



# Senate

General Assembly

**File No. 270**

January Session, 2007

Senate Bill No. 1120

*Senate, April 3, 2007*

The Committee on Government Administration and Elections reported through SEN. SLOSSBERG of the 14th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

## **AN ACT CONCERNING STATE CONSTRUCTION SERVICES SELECTION PANELS.**

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

1 Section 1. Section 4b-56 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) There shall be established, within the Department of Public  
4 Works, [a] State Construction Services Selection [Panel] Panels which  
5 shall consist of five members. Four of such members shall be  
6 appointed by the commissioner, shall serve only for deliberations  
7 involving the project for which such members are appointed, and shall  
8 be current or retired employees of the Department of Public Works,  
9 [and shall serve for terms of one year from July first.] The remaining  
10 member shall be appointed by the head or acting head of the user  
11 agency and shall serve only for deliberations involving the project for  
12 which [he was] such member is appointed. [If any vacancy occurs on  
13 the panel, the commissioner shall appoint a person for the unexpired

14 term in accordance with the provisions of this subsection.]

15 (b) The selection [panel] panels shall not be deemed to be a board or  
16 commission within the meaning of section 4-9a.

17 (c) There shall be established, within the Department of Public  
18 Works, [a] Connecticut Health and Education Facilities Authority  
19 Construction Services [Panel] Panels which shall consist of five  
20 members. [; Three of whom] Three of such members shall be  
21 appointed by the Commissioner of Public Works, shall serve only for  
22 deliberations involving the project for which such members are  
23 appointed and shall be current employees of the Department of Public  
24 Works. [; and the] The remaining members shall be appointed by the  
25 head or acting head of the user agency and shall serve only for  
26 deliberations involving the project for which such [member was]  
27 members are appointed. [The members of the selection panel  
28 appointed by the Commissioner of Public Works shall serve for terms  
29 of one year from July first. If any vacancy occurs on the panel, the  
30 Commissioner of Public Works or the head or acting head of the user  
31 agency, as appropriate, shall appoint a person for the unexpired term  
32 in accordance with the provisions of this subsection.]

33 (d) The [panel] panels established pursuant to subsection (c) of this  
34 section shall not be deemed to be a board or commission within the  
35 meaning of section 4-9a. Such [panel] panels shall be the selection  
36 [panel] panels only for Connecticut Health and Education Facilities  
37 Authority projects pursuant to section 10a-89b.

38 Sec. 2. Subsections (a) and (b) of section 4b-100a of the general  
39 statutes are repealed and the following is substituted in lieu thereof  
40 (*Effective from passage*):

41 (a) The Department of Public Works shall establish construction  
42 services award panels which shall each consist of six members. [; Three  
43 of whom] Three of such members shall be appointed by the  
44 Commissioner of Public Works, [and] shall be current employees of the  
45 Department of Public Works [; two of whom] and shall serve only for

46 deliberations involving the project for which such members are  
 47 appointed. Two members shall be appointed by the department head  
 48 of the user agency [;] and one [of whom who] member shall be a  
 49 neutral party appointed by the commissioner. [The members of each  
 50 award panel appointed by the Commissioner of Public Works shall  
 51 serve for terms of one year from July first. If any vacancy occurs on the  
 52 panel, the Commissioner of Public Works or the head or acting head of  
 53 the user agency, as appropriate, shall appoint a person for the  
 54 unexpired term in accordance with the provisions of this subsection.]

55 (b) A panel established pursuant to this section shall not be deemed  
 56 to be a board or commission within the meaning of section 4-9a. Such  
 57 panels shall be the award panels for any contract for the construction,  
 58 reconstruction, alteration, remodeling, repair or demolition of any  
 59 public building for the state pursuant to [sections 4b-91 to 4b-100,  
 60 inclusive,] subsection (g) of section 4b-91 and section 4b-24.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	4b-56
Sec. 2	<i>from passage</i>	4b-100a(a) and (b)

**GAE**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

The bill codifies current practice and has no fiscal impact on the Department of Public Works.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

**OLR Bill Analysis****SB 1120*****AN ACT CONCERNING STATE CONSTRUCTION SERVICES  
SELECTION PANELS.*****SUMMARY:**

By law, panels within the Department of Public Works (DPW) review and recommend to the commissioner the most qualified consultants and contractors to work on certain state construction and Connecticut Health and Education Facilities Authority (CHEFA) projects. The head of the agency requesting the project and the DPW commissioner appoint the panel members. Agency head appointees rotate by project and the commissioner's appointees serve one-year terms.

This bill seeks to codify current practice concerning the projects that require a contractor selection panel. Current law requires a panel on all state building construction contracts, including those awarded by competitive bid. The bill would limit the panel to the statutorily specified projects that are exempt from competitive bidding. These projects are the (1) community court, (2) downtown Hartford higher education center, (3) a correctional facility or juvenile detention center needed to address overcrowding, and (4) a student residential facility for the Connecticut State University system.

The bill limits, to a single project, the terms of panel members the DPW commissioner appoints and removes his authority to fill vacancies since members serve for only one project. Since agency head appointees rotate by project, the bill effectively requires all members to so rotate.

By law, the commissioner appoints four of the five members on the panel that recommends consultants for state construction projects,

three of the five members on the CHEFA panel, and three of the six members on the contractor awards panel.

EFFECTIVE DATE: Upon passage.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Report

Yea 12 Nay 0 (03/19/2007)