

SB196\_L.012

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.

SB19-196 be amended as follows:

1 Amend reengrossed bill, page 5, line 11, after "SECTION." add "If A  
2 CONTRACTING AGENCY OF GOVERNMENT DETERMINES THAT A  
3 MECHANICAL, ELECTRICAL, OR PLUMBING SUBCONTRACTOR HAS  
4 WILLFULLY FALSIFIED DOCUMENTATION OR WILLFULLY MISREPRESENTED  
5 THEIR QUALIFICATIONS REQUIRED TO COMPLY WITH THIS SECTION IN THE  
6 CONTRACT, THE AGENCY OF GOVERNMENT SHALL DIRECT THE  
7 CONTRACTOR TO TERMINATE THE SUBCONTRACTOR CONTRACT  
8 IMMEDIATELY AND THE SUBCONTRACTOR WILL BE IMMEDIATELY REMOVED  
9 FROM THE PUBLIC PROJECT. AT THE DISCRETION OF THE DIRECTOR OF THE  
10 DEPARTMENT OF PERSONNEL, THE STATE MAY INITIATE THE PROCESS TO  
11 DEBAR THE CONTRACTOR PURSUANT TO SECTION 24-109-105, AND MAY  
12 PURSUE ANY OTHER REMEDY PROVIDED BY LAW."

13 Page 21, after line 7 insert:

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

16 **24-109-105. Debarment and suspension.** (2) A person may be  
17 debarred for any of the following reasons:

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

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

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

28 Renumber succeeding section accordingly.

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