

Connecticut Construction Industries Association, Inc.

912 SILAS DEANE HIGHWAY, WETHERSFIELD, CT 06109 Phone (860) 529-6855 / FAX (860) 563-0616
 Web: <http://www.ctconstruction.org>

Senate Bill 41, An Act Concerning Clean Contracting Standards
 Government Administration & Elections Committee
 February 21, 2007

CCIA Position: Support with Amendment

The Connecticut Construction Industries Association provides representation for nearly 400 members drawn from all sectors of the commercial construction industry. CCIA's membership includes firms and organizations that construct, supply, plan and design projects throughout Connecticut.

CCIA has supported this key component to contracting reform legislation since it was originally proposed in the 2005 legislative session.

Creating a Contracting Standards Board and a Uniform Procurement Code are two important elements of contracting reform that the construction industry has supported during its active participation on the Governor's Task Force to Reform State Contracting in 2004, and throughout each legislative session thereafter.

However, the proposed bill this year is missing an important provision that has been included in every previous version. It is missing a clarification of the original intent of C.G.S. §1-101nn of the ethics statutes that is necessary to prevent the unintentional misapplication of the statute, and the severe consequences that would result from the misuse.

As drafted, C.G.S. §1-101nn could be read to allow an agency to find a person nonresponsible to perform state work without a hearing, which was not the intent when originally drafted. The original intent was to provide that a person could be found nonresponsible by a state agency after the person has been found in violation of any provision of the section by the Office of State Ethics, in accordance with the governing statutes that provide for hearings.

The important clarification that should be included in this bill, as it has in the 2005 and 2006 legislative sessions is as follows:

Subsection (c) of section 1-101nn of the Connecticut General Statutes is repealed and the following is substituted in lieu thereof (*Effective Upon Passage*):

(c) Any person who [violates] has been found in violation of any provision of this section by the Office of State Ethics, in accordance with the provisions of section 1-82, of the general statutes, as amended, may be deemed a nonresponsible bidder by a state agency, board, commission or institution or quasi-public agency.

CCIA appreciates this opportunity to testify on this important matter. If you have any questions, please contact Matthew Hallisey or Don Shubert at (860) 529-6855.

