

HB1317\_L.009

HOUSE COMMITTEE OF REFERENCE AMENDMENT  
Committee on Business Affairs and Labor.HB15-1317 be amended as follows:

1 Amend printed bill, page 3, after line 15 insert:

2 "(3) "INVESTOR" MEANS A PERSON OR ENTITY THAT IS NOT A LEAD  
3 CONTRACTOR OR PROVIDER AND THAT PROVIDES WORKING CAPITAL TO  
4 FUND THE PROVISION OF SERVICES UNDER A CONTRACT."

5 Renumber succeeding subsections accordingly.

6 Page 5, line 26, after "SERVICES." insert "ENTRY INTO SUCH A CONTRACT  
7 IS GENERALLY SUBJECT TO THE REQUIREMENTS OF THE "PROCUREMENT  
8 CODE", ARTICLES 101 TO 112 OF THIS TITLE, AND THE OFFICE IS  
9 ENCOURAGED, BUT NOT REQUIRED, TO USE THE COMPETITIVE SEALED  
10 PROPOSALS PROCESS SPECIFIED IN SECTION 24-103-203."

11 Page 6, after line 18 insert:

12 "(c) STATE THAT ONCE THE CONTRACT IS EXECUTED, AN INVESTOR  
13 THAT IS FUNDING THE ACTIVITIES OF A LEAD CONTRACTOR UNDER THE  
14 TERMS OF THE CONTRACT IS PROHIBITED FROM DICTATING THE MANNER OF  
15 DELIVERY OF SERVICES TO BE PROVIDED UNDER THE TERMS OF THE  
16 CONTRACT BY THE LEAD CONTRACTOR OR ANY OTHER PROVIDER THAT ARE  
17 NOT RELATED TO THE POTENTIAL FOR THE PROJECT TO DELIVER THE  
18 SUCCESS MEASURES IN THE CONTRACT. THIS PARAGRAPH (c) DOES NOT  
19 PROHIBIT AN INVESTOR FROM PERFORMING DUE DILIGENCE ON ITS  
20 INVESTMENT OR MANAGING THE INVESTMENT."

21 Page 6, line 19, strike "(c)" and substitute "(d)".

22 Page 6, after line 21 insert:

23 "(e) SPECIFY THAT THE PROVISION OF PROGRAM-ELIGIBLE  
24 INTERVENTIONS PROVIDED BY THE LEAD CONTRACTOR MAY NOT EXCEED  
25 A PERIOD OF SEVEN YEARS UNLESS ONE OR MORE DEFINED PERFORMANCE  
26 TARGETS SPECIFIED IN THE CONTRACT IS MET WITHIN THE FIRST SEVEN  
27 YEARS IN WHICH THE INTERVENTIONS ARE PROVIDED, BUT THE  
28 EVALUATION OF THE SUCCESS OF THE CONTRACT MAY TAKE INTO  
29 ACCOUNT OUTCOMES THAT OCCUR AT ANY TIME AFTER THE PROVISION OF

- 1 PROGRAM-ELIGIBLE INTERVENTIONS HAS BEEN COMPLETED."
- 2 Reletter succeeding paragraphs accordingly.
- 3 Page 7, line 22, after "REVIEW." add "THE OFFICE SHALL ANNUALLY MAKE
- 4 PUBLICLY AVAILABLE A SUMMARY THAT IDENTIFIES THE DEFINED
- 5 PERFORMANCE TARGETS MET AND NOT MET AND AMOUNTS OF SUCCESS
- 6 PAYMENTS PAID."
- 7 Page 8, line 20, strike "NOTHING" and substitute "UNLESS OTHERWISE
- 8 SPECIFICALLY PROVIDED, NOTHING".
- 9 Page 8, strike lines 24 through 27 and substitute: "ANY APPLICABLE
- 10 FEDERAL, STATE, OR LOCAL LAW OR RULE."

\*\* \*\* \*\* \*\* \*\*