



General Assembly

February Session, 2006

Raised Bill No. 224

LCO No. 1490

01490_____PD_

Referred to Committee on Planning and Development

Introduced by:
(PD)

AN ACT CONCERNING MUNICIPAL CONTRACT COMPLIANCE.

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

1 Section 1. Section 7-148u of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) As used in this section:

4 (1) "Small contractor" means any contractor, subcontractor,
5 manufacturer or service company (A) which has been doing business
6 and has maintained its principal place of business in the state for a
7 period of at least one year prior to the date of application for
8 certification under this section, (B) which had gross revenues not
9 exceeding three million dollars in the most recently completed fiscal
10 year prior to such application and (C) at least fifty-one per cent of the
11 ownership of which is held by a person or persons who are active in
12 the daily affairs of the business and have the power to direct the
13 management and policies of the business.

14 (2) "Minority business enterprise" means any small contractor (A)
15 fifty-one per cent or more of the capital stock, if any, or assets of which

16 are owned by a person or persons (i) who are active in the daily affairs
17 of the enterprise, (ii) who have the power to direct the management
18 and policies of the enterprise, and (iii) who are members of a minority,
19 as such term is defined in subsection (a) of section 32-9n or (B) who is
20 an individual with a disability.

21 (3) "Individual with a disability" means an individual (A) having a
22 physical impairment that substantially limits one or more of the major
23 life activities of the individual or (B) having a record of such an
24 impairment.

25 (b) Notwithstanding any provision of the general statutes or of any
26 special act or any municipal charter or home rule ordinance, a
27 municipality may, by ordinance, set aside in each fiscal year, for award
28 to small contractors, on the basis of a competitive bidding procedure,
29 municipal contracts or portions of municipal contracts for the
30 construction, reconstruction or rehabilitation of public buildings, the
31 construction and maintenance of highways and the purchase of goods
32 and services. The total value of such contracts or portions thereof to be
33 set aside shall be not more than twenty-five per cent of the average of
34 the total value of all such contracts let by the municipality for each of
35 the previous three fiscal years, provided a contract that may not be set
36 aside due to a conflict with a federal law or regulation shall not be
37 included in the calculation of such average. Contracts or portions
38 thereof having a value of not less than twenty-five per cent of the total
39 value of all contracts or portions thereof to be set aside shall be
40 reserved for awards to minority business enterprises.

41 (c) Notwithstanding any provision of the general statutes or of any
42 special act or any municipal charter or home rule ordinance, each
43 municipality shall set-aside in each fiscal year, for award to small
44 contractors, on the basis of a competitive bidding procedures,
45 municipal contracts or portions of municipal contracts for public
46 works projects for the construction, reconstruction or rehabilitation of
47 public buildings and the construction and maintenance of highways if

48 the cost of such projects is paid for with any state funds. The total
49 value of such contracts or portions thereof to be set aside shall be not
50 more than twenty-five per cent of the average of the total value of all
51 such contracts let by the municipality for each of the previous three
52 fiscal years, provided a contract that may not be set aside due to a
53 conflict with a federal law or regulation shall not be included in the
54 calculation of such average. Contracts or portions thereof having a
55 value of not less than twenty-five per cent of the total value of all
56 contracts or portions thereof to be set aside shall be reserved for
57 awards to minority business enterprises.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2006	7-148u

Statement of Purpose:

To require municipalities that enter into public works contracts funded in whole or in part by the state ensure that funds are allocated to minority business enterprises and small contractors consistent with state public policy.

[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.]