



BOARD OF GOVERNORS *of the*
COLORADO STATE UNIVERSITY SYSTEM


410 Seventeenth Street, Suite 2440 • Denver, Colorado 80202
Phone (303) 534-6290 • FAX (303) 534-6298 • www.csusystem.edu

January 17, 2008

To Whom It May Concern:

This is to certify that the Board of Governors of the Colorado State University System approved the Action Item attached hereto entitled Approval to Opt-Out of State Purchasing Requirement at a regular meeting on December 5, 2007. The attached Action Item remains in full force and effect and has not been amended or rescinded.

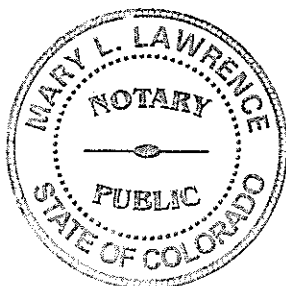
Sincerely,



Ed Haselden, Secretary
Board of Governors of the Colorado State University System

STATE OF Colorado State
COUNTY OF DENVER

The foregoing was acknowledged before me this 17th day of January, 2008, by Ed Haselden as Secretary of the Board of Governors of the Colorado State University System, a body corporate and created by Colorado Statute.

Witness my hand and official seal.




Mary L. Lawrence
Notary Public

Board of Governors of the
Colorado State University System
December 5, 2007
Action Item

Approved

Carry In Item # 2

MATTERS FOR ACTION:

Approval to Opt-Out of State Purchasing Requirements

RECOMMENDED ACTION:

MOVED, that the Board of Governors approves Colorado State University, Colorado State University—Pueblo, and the Colorado State University System Office to opt-out of the State Purchasing Code and Rules, effective December 2007, and directs staff to develop purchasing rules and procedures that address the needs of each entity. Further, that this resolution be sent as notice to appropriate state agencies that the Board has hereby taken such action effective immediately.

EXPLANATION:

Presented by Richard Schweigert, Chief Financial Officer, Colorado State University System.

During the 2004 legislative session, the General Assembly enacted an amendment to Section 24-101-105, adding language permitting the governing board of each institution of higher education to elect to be exempt from the provisions of the Procurement Code and to enter into contracts independent of the Code. To date, The Board of Regents for the University of Colorado, Ft. Lewis College, Mesa State College, and the Department of Higher Education (CCH) have opted out of the Code. Opting out of the State Code will allow more flexibility for CSU's Purchasing Department. This flexibility will enable CSU to enter into buying cooperatives with other institutions; allow for more control over dollar thresholds and methods of procurement; and simplify implementation of the new e-procurement system.

State of Colorado Fiscal Rules and certain state statutes will still govern several aspects of purchasing and contracting. In particular, bidding and procurement for construction and construction related activities will not be included in this opt out, as these activities are governed by both the Procurement Code and the companion code, Construction Contracts With Public Entities Code, which together comprise a cohesive statutory scheme.

Approval to Opt-Out of State Purchasing Requirements