STATE OF COLORADO

OFFICE OF THE GOVERNOR
136 State Capitol Building
Denver, Colorado 80203
(303) 866 - 2471
(303) 866 - 2003 fax

Bill Ritter, Jr.
Governor

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EXECUTIVE ORDER

Directing Executive Branch Agencies to Take Specific Actions to Promote the Goals of the American Recovery and Reinvestment Act of 2009

Pursuant to the authority vested in the Governor of the State of Colorado, I, Bill Ritter, Jr., Governor of the State of Colorado, hereby issue this Executive Order directing Executive Branch agencies to take specific actions to promote the goals of the American Recovery and Reinvestment Act of 2009.

I. Background and Purpose

On February 17, 2009, President Barack Obama signed the American Recovery and Reinvestment Act of 2009 ("ARRA") into law. The ARRA provides funding for education, health care and human services, employment and workforce training, business and economic development, transportation, energy programs, programs related to the environment and natural resources, housing, public safety, telecommunications. The overarching goal of ARRA is to support vulnerable citizens and stabilize communities while pushing the economy forward.

In order to promote the goals of ARRA, this Executive Order directs Executive Branch agencies to take specific actions in three areas. First, we need to connect those seeking jobs with the job opportunities created by ARRA. This Executive Orders aims to promote the greatest amount of job growth possible out of Colorado's share of ARRA funds. Connecting job seekers and employers will promote and grow Colorado's economy and create new economic opportunities for Colorado's workers and employers. This Executive Order directs agencies to include in ARRA contracts a provision that requires all jobs associated with ARRA to be posted on the State's job site (ConnectingColorado.com). Posting ARRA-related job opportunities on a single site will help ensure that those seeking employment and contracting opportunities will have a one-stop clearinghouse for identifying those opportunities.

Second, promoting opportunities for all Colorado businesses is vital to the development of a strong Colorado economy. One of the goals of ARRA is promoting contracting opportunities for minority-owned and woman-owned businesses. These business communities continue to be underrepresented in terms of their participation in state contracts. Therefore, I am requiring Executive Branch agencies to take additional steps

to reach out to minority-owned and woman-owned businesses to increase their participation in ARRA-funded projects and to take steps to encourage contractors to utilize those businesses as subcontractors in ARRA-funded contracts.

Third, in order to meet the accountability and transparency goals of ARRA, it is critical that all citizens understand how to report suspected waste, fraud, or abuse in the expenditure and administration of ARRA funds and that they can do so free from the fear of reprisal. This Executive Order directs Executive Branch agencies to post and enforce whistleblower rights and remedies under both federal and Colorado law.

II. Directives

A. All Executive Branch agencies shall include in all contracts funded, in whole or in part, by ARRA ("ARRA-funded state contracts") a clause requiring all contractors and subcontractors who employ workers in Colorado to post job openings created by ARRA-funded state contracts on the State's job website (www.connectingcolorado.com/). This requirement shall apply to all ARRA-funded state contracts executed on or after the date of this Executive Order. Such requirement shall not apply when an employer, contractor, or subcontractor of an ARRA-funded state contract intends to fill the job opening created by ARRA funding with a present employee, a laid-off former employee, or a job candidate from a previous recruitment that was posted on the State's job website.

B. Local governments and their sub-units that manage local projects funded by the ARRA are encouraged to require contractors and subcontractors who employ workers in Colorado to post job openings created by ARRA-funded local projects on the State's job website (www.connectingcolorado.com/).

C. Colorado employers who enter into ARRA-funded State or local contracts or who otherwise receive funding from the ARRA are encouraged to post job openings created by the ARRA-funded contractor ARRA funding on the State's job website (www.connectingcolorado.com/).

D. All Executive Branch agencies shall continue and further develop their efforts to solicit and encourage minority-owned and woman-owned businesses to participate in state contracts and awards.

E. Executive Branch agencies are directed to work in partnership with the Director of Minority Outreach in the Governor's Economic Recovery Team to assess and further develop their agencies' outreach program. Furthermore, the Director of Minority Outreach is directed to develop a reporting tool to track and report the utilization of minority-owned and

woman-owned businesses in ARRA-funded projects, and the Executive Branch agencies are directed to utilize that to report such utilization.

F. The Colorado Economic Recovery Accountability Board (CERAB) shall post on its website (www.colorado.gov/recovery) the entire text of Section 1553(e) of ARRA and C.R.S. § 24-50.5-101, *et seq.* Governor's Office staff shall prepare a whistleblower rights summary, which shall include information regarding whistleblower rights and remedies under both Federal and Colorado law and the procedures for filing a formal complaint. All Executive Branch agencies shall post this summary in their workplaces. Moreover, Governor's Office staff shall create links on its website to allow citizens to electronically report suspected waste, fraud, or abuse in the expenditure and administration of ARRA funds.

G. All Executive Branch agencies shall include in all ARRA-funded state contracts a clause requiring all contractors and subcontractors to post in all workplaces where employees perform work related to such contracts the whistleblower information sheet prepared by CERAB. Local governments and their sub-units that manage local projects funded by the ARRA are encouraged to impose the same requirements on contractors and subcontractors who perform work on ARRA-funded projects.

III. Duration

This Executive Order shall remain in force until December 31, 2011, unless extended, modified, or rescinded by future Executive Order of the Governor.

GIVEN under my hand and the Executive Seal of the State of Colorado this fourteenth day of July, 2009.

Bill Ritter, Jr.
Governor