



# State of Colorado

EXECUTIVE CHAMBERS

DENVER

RICHARD D. LAMM  
Governor

## EXECUTIVE ORDER

SEP 2 1978

WHEREAS, the Civil Rights Act of 1964, as amended, Presidential Executive Orders 11246, dated September 24, 1965, and 11375, dated October 13, 1967, as amended, and the regulations promulgated pursuant thereto require that equal opportunity be afforded by all recipients of Federal funds; and

WHEREAS, I, Richard D. Lamm, Governor of the State of Colorado, have issued an Executive Order dated April 16, 1975, which requires equal opportunity in affirmative action in State services, purchases and employment; and

WHEREAS, it is the desire and intent of the State of Colorado to abide by both the spirit and the letter of Federal and State laws in the administration and operation of State services, construction, purchases and employment contracts to the end that a maximum number of minority contractors, subcontractors, suppliers and other minority businesspersons be used within the provisions of the said laws and regulations; and

WHEREAS, pursuant thereto, the Colorado State Controller has issued an amendment to the State fiscal rules, effective October 1, 1976, requiring contractual equal employment opportunity and affirmative action commitments of all persons contracting with the State; and

WHEREAS, the construction industry in the State of Colorado has taken the leadership in pioneering efforts to bring about productive and cooperative working relationships between the majority and minority business communities; and

WHEREAS, provision is required for enforcement of the Executive Orders and contractual commitments; and

WHEREAS, by Executive Order of March 16, 1978, I established a State of Colorado Construction Affirmative Action Council (SCAAC) to set policy guidelines to ensure the fullest possible use of the existing and potential capabilities of all minority contractors, suppliers, and other professional contractors and businesspersons desiring to enter into commercial dealings, service contracts, construction contracts and subcontracts involving the State of Colorado, said Executive Order being incorporated herein by reference; and

WHEREAS, SCAAC has recommended to my office that it believes discrimination exists in the awarding of State capital construction contracts and subcontracts;

NOW, THEREFORE, I, Richard D. Lamm, Governor of the State of Colorado, do hereby direct that:

1. A public hearing be held, under the direction of my office, to determine whether discrimination exists in the awarding of State capital construction contracts and subcontracts in the State of Colorado.
2. The hearing will be held at St. Cajetan's Church on the Auraria Higher Education Center campus, 9th and Lawrence Streets, Denver, Colorado, on September 27, 28, and 29, 1978. Adequate notice of said hearings will be published in newspapers of general circulation and, in addition, sent to members of the construction industry in Colorado, State and Federal agencies with expertise in construction and civil rights, and other interested parties.

3. The hearing will be conducted by a panel composed of Mr. Jacque Brownson, State of Colorado Hearing Officer; Mr. Daniel Porter, President of the Colorado Association of General Contractors, and Chairperson of SCAAC; Mr. Walter Jones, counsel for the Minority Association of General Contractors; Mr. Robert Ruyle, Vice President of Hensel Phelps Construction Company; and Mr. Cel Vigil, Vigil & Son Plumbing. In addition, members from the Office of State Planning and Budgeting will be assigned to assist the panel in implementing the hearing process.
4. The hearing panel is charged with the responsibility of providing adequate notice, soliciting participation in the hearing, and conducting the hearing itself. At the conclusion of the hearing, the panel will submit written findings of facts to my office, based upon the evidence presented at the hearing. Such findings shall include written recommendations as to procedures to be adopted by the State of Colorado to insure that equal opportunity is afforded in the awarding of State capital construction contracts and subcontracts and, if found necessary, steps to be taken to rectify past and/or present discrimination.
5. My office will consider the submitted findings and recommendations and, if past or present discrimination is established, take appropriate steps based upon the findings and the panel's recommendations to remedy such discrimination.



GIVEN under my hand and the  
Executive Seal of the State  
of Colorado, this first day  
of September, A.D., 1978.

A handwritten signature in dark ink, appearing to read "Richard D. Lamm".

Richard D. Lamm  
Governor