contractor.	A/E, Agency and SBP Delegate
	b. Contractor prepares <b>Change Order Proposal (SC-6.312)</b> with price and returns it to A/E.	Contractor
	c. A/E reviews and approves price against the contract agreement and forwards to Agency.	A/E
	d. Agency reviews and approves <b>Change Order Proposal (SC-6.312)</b> and authorizes A/E to prepare <b>Change Order (SC-6.31)</b>	Agency
	e. A/E prepares Change Order <b>(SC-6.31)</b> , and issues it to agency for review	A/E
	f. When signature authorization is provided, <b>Change Order (SC-6.31)</b> is signed in the following order: A/E Contractor Principal Representative Controller/IHE CFO	Agency, A/E, SBP Delegate, Contractor
	g. Contractor receives signed (executed) Change Order (SC-6.31) and commences change work.	Contractor
3.	<b>EMERGENCY FIELD CHANGE ORDERS</b> Change work can be requested by Principal Representative, Architect/Engineer, or Contractor <b>Contract language establishing the Emergency Field Change Order (SC-6.31E) is included in the General Conditions (SC-6.23). Also refer to Contract Modifications Guidelines Policy and Procedures (SBP-CONT-MOD).</b>	Agency, A/E, SBP Delegate,
	a. A/E prepares <b>Emergency Field Change Order (SC-6.31E)</b> with unit prices and a not-to-exceed cost (as provided by contractor) and forwards to Principal Representative	A/E
	b. <b>Emergency Field Change Order (SC-6.31E)</b> is signed and approved. (Note that the State Controller's signature is not required for approval or commencement of the work)	SBP Delegate as authorized
	c. Distribution of <b>Emergency Field Change Order (SC-6.31E)</b> to A/E, Contractor and SBP.	Agency
	d. Contractor receives signed (executed) <b>Emergency Field Change Order (SC-6.31E)</b> and commences work.	Contractor
	e. The final adjustment of the <b>Emergency Field Change Order</b> amount and the adjustment to the time for completion shall be prepared on a standard <b>Change Order (SC-6.31)</b> after the emergency work is completed.	A/E, Contractor, and SBP Delegate as authorized

	BASIC STEPS	RESPONSIBILITY
4.	AMENDMENTS Amendments (SC-6.0A or SC-6.0B as applicable) <b>are used to make significant modifications to professional services or construction agreements, i.e. a 10% increase</b> or decrease to the original contract amount or time, change in scope, or change in funding source. Refer to the <i>Contract Modifications Guidelines</i> policy (SBP-CONT-MOD).	
a.	<b>Amendments may be drafted by A/E or Agency.</b> The draft must be reviewed and approved by SBP and legal representation prior to signing.	SBP Delegate as authorized
b.	When signature authorization is provided, Amendments (SC-6.0A, SC-6.0B or SC-6.0C as applicable) is signed in the following order: A/E Contractor Principal Representative Legal Controller/IHE CFO	A/E, Contractor, and SBP Delegate as authorized
c.	A/E or Contractor receive signed (executed) <b>Amendment</b> and commence additional or change work.	A/E or Contractor

E.	FISCAL YEAR END	
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| 1. | Preparation and distribution of Open Projects List.   | SCO    |
| 2. | Review of Open Projects List for the following: a) expiration of third year closing deadline for appropriation; b) additional appropriations for upcoming year; unexpended funds remaining versus outstanding encumbrances; c) project completion and/or project continuation status and reverting funds. | Agency |
| 3. | Preparation and submittal of Capital Construction Continuing Appropriation Status (CCCAS) form as required by SCO instructions to either request for project close out or continuance of appropriate spending authority.  | Agency |

F.	CLOSING THE PROJECT	
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| 1. | Contractor files a written notice of completion when the Work or a discrete physical portion of the Work is substantially complete in the opinion of the Contractor and the Contractor requests final inspection and punch list from A/E.  | Contractor                             |
| 2. | A/E determines if project is sufficiently complete for a final inspection. If so, A/E, SBP and the Principal Representative inspect and the A/E prepares the final punch list of items not acceptable. Punch list is sent to Contractor with copies to Agency.   | A/E, Agency and SBP Delegate           |
| 3. | A/E prepares <b>Notice of Substantial Completion (SBP-07)</b> or <b>Notice of Partial Substantial Completion (SBP-071)</b> for a discrete physical portion of the Work as per the <b>General Conditions (SC-6.23)</b> when:  | A/E                                    |
| a. | Contractor affixes any final inspection certifications to the <b>Building Inspection Record (SBP-BIR)</b> (State plumbing, electrical or local fire department etc.) if not physically signed off on the SBP-BIR.  | Contractor                             |
| b. | All required building code inspections have been conducted and the appropriate code officials have affixed their signatures to the <b>Building Inspection Record (SBP-BIR)</b> including the agency project manager and code consultant indicating successful completion of all required code inspections for the Work or a discrete physical portion of the Work.; and, | Contractor and Agency and SBP Delegate |

