



COLORADO

Transportation
Investment Office

PROCUREMENT POLICY PROPOSED UPDATE

April 18, 2023

Agenda

- Overview of CTIO Legal Status/History
- Current Issues
- Proposed Changes
- Next Steps

Legal Overview

1. C.R.S. § 43-4-806
 1. CTIO is a “Type 1 Entity”
 2. Specific Powers of CTIO and its Board are enumerated in § (6) (a) - (q); (7) (a) -(c); and(7.5)
2. C.R.S. § 43-4-809
 1. CTIO is Exempted Procurement Code and Rules.
3. 1 C.C.R. § 101-9
 1. CDOT Procurement Operates under Delegation of Purchasing Authority

Procurement Code Exemption Issues

- CDOT Procurement - Purchasing Delegation
 - Under 1 C.C.R. § 109-1, Purchasing Delegation requires delegation agreement between CDOT and State Purchasing binding CDOT Procurement Officials to only conduct procurements in accordance with the State Procurement Code and Rules.
 - CTIO as a Type 1 Entity, utilizes CDOT Procurement Officials for purchasing and procurement.
 - CDOT Procurement Officials are not authorized to and could risk their procurement delegation by not following the State Procurement Code and Rules.
- Solution
 - Update CTIO Procurement Policy to better align with State Procurement Code and request approval from State Purchasing to expand CDOT Purchasing Delegation.

Major Updates

- Establishment of Procurement Subcommittee
 - Dollar Value Threshold
- Inclusion of Additional Procurement Types
 - Requests for Expression of Interest; Request for Information;
- Threshold Increase
 - \$150,000 for Small Purchases; \$50,000 for Non-Competitive Procurements
- Procurement Remedies Clarification
- Incorporating Award Preferences From State Procurement Rules

Next Steps

- Approval By Board
- Presentation to State Purchasing & Contract Office
- Inclusion of Procurement Policy in CDOT Purchasing Delegation

Questions?