

## **Special Provisions Update** <sup>[1]</sup>

October 18, 2022 by [Staff](#) <sup>[2]</sup>

On October 17, 2022 and in alignment with the State of Colorado, the Controllers from all 4 campuses and the System Office approved the removal of Special Provision 10 Public Contracts for Services and Special Provision 11 and Public Contracts with Natural Persons from its contract documents. The removal of these provisions was driven by changes that occurred during the 2022 legislative session with the repeal of C.R.S. 8-17.5-101 (through HB21-1075) and modifications to C.R.S. 8-17.5-101, *et seq.* (through SB21-199).

At a high level, these bills eliminated the term “illegal alien” and replaced it with “worker without authorization” and changed the requirements to receive public benefits, including State contracts.

The Procurement Services Center has updated its contract documents to reflect this change effective October 17, 2022. The updated Special Provisions include 9 clauses:

- Controller Approval
- Fund Availability
- Governmental Immunity
- Independent Contractor
- Compliance with Law
- Choice of Law
- Binding Arbitration Prohibited
- Employee Financial Interest / Conflict of Interest
- Contractor Offset.

No changes will be made to contracts that have already been executed or are in the signature process. If your office is responsible for issuing any contracts that include the Special Provisions, you are requested to update your templates as soon as possible and change the Effective Date at the bottom of the provisions to October 17, 2022.

If you have any questions about this change, please contact the PSC at [psc@cu.edu](mailto:psc@cu.edu) <sup>[3]</sup>.

[Contracts](#) <sup>[4]</sup>

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