

# D 001 03

## EXECUTIVE ORDER

### RELOCATING OFFICE FOR CERTIFICATION FOR MINORITY BUSINESSES

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I, Bill Owens, Governor of the State of Colorado, hereby issue this Executive Order declaring that the State Office of Certification shall be removed from the Colorado Department of Regulatory Agencies and shall be located and administered under the Center for Equal Opportunity of the Colorado Department of Transportation.

#### 1. Background and Need

Executive Order D 0055 87 moved the Office of Certification for minority businesses (also known as Disadvantaged Business Enterprises, or “DBEs”) from the Colorado Department of Transportation (“CDOT”) to the Colorado Department of Regulatory Agencies (“DORA”). Still, CDOT retained the ultimate responsibility for the DBE certification process and provided a majority of the Office’s funding. Currently, CDOT funds seventy percent of the Certification Office budget. The remainder of the Office’s funding comes from contracts with other governmental entities.

It will be more efficient to conduct the DBE certification process within CDOT. The Center for Equal Opportunity manages the DBE program within CDOT and will have direct supervision over the certification process. This will increase performance and accountability in the DBE certification process by facilitating communication and streamlining administrative matters. The departments estimate that the State would save approximately \$50,000 in the first year by moving the DBE certification process back to CDOT, with additional cost savings expected in future years. Budget savings should be realized wherever possible, especially during the current budget shortfall. Furthermore, this is generally considered the most efficient location for this state program; a recent DORA study found that almost ninety percent of other states manage their DBE certification program within the state’s department of transportation.

#### 2. Declaration

Accordingly, I hereby issue this executive order declaring that the State Office of Certification, along with its employees and resources, as determined by the Executive Director of DORA, shall be transferred from DORA to CDOT. The Office of Certification will be established within the Center for Equal Opportunity under CDOT. Within the constraints of applicable federal laws and regulations, the Executive Director

of CDOT shall have the authority to establish the functions and personnel of the Office of Certification at CDOT in the most effective and efficient manner, including merging the functions into the Center and abolishing the Office in name.

3. Past Executive Orders Superseded and Replaced

This Executive Order shall repeal and replace all previous executive order provisions pertaining to the relocation of the Office of Certification, and specifically Paragraph 4 of Executive Order D 0055 87.

GIVEN under my hand and the  
Executive Seal of the State  
of Colorado, this 8th  
day of January, 2003.

Bill Owens  
Governor