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RICHARD D. LAMM
Governor

EXECUTIVE ORDER

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- 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, 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 maximize the involvement of minority contractors, subcontractors, suppliers and other minority businesspersons; and
- WHEREAS, the Colorado State Controller 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 lead in pioneering efforts to bring about productive and cooperative working relationships between the majority and minority business communities; and
- WHEREAS, procedures are needed to achieve these goals and objectives; 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, hearings were held September 27, 28, and 29, 1978, pursuant to my Executive Order dated September 1, 1978; and

WHEREAS, such hearings resulted in a finding of past and present discrimination in the award of state capital construction contracts, and also resulted in recommendations for the alleviation of such discrimination, such hearings report being incorporated herein by reference; and

WHEREAS, by Executive Order dated October 31, 1978, I established goals and procedures to encourage greater minority business participation in state capital construction contracts;

NOW, THEREFORE, I, Richard D. Lamm, Governor of the State of Colorado, pursuant to the authority vested in me under the Constitution and laws of the State of Colorado, do hereby ORDER THAT:

1. A goal of an overall percentage of at least nine percent of the gross dollar amount of all state construction contracts shall be awarded to minority business enterprises, as defined by the U. S. Small Business Administration under section 8(a) of the Federal Small Business Act of 1953 as amended. This includes, but is not limited to, projects administered by the Department of Administration; the Division of Wildlife and Division of Parks and Outdoor Recreation within the Department of Natural Resources; the Department of Highways; the University of Colorado; Group II Purchasing Agencies; and any other department, institution or agency of the State.
2. The goals and other provisions of this Executive Order shall apply to all state construction contracts awarded after November 1, 1979.
3. In order to achieve the overall percentage goal, the Executive Director of each Department shall be responsible for compliance with this order. Appropriate procedures shall be established in each Department to achieve the overall goal.
4. The procedures developed by each Department shall include, at a minimum, the following:
 - a. The Principal Representative (or similar person) for construction projects in the Department shall evaluate individual construction projects and determine how each project relates to achievement of the overall percentage goal.
 - b. The Colorado Office of Minority Business Enterprise (COMBE) shall be available as a resource for the Principal Representative.
 - c. COMBE shall at the request of the Principal Representative provide information and advice to the Principal Representative on how each construction project relates to achievement of the overall percentage goal.

- d. The Principal Representative shall establish a specific goal for each construction project.
5. COMBE shall maintain a record of project goals for each Department and shall provide a report on achievement of project goals and the overall goal by each Department every six months.
6. The Taxpayer's interest in efficiency in governmental contracting must be considered of paramount importance.
7. Each Department shall incorporate contract requirements for minority business opportunity as part of the bidding requirements for all State construction contracts subject to this Executive Order.
8. The provisions of this Executive Order shall remain in full force and effect until further order of this office.



GIVEN under my hand and the
Executive Seal of the State of
Colorado, this 22 day of
May, A.D., 1980.


Richard D. Lamm
Governor