

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 4, 2017
Date

Committee on Transportation.

After consideration on the merits, the Committee recommends the following:

SB17-211 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, strike lines 2 through 17 and substitute:

2 "SECTION 1. In Colorado Revised Statutes, 43-1-116, **add** (4)
3 as follows:

4 **43-1-116. Engineering, design, and construction division -**
5 **created - duties.** (4) IF, IN RESPONSE TO A SOLICITATION ISSUED BY THE
6 DEPARTMENT, A CONTRACTOR IS REQUIRED TO SECURE A BID IN THE FORM
7 OF A BOND AND THE CONTRACTOR CAN FURNISH SUCH BOND IN THE
8 AMOUNT REQUIRED BY THE SOLICITATION OR IN THE AMOUNT OTHERWISE
9 REQUIRED BY LAW, THE DEPARTMENT SHALL NOT ELIMINATE THE
10 CONTRACTOR FROM CONSIDERATION OF AN AWARD ON THE BASIS OF ANY
11 FINANCIAL STATEMENT THAT THE CONTRACTOR SUBMITTED TO THE
12 DEPARTMENT FOR THE DEPARTMENT'S CONTRACTOR PREQUALIFICATION
13 DETERMINATION PROCESS. THE PROVISIONS OF THIS SECTION APPLY
14 REGARDLESS OF WHETHER THE CONTRACTOR'S FINANCIAL STATEMENT
15 SUBMITTED FOR PREQUALIFICATION PURPOSES INDICATES THAT THE
16 CONTRACTOR MAY NOT BE ABLE TO PERFORM THE APPLICABLE CONTRACT
17 TO THE LEVEL AND AMOUNT REFLECTED IN THE BOND."

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