

# STATE OF COLORADO

Bill Ritter, Jr., Governor  
James B. Martin, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department  
of Public Health  
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## MEMORANDUM

Beginning July 1, 2009, the State is required to comply with new legislation that will affect contracts.

Senate Bill 07-228, enacted as C.R.S. §§ 24-102-205, 24-102-206, 24-103.5-101, and 24-105-102, requires the State to develop and implement a Statewide Contract Management System. The system is a centralized web based application viewable by the public. Please review the attached "Fact Sheet" which contains a general overview of the legislation and a link to the Office of the State Controller's website, for more information.

Contracts with an anticipated effective date of July 1, 2009 or later will contain new language that addresses this new legislation. If you have questions about the language please contact Lisa Ellis, the Director of Purchasing and Contract Services for the Colorado Department of Public Health and Environment at 303-692-2153 or email at [lisa.ellis@state.co.us](mailto:lisa.ellis@state.co.us)

If you have questions about the Contract Management System, how it will be implemented and the information that it will contain concerning your contract, please contact Deb Polk, Contract Performance Manager for the Colorado Department of Public Health and Environment at 303-692-2136 or email at [deb.polk@state.co.us](mailto:deb.polk@state.co.us)

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# FACT SHEET

## Statewide Contract Management System

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Senate Bill 07-228, as incorporated in the Colorado Revised Statutes at §§24-102-205, 24-102-206, 24-103.5-101 and 24-105-102, requires the Colorado Department of Personnel and Administration (DPA), to implement and maintain a centralized contract management system for the purpose of monitoring all State personal services contracts that are subject to the requirements of the bill and its implementing statutes. The Office of Contract Administration, within the Office of the State Controller, was created to accomplish the objectives of the bill to include the implementation and oversight of the centralized system. The contract management system will be implemented no later than June 30, 2009.

Personal services contracts of \$100,000 or more over the life of the contract are subject to the bill. The bill does not apply to contracts which the State is a party to under Medicare, Colorado Medical Assistance Act, Children's Basic Health Plan Act, Colorado Indigent Care Program and some higher education contracts. Construction contracts that exceed \$500,000 will have special reporting requirements.

The bill denotes contract information that must be entered into the system and requires each governmental body be responsible for gathering and entering the information. Each governmental body is required to designate at least one person to oversee its contract performance, performance data and the use of the management system.

The legislation also stipulates vendor performance procedures and authorizes the State to pursue specified remedies for vendor nonperformance. In addition, an appeal process is provided should a vendor dispute any information contained in a performance report produced by the contract management system.

In accordance with the bill, the public will be given access to limited contract information entered into the system through development of a website maintained by DPA. The information will not be real-time, but updated on an established routine schedule.

In addition the bill contains requirements concerning sole-source contracts, contractor performance outside of Colorado and the right to audit contractor and subcontractor records.

To access the bill and other contract monitoring guidance documents, go to the Office of the State Controller website by clicking on the link below and scrolling down to section VII. Contract Administration. <http://www.colorado.gov/dpa/dfp/sco/contracts.htm>