

## 2-1 Identify Proper Wage Determination(s) for Advertisement (CDOT Design PE/PM)



### Details

#### Responsible Parties

- CDOT Design Project Engineer/Project Manager (PE/PM)

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#### Document Owner

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### Procedure Objective

The purpose of this document is to guide the CDOT Design Project Engineer/ Project Manager in choosing the proper wage determination(s) associated with the contract.

### Additional Clarification

With the implementation of Senate Bill 19-196 and the associated CRS 24-92-202, both state and federal projects must have CDOT's Davis-Bacon wage determination(s) attached to the advertised specification package for a CDOT advertised contract. If a wage determination is modified or added during the time when a project is being advertised, the CDOT revision under the advertisement process shall be followed. After award, if a wage determination needs to be added or changed, a Change Modification Order (CMO) must be processed by the construction CDOT Project Engineer/Project Manager (PE/PM) to reflect the formal step of adding the additional or modified wage determination.

### System Procedures

1. In order to select the proper wage determination(s), 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 are associated with:

- a) All counties listed on the plan sheet
- 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 more than one type of construction (as outlined above - - Building, Heavy, Highway, and Residential), 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 more) 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.**

3. **Consider the day that the contract will be advertised.** At the time of advertisement, the current wage determination(s) for all applicable counties will apply. It is crucial that all of the applicable wage determination(s) include the appropriate number, modification, and date in the standard specifications. For design-bid-build contracts, if USDOL has published a modified wage determination 10 or more calendar days before bid opening, the CDOT Design PE/PM shall issue a revision under advertisement to incorporate the updated wage determination in the contract's specifications. If a revised wage determination is issued less than 10 calendar days before bid opening, the Design PE/PM shall complete the [Wage Determination Acknowledgement](#) form, found under "Additional Resources", and provide the form to the Region Civil Rights Office to upload the form in the LCPtracker. {15f03(c)}
4. The Design PE/PM shall obtain the wage determination for project incorporation on the CDOT [website](#) -- in the current year's construction specification/Standard Special Provisions/Revisions to Miscellaneous section.

## Construction Specifications

### [2023 Construction Specifications](#)

The 2023 Standard Specification book is mandatory for use on projects advertised on or after October 1, 2023. Non-CDOT employees will have to print and assemble this Specification book.

 [Issuance of the 2024 Standard Specifications for Road and Bridge Construction book.](#)

### [2022 Construction Specifications](#)

The 2022 Standard Specification book was mandatory for use on projects advertised on or after October 1, 2022 until September 30, 2023. Non-CDOT employees will have to print and assemble this Specification book.

### [2021 Construction Specifications](#)

The 2021 Standard Specification book was mandatory for use on projects advertised on or after October 1, 2021 until September 30, 2022.

## 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](#)

5. In order to ensure compliance with the US DOL wage determination, it is required that the Design PE/PM periodically check the wage determination on the CDOT website as identified in step 4 of this process guide through the advertisement period. At a minimum the Design PE/PM shall check for wage determination updates on the 10th calendar day prior to bid opening.

**Note:** If an updated modification is found on the CDOT website up to 10 calendar days prior to bid opening, a revision under advertisement is required to incorporate the modified wage determination.

6. Include all necessary wage determination(s) for the advertisement package. Once all wage determination(s) have been identified, 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.)
7. The CDOT Design Project Engineer/Design Project Manager has successfully completed the process for advertising the proper wage determination.