



## COLORADO

Executive Director's Office

Department of Personnel  
& Administration

1525 Sherman St.  
Denver, CO 80203

STATEMENT OF BASIS, PURPOSE  
AND SPECIFIC STATUTORY AUTHORITY FOR  
Implementation of:  
DEPARTMENT OF PERSONNEL & ADMINISTRATION  
STATE PROCUREMENT ADMINISTRATIVE RULE  
(Effective August 31, 2015)

### PROPOSED STATEMENT OF BASIS AND PURPOSE

The Colorado State Procurement Rules ("Rules") are found at 1 CCR 101-9. A rulemaking hearing of the Executive Director was held on July 1, 2015, at 1525 Sherman Street, Room 104, First Floor, Denver, Colorado 80203 at 2:00 p.m. The Colorado State Procurement office is charged with promoting a fair and open marketplace allowing any business, regardless of size or ownership, opportunity to compete to satisfy the State's need for goods and services. The basis of these rules is to establish procedures governing the procurement of certain goods or services for consumption or use by Colorado State government and related agencies allowed under law. The rulemaking hearing was held by a Hearing Officer in order to establish updated procedures by which the State and vendors must engage throughout the procurement process. The Executive Director is exercising her rulemaking authority as granted under section 24-30-102, C.R.S., section 24-102-101, C.R.S., 24-102-401, C.R.S., and 24-4-103, C.R.S.

The Notice of Rulemaking was issued May 29, 2015, for publication by the Secretary of State on June 10, 2015. The proposed rules and the proposed statement of basis and purpose have been available for review at the Executive Director's office and on the Executive Director's website, along with the State Procurement office and State Procurement website since May 29, 2015. The Hearing Officer took testimony at the public rulemaking hearing on July 1, 2015. The Hearing Officer completed deliberations on the proposed rules on July 9, 2015. The rules were accepted through formal public hearing and approved by the Attorney General.

The general purpose of the Executive Director in conducting the rulemaking was to provide, with regards to the Colorado State Procurement Rules, for the following:



- a) To update the practices and language in the rules pursuant to the recent deployment of the Colorado Operating Resource System (CORE);
- b) To update practices and language in the rules pursuant to the replacement of the Bid Information Distribution System (BIDS) system with the Vendor Self Service (VSS) system and the use of other electronic procurements systems utilized throughout State government;
- c) To update the rules to comport with contemporary procurement practices;
- d) To correct typographic errors.

The Executive Director adopted on a permanent basis, new rules contained within 1 CCR-101-9.

The Hearing Officer finds, as required by §24-4-103(4)(b), C.R.S. that the record of the rulemaking proceeding demonstrates the need for the rules; the proper constitutional and statutory authority exists for the rules; to the extent practicable, the rules are clearly and simply stated so that their meaning will be understood by any required to comply with the rules; the rules do not conflict with other provisions of the law; and any duplication or overlapping of the rules, if any, has been explained.

The specific authority of the Executive Director to promulgate these rules is found at section 24-30-102, C.R.S., section 24-102-101, C.R.S., section 24-102-401, C.R.S., and section 24-4-103, C.R.S.

The permanent rules adopted shall become effective August 31, 2015.

Dated this 29<sup>th</sup> day of May, 2015

  
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June Taylor  
Executive Director  
Department of Personnel & Administration

