



# COLORADO Procurement Guidance

*A Publication of the State Purchasing Office*

*Rev. 06/30/2014 DM*

## TOPIC

**HB14-1224 | CRS 24-103-211** sets a *Service-Disabled Veteran Owned Small Business (SDVOSB)* goal of at least 3% of all contracts by *dollar value* be awarded to SDVOSBs who must be incorporated or organized in Colorado or they must maintain a place of business or have an office in Colorado and who are officially registered and verified as a SDVOSB by the [Center for Veteran Enterprise within the U.S. Department of Veterans Affairs](http://www.vip.vetbiz.gov). ([www.vip.vetbiz.gov](http://www.vip.vetbiz.gov))

CRS 24-101-301 "'Contract' means any type of state agreement, regardless of what it may be called, for the procurement or disposal of supplies, services, or construction."

Beginning July 1, 2014, Agencies and Institutions are responsible for manually or systematically tracking necessary information for reporting beginning fiscal year 2014/2015 (currently functionality does not exist in CORE for full reporting).

## SCOPE

All State Agencies (Agencies) and State Institutions of Higher Education (Institutions) subject to the Procurement Code share the SDVOSB goal of at least 3%.

## GUIDANCE

### PREFERENCE ALLOWED

In an effort to reach this goal, Agencies and Institutions may give a five percent (5%) preference for SDVOSBs.

### POSTING & VERIFICATION

All **discretionary purchases** or **purchases on a commercial card** should consider using a SDVOSB when possible.

**Documented Quotes (DQ)** and **Information for Bids (IFB)** may give a 5% preference. If a preference is given, the solicitation must clearly state how the preference will be applied in evaluation of the responses. Only SDVOSBs that meet minimum specifications can be considered for the percentage preference.

**Request For Proposals (RFP)** - In the situation where one supplier will be awarded, the solicitation may specify when evaluating two or more comparable responses, preference may be given to a SDVOSB.

**DQs, IFBs and RFPs** - SDVOSBs need to submit documentation of SDVOSB certification issued through the U.S. Department of Veterans Affairs in their response to the solicitation. Solicitations should request this information in the solicitation. (Verification of SDVOSB certification is also available on the Center for Veteran Enterprise website (See above link).

### REPORTING

DPA Executive Director - Starting September 30, 2015 and every September 30 thereafter, must submit reports to the Department of Military and Veterans Affairs, Members of the Colorado Board of Veteran Affairs and to the members of the House of Representatives and Senate (who have jurisdiction over State and Veterans Affairs). In order to comply, Agencies and Institutions must report to DPA August, 31 2015 and August 31 each year thereafter.

### FISCAL YEAR REPORTING TO INCLUDE

- Total number of contracts awarded to SDVOSBs
- Total number of contracts awarded
- Total dollar amount of contracts awarded to SDVOSBs
- Percentage dollar amount of contracts awarded SDVOBs to total dollar amount of contracts awarded
- Total number of SDVOSB that responded to solicitations or proposals
- Total number of respondents to solicitations or proposals

*When practical, and depending on Procurement Code and Rule, Agencies and Institutions shall satisfy their needs through State Price Agreements or nonprofits from the Services Set Aside List (Disability Set Aside), before seeking other sources.*



## FAQs

### 1. How was the 5% preference established?

Statute currently has a 5% preference allowance for environmentally preferable products and a 5% preference allowance for companies that hire Veterans. We wanted our guidance to align with what is currently in Statute.

### 2. If I chose to use a percentage preference in my solicitation do have to use the 5% amount?

Rulemaking is currently in progress. In an effort to be consistent statewide adopting 5% would be best practice until formal rulemaking is completed and follow any preference assigned through rulemaking.

### 3. Why do SDVOSBs have to be registered with the U.S. Department of Veterans Affairs?

Certification ensures businesses belong in the classification they are claiming. Because the State does not certify SDVOSBs, statute directs the certification to be completed through U.S. Department of Veterans Affairs.

### 4. What if I have a certified SDVOSB located outside Colorado? Can I count them towards the contract goal of at least 3%?

Statute specifies that SDVOBs must be incorporated or organized in Colorado or they must maintain a place of business or have an office in Colorado.

### 5. What are the consequences if my Agency or Institution does not reach the 3% goal?

This Statute only specifies a goal and there are no penalties if Agencies and Institutions do not meet this goal. Agencies and Institutions must report to DPA. DPA will submit a report to Colorado Department of Military and Veterans Affairs, Colorado Board of Veteran Affairs and Colorado Legislature.

### 6. What needs to be reported and how do I report?

Attached is the reporting form with instructions.

### 7. Who do I contact at the State Purchasing Office if I have questions?

For more information contact David Musgrave at [David.Musgrave@state.co.us](mailto:David.Musgrave@state.co.us) or (303)866-3640.



## Service-Disabled Veteran Owned Small Business (SDVOSB) Reporting Form

*To satisfy reporting requirements of CRS 24-103-211 - SDVOSB Goal*

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
 DATE OF REPORT

\_\_\_\_\_  
 NAME OF STATE AGENCY / INSTITUTION OF HIGHER EDUCATION REPORTING

Reporting for FY\_\_\_\_\_

Total number contracts awarded to SDVOSBs	#	
Total number contracts awarded	#	
Total dollar amount of contracts awarded to SDVOSBs	\$	
Percent Awarded (based on dollar) to SDVOSBs	%	
Total number of SDVOSBs respondents to solicitations	#	
Total number of respondents to solicitations	#	

CRS 24-101-301 "Contract" means any type of state agreement, regardless of what it may be called, for the procurement or disposal of supplies, services, or construction."

\_\_\_\_\_  
 SIGNATURE OF PURCHASING DIRECTOR

\_\_\_\_\_  
 PRINTED NAME OF PURCHASING DIRECTOR

Instructions: Complete reports can be sent to: [state\\_report2SPO@state.co.us](mailto:state_report2SPO@state.co.us) Reports must be completed and submitted no later than August 31, 2015 and August 31 each year thereafter.