

# STATE OF COLORADO

## EXECUTIVE CHAMBERS

136 State Capitol  
Denver, Colorado 80203-1792  
Phone (303) 866-2471



Roy Romer  
Governor

December 1, 1993

Michael Kantor  
United States Trade Representative  
Executive Office of the President  
Washington, D.C. 20506

Dear Mr. Kantor:

Thank you for your letter of November 23, 1993, addressing the State of Colorado's concerns about the requested commitment to be voluntarily covered by the GATT Government Procurement Code.

Based on the assurances of your office regarding the compatibility of Colorado's fee-based bid notification and bid distribution system with the requirements of the GATT Government Procurement Code, Colorado's State government is prepared to commit to be covered by the Code should the GATT negotiations prove successful.

We understand that the GATT Government Procurement Code requirements can be met by Colorado State government agencies, without individual advertisement of procurements, or their results, by advising your office annually of *expected* procurements above certain dollar thresholds, and by explaining the fee-based process for obtaining actual solicitation notices, solicitation documents, and solicitation results.

We also understand that limited bid preferences and set-asides targeted at specific classes of vendors, such as now exist in Colorado law, will not be in conflict with the GATT Government Procurement Code now or in the future. Such preferences and set-asides include, but are not limited to; preferences for purchases from the blind or handicapped, requirements to purchase, and preferences for, certain products manufactured by Colorado Correctional Industries, preferences for recycled products, and requirements to utilize certain percentages of Colorado labor on construction projects. The Colorado Procurement Code does not, however, apply to Colorado local governments or political subdivisions and this voluntary commitment cannot extend to them.

As I indicated to Ambassador Mills in 1991, Colorado State government has an open and transparent procurement system which does not discriminate against any nation or state offering open and transparent procedures to Colorado companies.

Michael Kantor  
December 1, 1993  
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This commitment is based on the Revised Text of the Agreement on Government Procurement dated 1988. I look forward to your successful conclusion of these negotiations and the economic growth in foreign markets this agreement can provide for Colorado companies.

Sincerely,

A handwritten signature in black ink, appearing to read "Roy Romer". The signature is stylized with large, sweeping loops and is positioned above the printed name and title.

Roy Romer  
Governor