



General Assembly

## ***Amendment***

***February Session, 2014***

**LCO No. 4457**

**\*SB0024804457SD0\***

Offered by:

SEN. MUSTO, 22<sup>nd</sup> Dist.

REP. JUTILA, 37<sup>th</sup> Dist.

To: Subst. Senate Bill No. **248**

File No. 517

Cal. No. 348

***"AN ACT CONCERNING PUBLIC WORKS PROJECTS AND THE THRESHOLD FOR COMPETITIVE BIDDING, SUBCONTRACTOR PREQUALIFICATION, CONSTRUCTION MANAGER AT-RISK PROJECT DELIVERY CONTRACTS, THE HIRING OF CONSULTANTS AND THE PURCHASING OF CERTAIN PROPERTY AND SERVICES."***

1 Strike lines 51 and 52 and insert the following in lieu thereof:  
2 "Services that is estimated to cost one million five hundred thousand  
3 dollars or less, (ii) a"

4 In line 69, before "notice" insert "posting" and bracket "posted"

5 In line 73, strike "more"

6 Strike lines 74 and 75 and insert the following in lieu thereof: "one  
7 million five hundred thousand dollars or less. The [Commissioner of  
8 Administrative"

9 Strike lines 84 to 98, inclusive, and substitute the following in lieu

10   thereof:

11       "(5) (A) The Commissioner of Administrative Services may select  
12 contractors to be on lists established for the purpose of providing  
13 contractor services for the construction, reconstruction, alteration,  
14 remodeling, repair or demolition of any public building or other public  
15 works project administered by the Department of Administrative  
16 Services involving an expense to the state of one million five hundred  
17 thousand dollars or less. The commissioner shall use the  
18 prequalification classifications established pursuant to section 4a-100  
19 to determine the specific categories of services that contractors may  
20 perform after being selected in accordance with this subparagraph and  
21 subparagraph (B) of this subdivision and awarded a contract in  
22 accordance with subparagraph (C) of this subdivision. The  
23 commissioner may establish a separate list for projects involving an  
24 expense to the state of less than five hundred thousand dollars for the  
25 purpose of selecting and utilizing the services of small contractors and  
26 minority business enterprises, as such terms are defined in section 4a-  
27 60g.

28       (B) The commissioner shall invite contractors to submit  
29 qualifications for each specific category of services sought by the  
30 department by posting notice of such invitation on the State  
31 Contracting Portal. The notice shall be in the form determined by the  
32 commissioner, and shall set forth the information that a contractor is  
33 required to submit to be considered for selection. Upon receipt of the  
34 submittal from the contractor, the commissioner shall select, for each  
35 specified category, those contractors who (i) are determined to be the  
36 most responsible and qualified, as such terms are defined in section 4b-  
37 92, to perform the work required under the specified category, (ii) have  
38 demonstrated the skill, ability and integrity to fulfill contract  
39 obligations considering their past performance, financial responsibility  
40 and experience with projects of the size, scope and complexity  
41 required by the state under the specified category, and (iii) for projects  
42 with a cost exceeding five hundred thousand dollars, have the ability

43 to obtain the requisite bonding. The commissioner shall establish the  
44 duration that each list remains in effect, which in no event may exceed  
45 three years.

46 (C) For any public building or public works project involving an  
47 expense to the state of one million five hundred thousand dollars or  
48 less, the commissioner shall invite bids from only those contractors  
49 selected pursuant to subparagraphs (A) and (B) of this subdivision for  
50 the specific category of services required for the particular project. The  
51 commissioner shall determine the form of bid invitation, the manner  
52 of, and time for, submission of bids, and the conditions and  
53 requirements of such bids. The contract shall be awarded to the lowest  
54 responsible and qualified bidder, subject to the provisions of sections  
55 4b-92 and 4b-94. In the event that fewer than three bids are received in  
56 response to an invitation to bid under this subdivision, or that all the  
57 bids are in excess of the amount of available funds for the project, the  
58 commissioner may negotiate a contract with any of the contractors  
59 submitting a bid, or reject the bids received and rebid the project in  
60 accordance with section 4b-91, as amended by this act."

61 In line 113, strike "another qualified"

62 In line 114, strike "preselected contractor" and insert in lieu thereof:  
63 "the bidder determined in accordance with said subdivision if fewer  
64 than three bids are received"

65 Strike lines 361 and 362 and insert the following lieu thereof:  
66 "defined in section 4b-55, [and] 'consultant services' means 'consultant  
67 services' as defined in section 4b-55, and 'program' means multiple  
68 projects involving the planning, design, construction, repair,  
69 improvement or expansion of specified buildings, facilities or site  
70 improvements, wherein the work (A) will be of a repetitive nature, (B)  
71 will share a common funding source that imposes particular  
72 requirements, or (C) would be significantly facilitated if completed by  
73 the same design professional or construction administrator."