



Board of Water Works of Pueblo, Colorado

P.O. Box 400 - Pueblo, Colorado 81002-0400 - 719/584-0250 • www.pueblowater.org

TO: Christopher Reynolds, *Project Manager* – PRT-BMT

FROM: Justin Richardson, *Design Engineer* – Pueblo Water

DATE: December 28, 2016

SUBJECT: P.N. 166002 – Request for Variance – B.0600 USE OF COLORADO LABOR

Mr. Reynolds:

The Board of Water Works of Pueblo, CO (Pueblo Water) is in receipt of your letter dated December 27, 2016; in which, you request a variance be issued in regard to Pueblo Water Contract Section B.0600-Use of Colorado Labor. As you are aware, C.R.S 8-17-101 requires public works projects taking place in Colorado to be staffed as follows:

“Whenever any public works project financed in whole or in part by funds of the state, counties, school districts, or municipalities of the state of Colorado are undertaken in this state, Colorado labor shall be employed to perform at least eighty percent of the work.”

Since Paso Robles Tank – Brown-Minneapolis Tank operates primarily out of Albuquerque, New Mexico, I realize that abiding by the above listed requirement could be rather difficult due to the specialized nature of your work. In your letter, you mentioned the effort you went through to utilize Colorado-based subcontractors when possible, and as much Colorado-based field labor as possible. With that being said, I am in agreement that much of the work to be accomplished on this project will be highly specialized in nature and will require personnel that may not reside in Colorado. C.R.S. 8-17-101 has the following to say about granting a variance to the staffing requirement:

“The governmental body financing a public works project shall waive the eighty percent requirement if there is reasonable evidence to demonstrate insufficient Colorado labor to perform the work of the project and if compliance with this article would create an undue burden that would substantially prevent a project from proceeding to completion.”

Due to your commitment to utilize as much Colorado Labor as is reasonably possible and the highly specialized nature of your work; pursuant to C.R.S. 8-17-101, Pueblo Water is willing

to grant a waiver of the eighty percent labor requirement stipulated in the Act. Please accept this letter as approval of your request. We will post your request as well as this letter on our public website as the final step in granting a waiver of the eighty percent Colorado labor requirement.

Thank you for your request. We look forward to working with you on a successful project.

Regards,

Justin Richardson, P.E.

Design Engineer

Board of Water Works of Pueblo, CO