	<b>BASIC STEPS</b>	<b>RESPONSIBILITY</b>
c.	The project or a discrete physical portion of the work is deemed by the A/E and the Principal Representative to be fully usable and safe for public use.; and,	A/E, Agency and SBP Delegate
d.	The project has been completely cleaned; and,	Contractor
e.	Contractor has provided a schedule for the completion of each and every item identified on the punch list.	Contractor
4.	A/E prepares the <b>Notice of Approval of Occupancy/Use (SBP-01)</b> after issuance of Notice of Substantial Completion.	A/E, Agency, Contractor and SBP Delegate as authorized
5.	Agency prepares the Code Compliance Documentation Transmittal ( <u>Exhibit L-1</u> ) and associated documents and submits to OSA.	Agency
6.	Before receipt of final payment, Contractor sends as-built drawings to the A/E for incorporation into the record drawing set and sends EPDs, warranties and Operations and Maintenance (OM) manuals to A/E for review per specifications.	Contractor
7.	A/E sends EPDs, as-built and record drawings and warranties and OM manuals to Agency.	A/E
8.	Contractor completes all items from the final punch list and prepares the <b>Pre-Acceptance Checklist (SBP-05)</b> and sends to the A/E.	Contractor
9.	After the Contractor completes all work on the <b>Pre-Acceptance Checklist (SBP-05)</b> the A/E signs off and issues a Letter of Final Completion.	A/E and Agency
10.	Agency's Principal Representative and SBP Delegate sign the <b>Notice of Final Acceptance (SBP-6.27)</b> or <b>Notice of Partial Final Acceptance (SBP-6.271)</b> for a discrete physical portion of the Work and distributes.	Agency and SBP Delegate
11.	Pursuant to C.R.S. 38-26-107(1) <b>Notice of Contractors Settlement (SBP-7.3)</b> or <b>Notice of Partial Contractors Settlement (SBP-7.31)</b> is advertised either in newspapers or electronic media (as defined in Electronic Access A.5.) for all projects over \$150,000. Ten days after last advertisement, Contractor is eligible for final payment and retainage less funds withheld to settle claims (if any). If a subcontractor or supplier files a statement of verified claim with the Agency before the date of final settlement, the Agency must withhold from the payment due to the Contractor for 90 days an amount equal to the claim(s) filed per C.R.S. 38-26-107. The subcontractor or supplier must file suit in the district court where the project is located and notify the Agency of such action (lis pendens) within this 90-day period in order to have the amount of the claim continue to be withheld.	Agency
12.	For construction contracts over \$150,000, the Agency's Principal Representative then authorizes the <b>Notice of Contractor's Settlement (SBP-7.3)</b> or <b>Notice of Partial Contractor's Settlement (SBP-7.31)</b> for a discrete physical portion of the Work. It is advertised either in newspapers or the electronic media where the initial solicitation was posted. Ten days after last advertisement, Contractor is eligible for final payment and retainage less funds withheld to settle claims (if any).	Contractor and A/E and Agency and SBP Delegate
13.	After all claims have been resolved, Contractor sends final <b>Application and Certificate for Contractor's Payment (SBP-7.2)</b> which includes release of retainage to A/E for approval.	Contractor

	BASIC STEPS	RESPONSIBILITY
14.	A/E approves final Application and Certificate for Contractor's Payment (SBP-7.2) and sends to Agency.	A/E
15.	Agency's Principal Representative signs final <b>Application and Certificate for Contractor's Payment (SBP-7.2)</b> and distributes. No payment is made if there are unpaid certified payrolls, or unresolved issues regarding certified payroll on Public Projects, such as restitution payments. No payment is made if there are ACR payments outstanding or not paid to the correct fund.	Agency and SBP Delegate
16.	Schedule and hold six-month and eleven-month walk-through inspections with A/E and SBP and Contractor per the Agreement.	Agency SBP Delegate
16.	<b>A/E sends final</b> Application for Payment of Architect / Engineer / Consultant Fees (SBP-7.1) <b>to Principal Representative for approval.</b>	A/E
17.	If any portion of funds come from the Capital Construction Fund or if Cash funds over \$2 million dollars are expended on a project, full reporting of the <b>Code Compliance Documentation Transmittal (Exhibit L-1)</b> and <b>Budget Reconciliation/Project Evaluations Transmittal (Exhibit L-2)</b> is required.	Agency and SBP Delegate
a.	The <b>Project Close Out Code Compliance Documentation Transmittal (Exhibit L-1)</b> must be fully signed. See the L-1 for instructions  Submittal should be sent immediately after signing the Approval of Occupancy/Use.	Agency and SBP Delegate
b.	The <b>Project Close Out Budget Reconciliation/Project Evaluations Transmittal (Exhibit L-2)</b> See the L-2 for instructions  <b>Exhibit L-2</b> is prepared and signed by the Principal Representative and sent after closeout to SBP. Refer to the <i>Project Monitoring and Cost Management Guidelines</i> Policy and Procedures ( <b>SBP-PROJ-MON-COST-MGMT</b> ).	Agency and SBP Delegate

## REFERENCES:

- Colorado Revised Statutes (C.R.S.): Title 24, Article 30, Parts 13 and 14;  
Title 24, Article 91, Section 101-110;  
Title 24, Article 92, Section 101-210;  
Title 34, Article 93, Sections 101-108;  
Title 24, Article 101, Section 201-203 and 301-302;  
Title 38, Article 26, Section 106-108; and  
Title 8, Article 17, Section 101.
- Fiscal Rules: issued by the State Controller's Office.
- Procurement Code and Rules: issued by the State Purchasing and Contracts Office
- Budget Instructions: issued by the Office of the State Architect and Colorado Commission on Higher Education.
- Capital Construction Accounting Guidelines: issued by the State Controller's Office.
- State of Colorado Contract Manual: issued by the State Controller's Office.
- OSA Policies and Procedures.

**LEGEND:**

- A/E – Architect / Engineer
- CDHE – Colorado Department of Higher Education
- OSPB – Governor’s Office of State Planning and Budgeting
- OSA – Office of the State Architect
- SBP Delegate – OSA State Buildings Program Delegate
- SCO – State Controller’s Office
- Agency – State Agency or Institution of Higher Education
- Contractor – Construction Contractor