

C-2-1 Identify Proper Wage Determination(s) for Final Specification Package on CM/GC Construction Contract (CDOT Project Manager)

Details

Responsible Parties

- CDOT Project Manager (Preconstruction)

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Document Owner

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Procedure Objective

The purpose of this document is to guide the CDOT Project Manager (Preconstruction) in choosing the proper wage determination(s) associated with a Construction Manager/General Contractor (CMGC) construction contract.

Additional Clarification

With the implementation of Senate Bill 19-196 and the associated [CRS 24-92-202](#), both state and federal projects shall have CDOT's Davis-Bacon wage determination(s) attached to the final specification package for the CM/GC construction contract. The CDOT Project Manager (Preconstruction) shall add the correct wage determination(s) in the specification package prior to final negotiation of the Construction Agreed Price (CAP). For the construction contracts of a CM/GC project delivery method, the wage determination(s) shall be updated **up to the mock letting date**. After the contract has been awarded and it is determined that the wage determination(s) needs to be added or changed, a Change Modification Order (CMO) shall be processed by the construction CDOT Project Engineer/Manager (PE/PM) to reflect the formal step of adding the additional or revised wage determination(s).

System Procedures

1. In order to select the proper wage determination, the first step is to determine what county(ies) the project is located in.

Note 1: It is important that the wage determination(s) (for the applicable counties as outlined below) are included as part of the specification package that include:

- a) All counties listed on the plan sheet (in all situations)
- b) The established project boundaries and
- c) The county(ies) where work is to be performed as a part of this contract

Note 2: For the purposes of choosing the correct wage determination(s), it doesn't matter if the project only incrementally crosses into a different county. All counties **that are included as a part of the contract** must have a wage determination included.

2. In determining which type of wage determination(s) to use, please review the following information:
 - a. **Building** -- sheltered enclosures with walk-in access for the purpose of housing persons, machinery, equipment or supplies. This category includes all construction of such structures, the installation of equipment, as well as incidental grading and paving. Such structures need not be habitable to be considered building construction. Examples of building construction projects are auditoriums, city halls, apartment buildings (five stories and above), hospitals, office buildings, schools, warehouses, and shopping centers.
 - b. **Heavy** -- This is a catch-all category. It includes all other projects not classified as building, highway or residential (e.g., bridges over navigable waters, dams, dredging and irrigation projects, tunnels). Of the four categories of construction, this is the only type of construction that can be broken into subcategories such as water and sewer line projects and dredging projects.
 - c. **Highway** -- alteration or repair of roads, streets, highways, runways, alleys, trails, paths, parking areas, and other similar projects not incidental to building or heavy construction.
 - d. **Residential** --single family houses or apartment buildings of four stories or less.

Note: The vast majority of CDOT work is going to be highway; however, there are definitely times (yes, for CDOT) where other types of wage determination(s) will need to be used. When a contract involves construction in more than one area, and no multi-county project wage determination has been obtained, the solicitation and contract must incorporate the applicable wage determination for each area. When a contract involves more than one type of construction, the solicitation and contract must incorporate the applicable wage determination for each type of construction involved that is anticipated to be substantial (29 CFR 1.6(b) and falls within the DOL All Agency Memorandum Number 236. In determining whether a project includes a substantial amount of construction items in a second (or third or fourth) category of construction, contracting agencies should determine whether the cost of the construction items in the different category of construction exceeds either \$2.5 million or 20% of the total project costs.

As outlined above, the exercises in both steps one and two are essential in determining the correct wage determination(s) for the contract. Please reach out to Kelly Whaley (contact information at the top of this document) for assistance.

3. **60% Opinion of Probable Construction Cost (OPCC).** It is at the discretion of the CDOT Project Manager (Preconstruction) to provide the Construction Manager with the applicable wage determination(s) at 60% OPCC. If this is conducted, it is **essential** that the most updated applicable wage determination(s) is included in the final specification package.

4. **Final Specification Package.** The current wage determination(s) for all applicable counties of the contract shall be included in the final specification package. It is crucial that all of the applicable wage determination(s) include the appropriate number, modification, and date in the standard specifications. Once all wage determination(s) have been identified, it is recommended to verify with the Region Civil Rights Office that the appropriate wage determination(s) is correct and complete. For those HQ projects that involve several different regions, the region that should do the verification is the one where the majority of work is going to be completed (this is also the region that sets the DBE and OJT goals for the project.)
5. The CDOT Project Manager (Preconstruction) shall obtain the wage determination(s) for project incorporation on the CDOT [website](#) -- in the current year's construction specification/Standard Special Provisions/ Revisions to Miscellaneous section.

[Home](#) | [Business Center](#) | [Design & Construction Project Support](#) | Construction Specifications

Construction Specifications

[2025 Construction Specifications](#)

The 2025 Standard Specification book is mandatory for use on projects advertised on or after July 1, 2025.

[To submit a new or revision to a specification, complete Form 1215](#)

[To submit a Proprietary Item, complete Form 1381, Proprietary Item - Certifications or Finding In the Public Interest \(FIPI\)](#)

[To request a copy of the 2019, 2021, or 2022 Construction Specifications book.](#)

[2023 Construction Specifications](#)

[Standard Special Provisions](#)

Standard Special Provisions

The latest revisions to formally issued standard special provisions Specifications for Road and Bridge Construction.

[Index of Standard Special Provision](#)

September 30, 2024.

[Revisions to Section 100](#)

[Revisions to Sections 200 thru 500](#)

[Revisions to Section 600](#)

[Revisions to Section 700](#)

[Revisions to Miscellaneous section](#)

6. **CDOT Mock Letting Date.** The current wage determination(s) for all applicable counties of the project will apply up to the CDOT mock letting date. For CM/GC contracts, if USDOL has published a modified wage determination prior to the CDOT mock letting date, the CDOT Project Manager (Preconstruction) shall issue a revision under advertisement to incorporate the updated wage determination in the contract's specifications. It is considered best practice to inform the CM of this requirement and that the wage determination(s) may be updated after the final negotiations take place.

7. In order to ensure compliance with the USDOL wage determination, it is required that the CDOT Project Manager periodically check the wage determination on the CDOT website as identified in step 5 of this process guide through the negotiation period. The wage determination is available on CDOT's [website](#) -- in the current year's construction specification / Standard Special Provisions / Revisions to Miscellaneous section.
8. The CDOT Project Manager (Preconstruction) has successfully completed the process including the appropriate wage determination(s) in the final specification package.