

AMENDMENT TO REPORT OF THE COMMITTEE OF THE WHOLE

HB1076_S.001

DATE 5/4/2026

Senator Simpson moved to amend the Report of the Committee of the Whole to show that the following new Baisley floor amendment, (L.003) to HB26-1076, did pass.

Amend reengrossed bill, page 4, after line 9 insert:

"SECTION 3. In Colorado Revised Statutes, 24-93-110, **add** (1.5) as follows:

24-93-110. Department of transportation - additional requirements for integrated project delivery contracts - short-listing - transparency.

(1.5) IN THE USE OF CEMENTITIOUS PRODUCTS, THE DEPARTMENT OF TRANSPORTATION SHALL CONSIDER THE CAPABILITY OF PARTICIPATING ENTITIES TO PROVIDE:

(a) A MILL CERTIFICATE THAT DISCLOSES THE ORIGINAL MANUFACTURING FACILITY AND THAT DOCUMENTS THE CHEMICAL AND PHYSICAL PROPERTIES OF THE CEMENTITIOUS PRODUCTS;

(b) AN ENVIRONMENTAL PRODUCT DECLARATION (EPD); AND

(c) QUALITY CONTROL TESTS.

SECTION 4. In Colorado Revised Statutes, 24-103-902, **add** (1)(b.5) as follows:

24-103-902. Low tie bids - award procedure and determination - bid preference.

(1) If low tie bids are received in response to an invitation for bids for a supply contract, the following procedures are required:

(b.5) IF THE LOW TIE BIDS ARE FROM RESIDENT BIDDERS USING CEMENTITIOUS PRODUCTS, THE RESIDENT BIDDER USING COLORADO ORIGINAL CEMENTITIOUS PRODUCTS SHALL BE GIVEN PREFERENCE.

SECTION 5. In Colorado Revised Statutes, 24-103-908, **add** (2)(c) as follows:

24-103-908. Bid preferences - resident bidder - public projects - report - federal and state law - definitions.

(2) (c) WHEN A CONSTRUCTION CONTRACT FOR A PUBLIC PROJECT IS TO BE AWARDED TO A BIDDER, A BIDDER USING COLORADO ORIGINAL CEMENTITIOUS PRODUCTS SHALL BE ALLOWED A PREFERENCE AGAINST A BIDDER USING CEMENTITIOUS PRODUCTS MANUFACTURED IN ANOTHER STATE OR A FOREIGN COUNTRY.

SECTION 6. In Colorado Revised Statutes, 24-103-910, **amend** (1), (2)(c), and (3); and **add** (2)(a.5) as follows:

24-103-910. Use of foreign-produced goods - cement, iron, steel, and related manufactured products - disclosure - report - definitions.

(1) The contractor for any public works project that is funded by a state agency as defined in section 24-30-1301 (17) or by a state institution of higher education as defined in section 24-30-1301 (18), that does not receive any federal ~~moneys~~ MONEY, and that costs more than five hundred thousand dollars shall, upon completion of the project, make a good faith effort to disclose to the department of personnel the five most costly goods incorporated

into the project, including CEMENT, iron, steel, or related manufactured goods; except that, for public projects under the supervision of the department of transportation, the contractor shall disclose such information to the department of transportation.

(2) (a.5) IN THE CASE OF A CEMENTITIOUS PRODUCT, THE PRODUCT WILL BE CONSIDERED MANUFACTURED IN THE UNITED STATES IF ALL OF THE MANUFACTURING PROCESSES FOR THE PRODUCT TAKE PLACE IN THE UNITED STATES. THE CEMENTITIOUS PRODUCT WILL BE FURTHER CONSIDERED "COLORADO ORIGINAL" IF ALL OF THE MANUFACTURING PROCESSES FOR THE PRODUCT TAKE PLACE IN THE STATE.

(c) In order for a manufactured good to be considered subject to disclosure under this article 103, the product must be manufactured predominantly of CEMENT, steel, or iron. The manufactured good is deemed a product manufactured predominantly of CEMENT, steel, or iron if the product consists of more than fifty percent CEMENT steel or iron content when it is delivered to the job site for installation.

(3) The disclosure must state the total cost and country of origin of the five most costly goods used on a project, including CEMENT, iron, steel, and related manufactured goods described pursuant to subsections (1) and (2) of this section. The contractor may rely on documents provided by third-party vendors when disclosing the country of origin of CEMENT, iron, steel, or related manufactured goods. In addition, the disclosure must state whether the public works project was subject to any existing domestic content preference, including 41 U.S.C. secs. 8301 to 8305, 23 U.S.C. sec. 313, 49 U.S.C. sec. 5323, 49 U.S.C. sec. 24305, 49 U.S.C. sec. 24405, and 49 U.S.C. secs. 50101 to 50105. The contractor shall disclose the information in a manner to be determined by the department."

Renumber succeeding sections accordingly.

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