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

SB19-196 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:


Page 5, strike lines 12 through 25 and substitute:

"(4) UPON EVALUATION OF THE SUBMITTED BIDS, THE CONTRACTING AGENCY OF GOVERNMENT MAY WAIVE THE REQUIREMENTS OF THIS SECTION FOR A PUBLIC PROJECT IF THE AGENCY OF GOVERNMENT DETERMINES THAT THERE IS SUBSTANTIAL EVIDENCE THAT THERE WERE NO RESPONSIVE, ELIGIBLE SUBCONTRACTORS AVAILABLE TO FULFILL THE MECHANICAL, ELECTRICAL, OR PLUMBING PORTIONS OF THE CONTRACT. EACH AGENCY OF GOVERNMENT THAT HAS CONTRACTS FOR PUBLIC PROJECTS SUBJECT TO THE REQUIREMENTS OF THIS SECTION SHALL MAKE PUBLIC ALL WAIVERS AND THE SPECIFIC RATIONALE FOR GRANTING THE
WAIVER. THE AGENCY OF GOVERNMENT SHALL POST NOTICE OF THE WAIVER AND A JUSTIFICATION FOR THE WAIVER ON ITS WEBSITE.

Page 7, strike lines 22 through 25 and substitute:

"(4) "EMPLOYEES" MEANS WORKERS WHO ARE EMPLOYEES PURSUANT TO SECTION 8-4-101 (5), AND WHO ARE ENGAGED BY CONTRACTORS OR SUBCONTRACTORS TO PERFORM JOBS ON VARIOUS TYPES OF PUBLIC PROJECTS INCLUDING MECHANICS, LABORERS, AND OTHER CONSTRUCTION WORKERS.".

Page 11, strike lines 16 through 18. Reletter succeeding paragraphs accordingly.

Page 11, line 25, strike "MANNER;" and substitute "MANNER AS REQUIRED BY THE STATE CONTRACT;".

Page 13, line 5, strike "(1)(e)" and substitute "(1)(d)".

Page 13, strike lines 8 through 10 and substitute "STATE AND THE PROCEEDS DEPOSITED IN THE UNCLAIMED PROPERTY TRUST FUND CREATED IN SECTION 38-13-116.6. NOTHING IN THIS SUBSECTION (1) SHALL BE"

Page 13, strike lines 14 through 27.

Page 14, strike lines 1 through 6.

Page 15, strike lines 19 through 22 and substitute:

"(3) CONTRACTS FOR PUBLIC WORKS PROJECTS SHALL CONTAIN THE SPECIFIC OBLIGATIONS OF THE CONTRACTOR UNDER THIS SECTION INCLUDING PROVISIONS REGARDING THE POSTING OF POSTERS ON THE JOB SITE AS REQUIRED BY THIS SECTION AND THE DEPARTMENT'S PROCEDURES FOR THE CONTRACTOR TO RECEIVE THE POSTERS.".

Page 17, strike line 12 and substitute "COMPLAINT FROM AN EMPLOYEE, A FORMER EMPLOYEE, OR A CONTRACTING AGENCY DERIVED FROM AN ANALYSIS OF CERTIFIED PAYROLL RECORDS, A".

Page 18, line 24, strike "DAYS," and substitute "DAYS FROM THE DATE OF
THE INITIAL DETERMINATION BY THE DEPARTMENT THAT A WILLFUL VIOLATION OCCURRED, 

Page 18, line 27, strike "MAY" and substitute "SHALL".

Page 19, line 3, strike "MAY" and substitute "SHALL".

Page 19, line 4, strike "SECTION." and substitute "SECTION AND AN ADMINISTRATIVE PROCESS FOR AN EMPLOYEE OR FORMER EMPLOYEE OF A CONTRACTOR OR SUBCONTRACTOR TO FILE A COMPLAINT FOR A VIOLATION OF THIS PART 2.".

Page 20, line 6, strike "TWO TIMES".

Page 21, after line 7 insert:

"SECTION 3. In Colorado Revised Statutes, 24-109-105, amend (2)(e) and (2)(f); and add (2)(g) as follows:

24-109-105. Debarment and suspension. (2) A person may be debarred for any of the following reasons:

(e) The person is currently under debarment by any other governmental entity which is based upon a settlement agreement or a final administrative or judicial determination issued by a federal, state, or local governmental entity; or

(f) The department of labor and employment has imposed three fines on a contractor within five years pursuant to section 8-17-104, C.R.S., for failure to satisfy Colorado labor requirements; OR

(g) THE PERSON WILLFULLY FALSIFIED DOCUMENTATION OR WILLFULLY MISREPRESENTED THEIR QUALIFICATIONS REQUIRED TO COMPLY WITH THE CONTRACT."

Renumber succeeding section accordingly.

Page 21, line 19, strike "education," and substitute "education and the Auraria higher education center created in article 70 of title 23, Colorado Revised Statutes,". ** *** ** *** **