2024 George Cronin Awards Case Study

Colorado - Whose Contract is it Anyway?

Administering training programs is a regular function for many procurement offices. Whether it's part of onboarding, professional development and mobility, or just a refresher on policies and skills, procurement training is relevant at all levels. However, when a central procurement office is tasked with overseeing and guiding agencies and higher education purchasing, effective procurement training for buyers becomes even more important. Well-equipped and prepared agency purchasing staff can save the central office time and resources, leading to more efficient use of state dollars, lower risk, and better procurement outcomes.



Contract management is one area where the quality and effectiveness of training can have tangible impacts on states and constituencies. The relationship, roles, and responsibilities of the agency and the procurement office can vary depending on the size or scope of the contract. In these situations, defining and reinforcing roles and expectations for both entities is critical to successful contract management. Faced with the challenge of ensuring effective contract management across a decentralized group of agencies and entities, <u>Colorado's Department of Personnel & Administration (DPA)</u> developed a new, customizable approach to training for contract managers.

THE CHALLENGE

Colorado's decentralized procurement structure empowers most agencies and higher education entities to seek out, develop, and administer their own contracts within their level of delegated purchasing authority. Colorado also has a longstanding statutory requirement that contracts for services over \$100,000 must have a contract manager with subject matter expertise who is responsible for routine management and performance monitoring.² However, no details about adequate training or specific qualifications are provided. This ambiguity and the lack of a standardized training policy meant that agencies were intermittently implementing this requirement. State agencies were assigning roles inconsistently, and few had formal contract management policies in place. This led to a misunderstanding of the obligations between program staff using the contracts and procurement staff. The division of responsibility was not always clear, and program staff have many other duties besides contract management, further complicating performance.

Often, when contract issues arose, a common first response was to change the contract language, overlooking contract management as the underlying problem. The desired terms or clauses may already be in the contract, but the contract manager wasn't aware of their inclusion or was not prepared to exercise them. Such contract management issues could lead to negative experiences that discourage businesses from participating in future contract opportunities with some state entities.

PracticesReport.pdf.

¹According to the 2022 Survey of State Procurement Practices, all 43 responding states provide procurement training for state agencies, including 67% of which operate a procurement certification program.

"2022 Survey of State Practices Report," NASPO, accessed February 13, 2025, https://cdn.naspo.org/RI/2022SurveyofStateProcurement-

²Colo. Rev. Stat. Ann. § 24-106-107(3)(2017).

The catalyst for the new contract management training program came in 2020, when Colorado Governor Polis challenged the DPA to strengthen contract management performance statewide. DPA established a "Wildly Important Goal" of ensuring that 75% of the state's high-risk contracts were managed by certified contract managers by the end of the fiscal year.³

DEVELOPMENT PROCESS

Faced with these challenges and the goal to certify high-risk contract managers, Colorado's State Purchasing and Contracts Office (SPCO) decided to emphasize flexibility and reach. To create a broadly applicable yet effective training course, training staff developed a highly adaptable modular approach that focused on a core of critical information but would allow for customization to meet individual agency needs. It also needed to be consistent with requirements under the Colorado Procurement Code and Rules.⁴

Colorado's Contract Management Training Core Curriculum:

- Introduction and Legal Framework
- · Ethics and Conflicts of Interest
- Contract Manager Responsibilities
- Contract Changes and Performance Issues
- Reasons Contracts Fail
- Contract Manager Toolkit
- · Comprehensive Quiz

The core of the curriculum demonstrates the importance of contract management, explains requirements and best practices, and clarifies the contract manager's role and responsibilities throughout the contract lifecycle—from the project planning phase through contract closeout. In addition, it provides a quick reference best practices guide and a sample contract manager agreement that agencies can use to document the role's expectations.⁵

With the essential content in place, Colorado's CPO and procurement instructional designer worked with each agency's procurement officials to tailor the appropriate training strategy for the agency's specific needs. Then, they connected with the agencies' training and HR teams to ensure they had the necessary resources to implement their specific training effectively. This collaboration also included discussions about implementation strategies for training rollout and communications, identifying personnel to be trained, and facilitating the sharing of resources among agencies.

In 2022, SPCO worked closely with the state's agencies to formalize training and reporting requirements in statewide policy, further clarifying the roles of procurement and program staff in facilitating and delivering the agency training. Procurement officials and training developers consulted with a wide range of stakeholders in procurement, accounting, and executive leadership to find the right fit. The inclusionary approach ensured buy-in and support, and it fostered a genuinely collaborative partnership.



³"Long-Range Financial Plan," Colorado Office of the State Controller Department of Personnel & Administration, effective Nov. 2, 2020, https://dpa.colorado.gov/sites/dpa/files/documents/FY%202020-21%20DPA%20Long-Range%20Financial%20Plan_accessible.pdf.

