

GO 39.11/1998/7

C.1

# STATE OF COLORADO

## EXECUTIVE CHAMBERS

136 State Capitol  
Denver, Colorado 80203-1792  
Phone (303) 866-2471



D 007 98

Roy Romer  
Governor

## EXECUTIVE ORDER

### CREATION OF THE DISPARITY RESOLUTION TASK FORCE

WHEREAS, it is the goal of the State of Colorado to create, operate and maintain a state contracting and procurement system that provides all Colorado individuals and businesses with an equal and fair opportunity to compete for state contracts; and

WHEREAS, such a contracting and procurement system, free of any vestiges of discrimination or obstacles to full and fair competition, will result in lower prices and better quality goods and services for the people of Colorado; and

WHEREAS, the creation and maintenance of such an open, fair, and equitable contracting and procurement system will benefit all Colorado businesses and citizens; and

WHEREAS, the U.S. Supreme Court requires that states and localities use "disparity studies" when seeking to determine the extent to which women- and minority-owned businesses encounter obstacles to participation in state-based contracting; and

WHEREAS, the U.S. Supreme Court also requires disparity studies to narrowly tailor programs to eliminate such obstacles, to eradicate any vestiges of discrimination, and to remedy continuing effects of past discrimination; and

WHEREAS, in 1996, the Colorado General Assembly appropriated funds to commission such a disparity study to investigate whether Colorado state government contracting and procurement opportunities have been and are equally available to all Colorado businesses; and

WHEREAS, the State initiated and completed a competitive Request for Proposal process, pursuant to all relevant State procurement statutes, rules and regulations, in order to select a consultant to complete the disparity survey; and

WHEREAS, MGT, the consultant selected as a result of that procurement process, has completed the commissioned survey and has reported its results to the state; and

WHEREAS, the study indicates substantial disparity between the availability and the utilization of women- and minority-owned businesses in the awarding of state contracts for commodities, personal services, professional services, construction and highway and bridge design and construction; and

WHEREAS, the task of developing an effective and legal response to the disparities revealed by the survey will require the engagement of citizens from all communities, and all segments of the public and private sector.

NOW, THEREFORE, I, Roy Romer, Governor of the State of Colorado, pursuant to the authority vested in me under the statutes and constitution of the State of Colorado, DO HEREBY ORDER THAT:

1. A Disparity Resolution Task Force is hereby established, to be composed as follows:
  - a. A steering committee of thirteen members to be appointed by the Governor as follows:
    - (i) the Executive Directors of six Colorado state government agencies;
    - (ii) six members representing the private sector; and
    - (iii) the Chief-of-Staff of the Governor's Office, to act as chair of the steering committee;
  - b. Five working groups, to correspond with the five primary areas addressed by the disparity study: bridges and highway construction and design; building construction; professional services; personal services; and commodities.
    - (i) Each working group will be co-chaired by one of the Executive Directors and one of the private sector members of the Steering Committee; and
    - (ii) Each working group will consist of any and all individuals and representatives of private businesses and public entities interested in evaluating and interpreting the survey data relevant to that working group and in creating positive, consensus solutions and recommendations to the issues raised by that data.
2. The Steering Committee shall:

- a. Compile and synthesize the work product developed by the five Working Groups;
- b. Provide, on an ongoing basis, outreach to and communication with, the business community and other relevant stakeholders on a statewide basis; and
- c. Monitor the progress of, and share pertinent information and resources with, the Working Groups;
- d. Present a final plan with recommendations to the Governor.

3. The Working Groups shall:

- a. Evaluate the data, findings and recommendations of the disparity study;
- b. Develop a working knowledge of state contracting and procurement statutes;
- c. Identify programs and procedures in state government that are effective;
- d. Research best practices in Colorado, in other states and in private industry in regard to procurement and contracting programs;
- e. Recommend modifications to purchasing and contracting procedures and business outreach efforts and training, including expansion of identified successes;
- f. Recommend programs to address the disparities identified in the study;
- g. Communicate the Working Groups' activities, progress and recommendations to the steering committee.

4. The Steering Committee, after consultation and input from the five Working Groups, shall within 120 days from the date of this order, submit to the Governor written recommendations and a plan of action for addressing the disparities revealed in the survey.

Executive Order

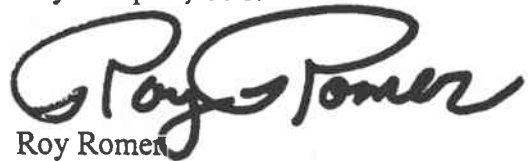
Page Four

April 7, 1998

5. No member of the Commission shall receive compensation for Commission activities. Staff support for the commission shall be provided as determined by the Governor's Chief of Staff.



GIVEN under my hand and  
the Executive Seal of the  
State of Colorado, this 7th  
Day of April, 1998.

  
Roy Roman  
Governor