

# STATE OF COLORADO

DEPARTMENT OF REGULATORY AGENCIES  
Office of the Executive Director

D. Rico Munn  
Executive Director

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Bill Ritter, Jr.  
Governor

January 8, 2008

Marjorie Derozier, RN, CACIII, CARN  
Executive Director  
Colorado Nurse Health Program (CNHP)  
44 Union Blvd., Ste. 505  
Lakewood, CO 80228

RE: Notice of Intent to Award Contract, dated October 22, 2007 ("Notice of Intent to Award"), pursuant to RFP SJN-0801 – Nursing Peer Health Assistance or Nurse Alternative to Discipline Program ("RFP")

Dear Ms. Derozier:

Please be advised that the above referenced RFP and the subsequent intent to Award Letter which was sent to you has been cancelled. A post review of the RFP by the Department of Regulatory Agencies ("DORA") revealed that the RFP failed to include new applicants for registered nursing and practical nursing licenses. In addition, the final decision of the evaluation committee was based on incomplete information. After consultation with the State Attorney General's office, DORA has decided to modify the RFP and re-post as soon as possible.

The Notice of Intent to Award advised you that the issuance of such Notice by DORA did not create a property right or entitlement. The October 22, 2007 Notice stated: **"You have not yet been awarded a contract. No property interest of any nature should be construed from this notice. No interest will accrue until the contract is signed by all parties and is fully executed."**

We appreciate the time and effort that CNHP has put toward responding to the above RFP and apologize for any inconvenience caused by its cancellation. We encourage you to resubmit a proposal in response to the modified RFP when it is re-posted. I will let you know when the revised RFP is posted on BIDS.

Regards,

Tammy Baca  
Procurement Officer

cc:

Greg Ferland, Deputy Director, DORA  
Rosemary McCool, Director, Division of Registrations  
Susan Miller, Director, Healthcare Section, Division of Registrations  
Mariam Habtemariam, DORA Controller  
Linda Shubow, Assistant Attorney General



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Bill Ritter, Jr.  
Governor

January 8, 2008

Mr. Frederick Yu, Esq.  
Sherman & Howard  
633 Seventh Street, Suite 3000  
Denver, Colorado 80202

Re: Request for Proposal # RFP SJN-0801 – Nursing Peer Health Assistance or Nurse Alternative to Discipline Program ("RFP")

Dear Mr. Yu:

This letter is in follow up to your letter of November 20, 2007 and our meeting on December 20, 2007. After careful consideration of this matter, the Department of Regulatory Agencies ("DORA") has decided to cancel the above RFP and withdraw the "Intent to Award" issued to Colorado Nurse Health Program. This decision was based upon the failure of the RFP to include new applicants for registered nursing and practical licensed nursing licenses as a part of the RFP and the determination that the final decision of the evaluation committee was based on incomplete information.

DORA has decided to modify the RFP to include new applicants and re-post it as soon as possible. As discussed at the December 20<sup>th</sup> meeting, since this procurement is exempt from the State Procurement Code, the State Purchasing Office will not handle the solicitation. The DORA Procurement Office will publish and administer the new RFP.

DORA will continue to monitor its processes and procedures to ensure that the RFP process is fair to all vendors who submit proposals. Please note that the underlying protocol of the DORA RFP process is based upon that used by the State Purchasing Office.

We encourage PAS to resubmit a proposal in response to the modified RFP when it is re-posted. I will let PAS know when the revised RFP is posted on BIDS.

Regards.

Tammy Baca  
Procurement Officer

cc:

Greg Ferland, Deputy Director, DORA  
Rosemary McCool, Director, Division of Registrations  
Susan Miller, Director, Healthcare Section, Division of Registrations  
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