

First Regular Session
Sixty-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 01-0013.01 Christy Chase

HOUSE BILL 01-1149

HOUSE SPONSORSHIP

Sinclair

SENATE SPONSORSHIP

House Committees

Information & Technology
Appropriations

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE CREATION OF THE PROCUREMENT TECHNICAL
102 ASSISTANCE CENTER WITHIN THE COLORADO OFFICE OF
103 ECONOMIC DEVELOPMENT, AND MAKING AN APPROPRIATION
104 THEREFOR.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Creates the procurement technical assistance center within the Colorado office of economic development. Requires the procurement technical assistance center to:

- Provide comprehensive information and technical assistance to Colorado businesses seeking to market their products and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

- services to federal, state, and local governments;
- Counsel and train Colorado businesses on the procedures for and requirements of selling products and services to all levels of government;
- Make federal, state, and local government laws, regulations, ordinances, guidelines, and standards setting forth the procedures and requirements for bidding for and procuring federal, state, and local government contracts available to Colorado businesses;
- Provide information on federal, state, and local government contracting opportunities;
- Provide assistance in procuring federal, state, and local government contracts only to Colorado businesses and free of charge; and
- Target small businesses, minority-owned businesses, and women-owned businesses to encourage those businesses to compete for government contracts.

Authorizes the procurement technical assistance center to:

- Accept and expend moneys from the state or from other sources for the purpose of providing technical assistance and information to Colorado businesses;
- Apply for matching federal funds;
- Enter into cooperative agreements with the defense logistics agency of the United States department of defense; and
- Contract with a Colorado private, nonprofit entity to staff and operate the center.

Makes an appropriation.

Makes conforming amendments.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 24-48.5-101 (2) (h) and (3), Colorado Revised
3 Statutes, are amended to read:

4 **24-48.5-101. Colorado office of economic development -**
5 **creation.** (2) The Colorado office of economic development shall:

6 (h) In its business recruitment, retention, and expansion assistance
7 activities, provide information on the state's program of tax incentives,
8 FEDERAL, state, and local government procurement policies AND
9 CONTRACTING OPPORTUNITIES, and economic development incentives that

1 are available to business enterprises engaged in recycling and waste
2 diversion activities, including research and development efforts and the
3 development of markets for reusable, source-reduced, recycled, and
4 composted products and materials in all forms.

5 (3) The Colorado office of economic development shall advise and
6 provide guidance to coordinate activities of small business development
7 centers, THE PROCUREMENT TECHNICAL ASSISTANCE CENTER CREATED IN
8 SECTION 24-48.5-106, and the business advancement center operated by
9 the university of Colorado.

10 **SECTION 2.** Article 48.5 of title 24, Colorado Revised Statutes,
11 is amended BY THE ADDITION OF A NEW SECTION to read:

12 **24-48.5-106. Procurement technical assistance center - repeal.**

13 (1) IN ADDITION TO THE POWERS AND DUTIES SPECIFIED IN SECTION
14 24-48.5-101, THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT SHALL
15 INCLUDE THE PROCUREMENT TECHNICAL ASSISTANCE CENTER, WHICH
16 CENTER IS HEREBY CREATED IN THE OFFICE. THE CENTER SHALL:

17 (a) PROVIDE COMPREHENSIVE INFORMATION AND TECHNICAL
18 ASSISTANCE TO COLORADO BUSINESSES THAT ARE SEEKING TO MARKET
19 THEIR PRODUCTS AND SERVICES TO FEDERAL, STATE, AND LOCAL
20 GOVERNMENTS;

21 (b) PROVIDE COUNSELING AND TRAINING TO COLORADO
22 BUSINESSES ON THE PROCEDURES AND REQUIREMENTS FOR SELLING
23 PRODUCTS AND SERVICES TO ALL LEVELS OF GOVERNMENT;

24 (c) PROVIDE INFORMATION TO COLORADO BUSINESSES ON FEDERAL,
25 STATE, AND LOCAL GOVERNMENT CONTRACTING OPPORTUNITIES; AND

26 (d) MAKE THE FOLLOWING AVAILABLE TO ANY COLORADO
27 BUSINESS:

1 (I) COPIES OF FEDERAL LAWS, REGULATIONS, GUIDELINES, OR
2 STANDARDS SETTING FORTH THE PROCEDURES AND REQUIREMENTS FOR
3 BIDDING ON AND PROCURING FEDERAL GOVERNMENT CONTRACTS;

4 (II) COPIES OF STATE LAWS, REGULATIONS, GUIDELINES, OR
5 STANDARDS SETTING FORTH THE PROCEDURES AND REQUIREMENTS FOR
6 BIDDING ON AND PROCURING STATE GOVERNMENT CONTRACTS; AND

7 (III) COPIES OF LOCAL GOVERNMENT LAWS, REGULATIONS,
8 ORDINANCES, GUIDELINES, OR STANDARDS SETTING FORTH THE
9 PROCEDURES AND REQUIREMENTS FOR BIDDING ON AND PROCURING LOCAL
10 GOVERNMENT CONTRACTS.

