Connecticut Subcontractors Association

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Statement in Opposition to Raised Bill 5923 – An Act Concerning Fraud Against the State

Judiciary Committee
March 19, 2008

Good afternoon members of the Judiciary Committee. I am William Flynn, Vice President of Electrical Contractors, Inc., an electrical contracting company located in Hartford, Connecticut and we perform electrical work in most of the New England states. I am here today, both as a subcontractor that performs work on state and local public construction projects, and as President of the Connecticut Subcontractors Association, a Connecticut based construction trade association, that represents subcontractors from all segments of the construction industry.

I appear here today, to speak in opposition to Raised Bill No. 5923 - An Act Concerning Fraud Against the State. You have heard or will hear others before me today speak in opposition to this Bill for a number of reasons, and we feel strongly that arguments in opposition to this proposal are well founded. The Connecticut Subcontractors Association serves as a participant in an informal group known as the Industry Advisory Council, facilitated through the Connecticut Department of works. One of the objectives of this ad-hoc group, is to work with the Connecticut Department of Public Works and Deputy Commissioner David O'Hearn and his staff, to look into ways and means of improving the construction process, so that more qualified and legitimate bidders will be encouraged to bid on major public construction projects. In addition to creating problems which may be caused by simple error but construed as a "falsified claim" by a legitimate contractor, the proposal before you would do more to scare potential qualified bidders from bidding Connecticut public construction projects. Bidding work in the construction industry can be somewhat of a calculated gamble. When you bid a project you hope that you have taken into account every conceivable component and that your bid includes all of the appropriate costs for each of those required component. The possibility that a legitimate error in calculation or an unintentional error in a requisition may result in a false claim action against a subcontractor performing work for the state, will do more to dissuade potential, legitimate and qualified subcontractors from bidding on state or municipal construction projects.

We respectfully request that the members of the General Assembly's Judiciary Committee take no action on this proposal at this time.

For additional information, please contact:

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