

CHAPTER 47

GOVERNMENT - SPECIAL DISTRICTS

HOUSE BILL 98-1116

BY REPRESENTATIVE Pankey;
also SENATOR Ament.**AN ACT**CONCERNING THE ELIMINATION OF CERTAIN RESTRICTIONS ON THE AWARDING OF CONTRACTS TO
PROVIDE BUS SERVICE WITHIN THE REGIONAL TRANSPORTATION DISTRICT.*Be it enacted by the General Assembly of the State of Colorado:***SECTION 1.** 32-9-119.5 (3) (e), Colorado Revised Statutes, is amended to read:

32-9-119.5. Competition to provide bus service within the regional transportation district. (3) (e) (I) With respect to each request for proposals, the district shall award the contract to the technically qualified provider whose responsive proposal offers the lowest cost to the district. ~~Except as provided in subparagraph (II) of this paragraph (e), no one provider shall receive contracts covering more than fifty percent of the vehicle hours subject to such requests. With respect to awards made on or after the effective date of this act, the district shall not accept a proposal from a provider, which proposal covers fifty percent or more of the vehicle hours contracted by the district.~~ Each contract shall be effective not later than ninety days after its award. If the district determines that no responsive proposals are received for a request for proposals or that the proposals submitted would not be in the best interests of the district to accept, the district may ~~solicit new proposals for~~ REJECT SUCH PROPOSALS AND MAY, IN ITS DISCRETION, SOLICIT NEW PROPOSALS FOR the designated service in accordance with the provisions of this section.

~~(II) If the district does not receive a sufficient number of proposals from technically qualified providers to award contracts in compliance with the fifty percent limitation provided for in subparagraph (I) of this paragraph (e) or if all proposals received from technically qualified providers, other than the proposal submitted by the technically qualified provider that is the lowest bidder, contain bids that are five percent or higher than the amount bid by the lowest bidder, the district may:~~

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

~~(A) Award a contract to the technically qualified provider that submits the lowest bid for an agreed upon number of hours up to fifty percent of the total number of hours to be contracted by the district and rebid the remaining hours, or~~

~~(B) Award a contract to the technically qualified provider that submits the lowest bid for an agreed upon number of hours up to fifty percent of the total number of hours to be contracted by the district and include an addendum to the contract awarding all or an additional agreed upon percentage of the remaining number of hours to that provider on such terms and conditions as agreed to by the district and the provider and rebid the remaining hours, if any.~~

SECTION 2. Effective date - applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to contracts awarded or proposals received on or after the applicable effective date of this act.

Approved: March 27, 1998