

2-1 Advertise Proper Wage Decision: Training Process Guide for Construction Contracts

Responsible Party(ies)
Region Civil Rights Specialist

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Procedure Objective

The purpose of this document is to guide engineers in choosing the proper wage decision associated with the project.

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 decisions attached to the advertised package for a CDOT job. If a wage decision is corrected or added during the time when a project is being advertised, the CDOT revision under ad specification process must be followed. After award, if a wage decision needs to be added or changed, a CMO must be processed by the construction PE to reflect the formal step of adding the wage decision.

System Procedures

- 1) In order to select the proper wage decision, the first job is to determine what county(ies) the project will be in.
 - a) **Note:** *What county(ies) to choose -- it is imperative that all counties where work is being done must be listed in the job specifications. It doesn't matter if it incrementally crosses into a different county, all counties where work is being done must be listed. It also doesn't matter if the wages are close or even exactly the same for two or more counties; all counties where work is being done must be included.*

- 2) The second thing to weigh out is to consider what type of work is being performed.
- a) **Note:** *In determining which type of wage determination to use, please consider the following information:*
 - i. **Building** -- *the construction of sheltered enclosures with walk-in access, for housing persons, machinery, equipment, or supplies. It typically includes all construction of such structures, installation of utilities and equipment (both above and below grade level), as well as incidental grading, utilities and paving, unless there is an established area practice to the contrary.*
 - ii. **Heavy / Civil** -- *includes those projects that are not properly classified as either "building," "residential," or "highway," and is of a catch-all nature. Such heavy projects may sometimes be distinguished on the basis of their individual characteristics, and separate schedules issued (e.g., "dredging," "water and sewer line," "dams," "flood control," etc.).*
 - iii. **Highway** -- *the construction, alteration, or repair of roads, streets, highways, runways, taxiways, alleys, parking areas, and other similar projects that are not incidental to "building," "residential," or "heavy" construction.*
 - iv. **Residential** -- *the construction, alteration, or repair of single-family houses or apartment buildings of no more than four (4) stories in height, and typically includes incidental items such as site work, parking areas, utilities, streets and sidewalks, unless there is an established area practice to the contrary.*
 - b) *The vast majority of CDOT work is going to be highway; however, there are definitely times (yes for CDOT) where other types of wage decisions will need to be used. It is all based on the type of work that is being performed.*
 - c) *In analyzing which type of wage decision to use, it is essential to consider both the type of work and the county(ies) where work is to be performed.*
- 3) **Consider the day that the project will go to advertisement.** This is a crucial parameter! The most recent wage decision issued before advertisement for the counties listed will apply. If a wage determination has a modification with it, it is crucial to list the wage modification number as well. If a wage determination is updated ten or more days prior to the opening of the bids, the new wage decision will have to be incorporated as a revision under ad. [10-day Rule -- 29 CFR1.6\(c\)\(3\)\(i\)](#)

- 4) The wage decision is available on CDOT's website:
<https://www.codot.gov/business/designsupport/cdot-construction-specifications/2011-Specs/standard-special-provisions/mics>
 - a) Remember that if more than one type of work is going to be performed, it is possible that you may need two different types of wage decisions for each county where work is being performed. (EX: rebuilding a highway with a weigh station on the side of the highway) It is essential that the modification number is included for each decision.
 - b) If a wage decision is corrected or added during the time when a project is being advertised, the CDOT revision under ad specification process must be followed. After award, if a wage decision needs to be added or changed, a CMO must be processed by the construction PE to reflect the formal step of adding the wage decision.
 - c) In this step, a best practice is to evaluate the CDOT wage determination against the posted Department of Labor wage decision.
- 5) Include all necessary wage decisions for the advertisement package. Once all wage decisions have been identified, send all of them through the Civil Rights Office in your region to verify that the package (for wage decisions) 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.)
- 6) **You have successfully completed the process for advertising the proper wage decision.**