



General Assembly

January Session, 2007

Bill No. 1121

LCO No. 4051

04051_____

Referred to Committee on Government Administration and Elections

Introduced by:

SEN. DELUCA, 32nd Dist.

REP. CAFERO, 142nd Dist.

AN ACT CONCERNING CONSULTANT SERVICES.

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

1 Section 1. Subsection (d) of section 4b-51 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2007*):

4 (d) [(1)] Notwithstanding any provision of the general statutes, [to
5 the contrary,] the Commissioner of Public Works [shall select, subject
6 to the provisions of this subsection, consultants for projects authorized
7 under subsection (b) of this section from a list approved by said
8 commissioner. Fees for such consultant services shall not exceed fifty
9 thousand dollars, except that, in the case of a project of a constituent
10 unit of the state system of higher education, fees for such services shall
11 not exceed three hundred thousand dollars] may select consultants to
12 be on a list established for the purpose of providing any consultant
13 services. Such list shall be established as provided in sections 4b-56
14 and 4b-57, as amended by this act. The commissioner may enter into a

15 contract with any consultant on such list to perform a range of
16 consultant services or to perform a range of tasks pursuant to a task
17 letter detailing services to be performed under such contract. As used
18 in this subsection, "consultant" means "consultant" as defined in
19 section 4b-55, as amended by this act, and "consultant services" means
20 "consultant services" as defined in section 4b-55, as amended by this
21 act.

22 [(2) Individuals may apply to the commissioner to be included in
23 the list of consultants. Such application shall be on such form as the
24 commissioner prescribes. At least twice a year, the commissioner shall
25 invite requests for inclusion in the list by advertising in (A) one or
26 more newspapers having a circulation in each county in this state, and
27 (B) publications that are marketed to small businesses in this state.]

28 Sec. 2. Subsection (g) of section 4b-55 of the general statutes is
29 repealed and the following is substituted in lieu thereof (*Effective from*
30 *passage*):

31 (g) "Project" means any state program requiring consultant services
32 if [(1)] the cost of such services is estimated to exceed [fifty thousand
33 dollars or, in the case of a constituent unit of the state system of higher
34 education, the cost of such services is estimated to exceed] three
35 hundred thousand dollars. [, and (2) the construction costs in
36 connection with such program are estimated to exceed five hundred
37 thousand dollars; or, in the case of a constituent unit of the state
38 system of higher education, other than The University of Connecticut,
39 the construction costs in connection with such program are estimated
40 to exceed two million dollars.]

41 Sec. 3. Section 4b-56 of the general statutes is amended by adding
42 subsections (e) and (f) as follows (*Effective from passage*):

43 (NEW) (e) There shall be established, within the Department of
44 Public Works, a State Construction Services Selection Panel that shall
45 consist of five members. Such members shall be appointed by the

46 commissioner, shall be current employees of the Department of Public
47 Works or any agency for which consultant services may be contracted,
48 and shall serve only for deliberations involving the selection of
49 consultants under subsection (d) of section 4b-51, as amended by this
50 act, for which the employees are appointed.

51 (NEW) (f) The panel established pursuant to subsection (e) of this
52 section shall not be deemed to be a board or commission within the
53 meaning of section 4-9a.

54 Sec. 4. Section 4b-57 of the general statutes is repealed and the
55 following is substituted in lieu thereof (*Effective from passage*):

56 (a) Whenever consultant services are required by the commissioner
57 in fulfilling [his] the responsibilities under section 4b-1, and in the case
58 of each project, the commissioner shall invite responses from such
59 firms by advertisements inserted at least once in one or more
60 newspapers having a circulation in each county in the state except that
61 the commissioner may receive consultant services under a contract
62 entered into pursuant to subsection (d) of section 4b-51, as amended by
63 this act. The commissioner shall prescribe, by regulations adopted in
64 accordance with chapter 54, the advance notice required for, the
65 manner of submission, and conditions and requirements of, such
66 responses.

67 (b) In the case of a project, the responses received shall be
68 considered by the selection panel. The panel shall select from among
69 those responding no fewer than three firms, which such panel
70 determines in accordance with criteria established by the
71 commissioner are most qualified to perform the required consultant
72 services. In the case of any project that requires consultant services by
73 an architect or professional engineer, additional criteria to be
74 considered by such panel in selecting a list of the most qualified firms
75 shall include: (1) Such firm's knowledge of this state's building and fire
76 codes, and (2) the geographic location of such firm in relation to the
77 geographic location of the proposed project. The selection panel shall

78 submit a list of the most qualified firms to the commissioner for the
79 commissioner's consideration unless fewer than three responses for a
80 particular project have been received, in which case the panel shall
81 submit the names of all firms who have submitted responses.

82 (c) In the case of consultants selected under subsection (d) of section
83 4b-51, as amended by this act, the responses received shall be
84 considered by the selection panel. The panel shall select, from among
85 those persons responding, a list of those persons most qualified to
86 perform the consultant services. Knowledge of the state building and
87 fire code shall be considered in determining a consultant's
88 qualifications.

89 Sec. 5. Subsection (i) of section 4b-23 of the general statutes is
90 repealed and the following is substituted in lieu thereof (*Effective from*
91 *passage*):

92 (i) As used in this subsection, (1) "project" means any state program,
93 except the downtown Hartford higher education center project, as
94 defined in subsection (l) of section 4b-55, requiring consultant services
95 if [(A)] the cost of such services is estimated to exceed [fifty] one
96 hundred thousand dollars or, in the case of a constituent unit of the
97 state system of higher education, the cost of such services is estimated
98 to exceed three hundred thousand dollars; [, or (B) (i) the construction
99 costs in connection with such program are estimated to exceed five
100 hundred thousand dollars or, in the case of a constituent unit of the
101 state system of higher education, other than The University of
102 Connecticut, the construction costs in connection with such program
103 are estimated to exceed two million dollars, and (ii) the cost of a
104 consultant services contract for such program exceeds twenty
105 thousand dollars or the cost of an amendment to a consultant services
106 contract makes the total cost of the amendment, all previous
107 amendments to such contract and the contract exceed twenty thousand
108 dollars for the first time;] (2) "consultant" means "consultant" as
109 defined in section 4b-55, as amended by this act; and (3) "consultant

110 services" means "consultant services" as defined in section 4b-55, as
 111 amended by this act. Any [consultant selected by the commissioner,
 112 and any] contracts entered into by the commissioner with any
 113 consultants for employment [, on] (A) for any project under the
 114 provisions of this section, (B) in connection with a list established
 115 under subsection (d) of section 4b-51, as amended by this act, or (C) by
 116 task letter issued by the commissioner to any consultant on such list
 117 pursuant to which the consultant will provide services valued in
 118 excess of one hundred thousand dollars, shall be subject to the
 119 approval of the Properties Review Board prior to the employment of
 120 said consultant or consultants by the commissioner. The Properties
 121 Review Board shall, within thirty days, approve or disapprove the
 122 selection of or contract with any consultant made by the Commissioner
 123 of Public Works pursuant to sections 4b-1 and 4b-55 to 4b-59, inclusive,
 124 as amended by this act. If upon the expiration of the thirty-day period
 125 a decision has not been made, the Properties Review Board shall be
 126 deemed to have approved such selection or contract.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	4b-51(d)
Sec. 2	<i>from passage</i>	4b-55(g)
Sec. 3	<i>from passage</i>	4b-56
Sec. 4	<i>from passage</i>	4b-57
Sec. 5	<i>from passage</i>	4b-23(i)

Statement of Purpose:

To implement the Governor's budget recommendations.

[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.]