



General Assembly

January Session, 2005

Committee Bill No. 653

LCO No. 3630

03630SB00653GL_

Referred to Committee on General Law

Introduced by:

(GL)

AN ACT INCREASING THE CONTRACT AMOUNT FOR WHICH A MUNICIPALITY MUST RECEIVE A BOND ON A CONSTRUCTION OR PUBLIC WORKS PROJECT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 49-41 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 (a) Each contract exceeding [fifty] one hundred thousand dollars in
4 amount for the construction, alteration or repair of any public building
5 or public work of the state or of any subdivision thereof shall include a
6 provision that the person to perform the contract shall furnish to the
7 state or the subdivision on or before the award date, a bond in the
8 amount of the contract which shall be binding upon the award of the
9 contract to that person, with a surety or sureties satisfactory to the
10 officer awarding the contract, for the protection of persons supplying
11 labor or materials in the prosecution of the work provided for in the
12 contract for the use of each such person, provided no such bond shall
13 be required to be furnished (1) in relation to any general bid in which
14 the total estimated cost of labor and materials under the contract with
15 respect to which such general bid is submitted is less than fifty

16 thousand dollars, (2) in relation to any sub-bid in which the total
17 estimated cost of labor and materials under the contract with respect to
18 which such sub-bid is submitted is less than fifty thousand dollars, or
19 (3) in relation to any general bid or sub-bid submitted by a consultant,
20 as defined in section 4b-55. Any such bond furnished shall have as
21 principal the name of the person awarded the contract.

22 (b) Nothing in this section or sections 49-41a to 49-43, inclusive,
23 shall be construed to limit the authority of any contracting officer to
24 require a performance bond or other security in addition to the bond
25 referred to in subsection (a) of this section, except that no such officer
26 shall require a performance bond in relation to any general bid in
27 which the total estimated cost of labor and materials under the contract
28 with respect to which such general bid is submitted is less than
29 twenty-five thousand dollars or in relation to any sub-bid in which the
30 total estimated cost of labor and materials under the contract with
31 respect to which such sub-bid is submitted is less than fifty thousand
32 dollars.

33 (c) No contract for the construction, alteration or repair of any
34 public building or public work of the state or of any subdivision
35 thereof that requires a person to supply the state or subdivision with a
36 bond may include a provision that requires the person to obtain the
37 bond from a specific surety, agent, broker or producer. No contracting
38 officer may require that a bond be obtained from a specific surety,
39 agent, broker or producer.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	49-41

Statement of Purpose:

To enable more small and minority contractors to bid on projects within their capabilities that are currently beyond their bonding capacity.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. LOONEY, 11th Dist.

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