[&]quot;Procurement Resources," Colorado Office of the State Controller Department of Personnel & Administration, accessed February 13, 2025, https://osc.colorado.gov/spco/procurement-resources.

⁵"Resources for Contract Management Training, Documents" Colorado Office of the State Controller Department of Personnel & Administration, accessed February 13, 2025, https://osc.colorado.gov/spco/procurement-training.

IMPLEMENTATION AND GROWTH

SPCO's approach was to focus on critical and essential information, delivering it in a clear and succinct manner. However, the training curriculum does not require any specific format, allowing it to be adapted for virtual or in-person settings. Building around a core set of tenets allows each entity to make agency-specific adjustments to the content and deliver it in the way that best meets their staff's needs. Most agencies (17 of 24) use SPCO's course, which allows them to save time and money. Repeating the training annually reinforces preferred practices and provides an opportunity to expand the training to all staff who may benefit from it.

During implementation, SPCO included the new training as part of broad outreach efforts to promote contract management at events throughout the year. A presentation at the 2021 statewide procurement staff summit showcased contract management best practices and lessons learned from the agencies and educational institutions. These efforts helped spread the word about the availability of training and assistance and the DPA's goal.

In 2023, due to the project's success, the Executive Director of DPA and the Chief Procurement Officer decided to expand the training program from managers of high-risk contracts to all managers of personal services contracts or purchase orders over \$100,000. This nearly fivefold expansion became mandatory, as training delivery and annual reporting became a compliance requirement for agencies and universities to retain their delegated purchasing authority.

Since 2023, four agencies have built upon the content from SPCO's course to develop their own in-depth training materials, including broader training on the procurement process and its other phases. Using core principles and key partnerships, and reinforced by policy, DPA and SPCO worked to establish a sustainable culture of training.

"The experience we gained in rolling out this training program has also been helpful as we work to modernize some of our legacy training offerings. So far, we have updated one (additional) training and provided it to our agency partners statewide in an on-demand format. This gives agencies increased flexibility and transparency around the training their staff members complete. It also frees up time for staff in our central office who previously had to provide this training every few months in addition to their primary job responsibilities.

We are working on updating other trainings in the same way currently."

-Thomas Wilson, Procurement Instructional Designer

OUTPUTS, OUTCOMES, AND TRANSFERABILITY

In 2021, DPA exceeded its 75% target, with 95% of high-risk contract managers (351 state officials) completing the training and receiving strong positive feedback. For 2023, the initial year of expanded training, 93% of contract managers completed it, covering over 1,800 agency staff, plus nearly 800 additional officials. Such expansion demonstrates the training's perceived benefits for any program staff who are involved in contract administration. This includes contract managers who are not currently covered by the state's certification program (such as managers of low-dollar contracts), grant managers, and executive leadership.

Training Completed:

- 95% of high-risk contact managers
- 93% of all contract managers
- 1,800 agency staff

Colorado's expanded, customizable approach increased training, communications, and support for agencies and universities to ensure they are proactively managing their contracts. Better-managed contracts have mutually beneficial impacts and foster better relationships between the state and its suppliers. By providing effective guidance and clear expectations, contract managers reduce the risks of supplier nonperformance, service interruptions, and other costly delays. This has also diminished the frequency of contract remedies, such as notices to cure and terminations, minimizing the potential for litigation.

As a first step towards improving your contract management training, answer these questions:

- What gaps exist in your current training programs?
- How clear is the division of responsibilities between procurement staff, agency staff, and other stakeholders?
- Who else might benefit from contract management training?
- What additional topics would you like your agency officials to know about?

Colorado's approach shows that focusing on essential duties and best practices through straightforward training can produce meaningful impacts. SPCO's contract management training strategy prioritizes adaptability, underscores vital practices, and strengthens important roles. This approach can be widely applied in any public procurement office, even those without the capacity to invest in comprehensive certification programs.

For more about state procurement training:

- Read Colorado's 2024 Cronin Awards submission and all other submissions in the <u>2024 Cronin Awards</u> Submission Booklet.
- For a look at another successful example of state procurement training, check out this webinar on <u>Georgia's Procurement Officer Bootcamp</u>, a 2022 finalist for NASPO's Cronin Awards.
- For more examples of state training programs, see this piece from the <u>NASPO Pulse Blog</u>.

For more on **contract management**:

- Check out NASPO's Contract Administration: Best Practices Guide.
- Try Procurement U's training course on <u>Contract Administration</u>.
- Review Chapter 10: Contract Management and Administration in NASPO's <u>State & Local Government</u> Procurement: A Practical Guide.