11 (2) THE PROCUREMENT TECHNICAL ASSISTANCE CENTER MAY
12 ACCEPT AND EXPEND MONEYS FROM THE STATE OF COLORADO AND FROM
13 SOURCES OTHER THAN THE STATE OF COLORADO TO PROVIDE
14 COMPREHENSIVE INFORMATION AND TECHNICAL ASSISTANCE PURSUANT TO
15 SUBSECTION (1) OF THIS SECTION. THE INFORMATION AND ASSISTANCE
16 PROVIDED BY THE PROCUREMENT TECHNICAL ASSISTANCE CENTER SHALL
17 BE REVIEWED AND APPROVED BY THE COLORADO OFFICE OF ECONOMIC
18 DEVELOPMENT AND SHALL BE CONSISTENT WITH THE DUTIES, AUTHORITY,
19 AND PURPOSES OF THE OFFICE AS ESTABLISHED IN THIS ARTICLE. THE
20 OFFICE SHALL REPORT ANY RECEIPT AND EXPENDITURE OF FUNDS TO THE
21 GENERAL ASSEMBLY AS PART OF THE ANNUAL BUDGET REQUEST OF THE
22 OFFICE.

23 (3) THE SERVICES RENDERED BY THE PROCUREMENT TECHNICAL
24 ASSISTANCE CENTER PURSUANT TO THIS SECTION SHALL BE PROVIDED ONLY
25 TO COLORADO BUSINESSES AND SHALL BE MADE AVAILABLE WITHOUT
26 CHARGE. WHILE OBLIGATED TO PROVIDE INFORMATION AND ASSISTANCE
27 TO ALL COLORADO BUSINESSES PURSUANT TO THIS SECTION, THE CENTER

1 SHALL TARGET SMALL BUSINESSES, MINORITY-OWNED BUSINESSES, AND
2 WOMEN-OWNED BUSINESSES TO ENCOURAGE THOSE BUSINESSES TO
3 COMPETE FOR FEDERAL, STATE, AND LOCAL GOVERNMENT CONTRACTS.

4 (4) (a) THE PROCUREMENT TECHNICAL ASSISTANCE CENTER MAY:

5 (I) PREPARE OR SEEK ASSISTANCE FROM ANY PRIVATE, NONPROFIT
6 CORPORATION IN THE PREPARATION OF APPLICATIONS SEEKING MATCHING
7 FEDERAL FUNDS FROM THE DEFENSE LOGISTICS AGENCY OF THE UNITED
8 STATES DEPARTMENT OF DEFENSE PURSUANT TO THE FEDERAL
9 PROCUREMENT TECHNICAL ASSISTANCE PROGRAM ESTABLISHED IN 10
10 U.S.C. SEC. 2411, ET SEQ.;

11 (II) ENTER INTO COOPERATIVE AGREEMENTS WITH THE DEFENSE
12 LOGISTICS AGENCY OF THE UNITED STATES DEPARTMENT OF DEFENSE
13 PURSUANT TO 10 U.S.C. SEC. 2413; AND

14 (III) CONTRACT WITH ANY PRIVATE, NONPROFIT CORPORATION TO
15 STAFF AND OPERATE THE CENTER.

16 (b) FOR PURPOSES OF THIS SUBSECTION (4), THE CENTER SHALL
17 ONLY SEEK ASSISTANCE FROM OR ENTER INTO A CONTRACT WITH A
18 PRIVATE, NONPROFIT CORPORATION THAT IS:

19 (I) ORGANIZED UNDER THE LAWS OF THE STATE OF COLORADO;

20 (II) EXEMPT FROM TAXATION PURSUANT TO 26 U.S.C. SEC. 501 (c)
21 (3) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED;
22 AND

23 (III) APPROVED BY THE DEFENSE LOGISTICS AGENCY OF THE
24 UNITED STATES DEPARTMENT OF DEFENSE AS AN "ELIGIBLE
25 ORGANIZATION" PURSUANT TO THE RULES OF THE DEFENSE LOGISTICS
26 AGENCY REGARDING PARTICIPATION IN THE FEDERAL PROCUREMENT
27 TECHNICAL ASSISTANCE PROGRAM ESTABLISHED IN 10 U.S.C. SEC. 2411,

1 ET SEQ.

2 (c) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
3 CENTER SHALL NOT BE REQUIRED TO SEEK ASSISTANCE FROM OR AWARD A
4 CONTRACT PURSUANT TO THIS SUBSECTION (4) TO THE LOWEST BIDDER.

5 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2005.

6 **SECTION 3. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, and safety.