



*Public Procurement*  
*for the*  
*State of Colorado*

John Chapman  
State Purchasing Manager  
State Purchasing and Contracts Office



# *Colorado Procurement Code*

Statutory authority for procurement activity

- §24-101-101 through §24-112-101, C.R.S.
- Implementing Rules made by formal rulemaking process

Authority directly vested in Executive Director of Department of Personnel

- Delegated to Chief Procurement Officer
- CPO further delegates limited authority state agencies (decentralized model)



# *Colorado Procurement Code*

## § 24-101-102 Purpose of the Code

- Simplify, clarify, and modernize law governing procurement
- Provide for increased public confidence in public procurement procedures
- Maximize the purchasing value of public funds;
- Foster effective broad-based competition within the free enterprise system; and
- Maintain integrity of procurement system



# *Colorado Procurement Code*

Application of the Code §24-101-105 C.R.S.

- **Executive branch agencies** when spending public funds for the acquisition of goods and services

Does not apply to :

- Local governments
- Other branches of state government
- Intergovernmental agreements
- Grants
- Other specified services



# *Colorado Procurement Code*

## Contents of the Code and Rules

- Ethics guidelines
- Confidentiality regulations
- Contract requirements
- Contract dispute resolution and procurement protest process
- Methods of vendor selection



# *Methods of Source Selection*

- Limited to the methods provided under the Code and Rules
- Level of competition determined by estimated total cost

Estimated Cost	Competition required	Solicitation Methods Provided Under the Code
< \$25,000	None	Purchase is discretionary.
\$25,000 - \$150,000	Informal	Documented Quote (DQ)
>\$150,000	Formal	Invitation for Bid (IFB) Request for Proposal (RFP) Invitation to Negotiate (ITN)

# *Request for Proposals*

Process detailed in §24-103-203 C.R.S and related rules

## Solicitation

- Posted for at least 30 calendar days
- Vendors have opportunity to ask questions up to a specified date
- A pre-proposal meeting may be held to provide additional information
- Proposal submission must meet sealed bid requirements



# *Request for Proposals*

## Evaluation & Award

- Subjective evaluation by a committee
- Based on established criteria
- Solicitation must disclose the evaluation criteria
- Cannot consider factors not specified in the solicitation





# *Request for Proposals*

## Evaluation & Award

- Numerical scoring is most common, but other systems are allowed (colors, adjectives, memo)
- Award made to the offeror whose proposal is **most advantageous** to the state, taking into consideration price and evaluation criteria

# *Request for Proposals*

## Confidentiality

- All proposals are confidential until the award is made
- Following award, all solicitation information is subject to the Colorado Open Records Act
- The agency procurement official is responsible for determining any vendor requests for confidentiality



# *Request for Proposals*

## Protest & appeal rights

- Any aggrieved party may protest issues related to the RFP or award
- Protest must be submitted to procurement official within ten business days
  - Contract may not be executed until protest is resolved
- Aggrieved party may appeal protest decision to Executive Director of DPA



# *Questions?*

**John Chapman**

State Purchasing Manager

State Purchasing & Contracts Office

**John.Chapman@state.co.us**

**303.866.6191**

