



General Assembly

February Session, 2008

**Raised Bill No. 5800**

LCO No. 2494

\*02494\_\_\_\_\_PD\_\*

Referred to Committee on Planning and Development

Introduced by:  
(PD)

***AN ACT CONCERNING THE CHARTER OF THE METROPOLITAN  
DISTRICT COMMISSION OF HARTFORD COUNTY.***

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

1 Section 1. Section 39 of number 511 of the special acts of 1929, as  
2 amended by special acts 80-14 and 90-14, is amended to read as follows  
3 (*Effective from passage*):

4 (a) Whenever any work shall be necessary to execute or perfect any  
5 public work or improvement, or whenever any supplies for the district  
6 shall be needed for any particular purpose and such work or supplies  
7 shall involve the expenditure of more than ten thousand dollars, except  
8 in the case of an emergency to be determined by the district board, a  
9 written contract for such work or supplies shall be made under such  
10 regulations as the district board may establish, which contract shall be  
11 based on sealed bids made in compliance with public notice, duly  
12 advertized by publication, in a daily newspaper published in said  
13 district, at least five days before the time fixed for opening such bids or  
14 proposals. The district shall not award any contract except to the  
15 responsible qualified bidder submitting the lowest bid in compliance  
16 with bid requirements.

17 (b) (1) As used in this section:

18 (A) "Minority business enterprise" means any small contractor (i) in  
19 which fifty-one per cent or more of the capital stock, if any, or assets of  
20 which are owned by a person or persons who (I) are active in the daily  
21 affairs of the enterprise, (II) have the power to direct the management  
22 and policies of the enterprise, and (III) are members of a minority, and  
23 (ii) who has a certificate of eligibility issued by the Department of  
24 Administrative Services under regulations adopted under section 4a-  
25 60h of the general statutes.

26 (B) "Minority" means (i) Black Americans, including all persons  
27 having origins in any of the black African racial groups not of Hispanic  
28 origin; (ii) Hispanic Americans, including all persons of Mexican,  
29 Puerto Rican, Cuban, Central or South American or other Spanish  
30 culture, origin, regardless of race; (iii) Asian Pacific Americans and  
31 Pacific Islanders; or (iv) American Indians and persons having origins  
32 in any of the original peoples of North America and maintaining  
33 identifiable tribal affiliations through membership and participation or  
34 community identification.

35 (2) The district may waive the provisions of subsection (a) of this  
36 section concerning selection of the lowest qualified bidder in the case of  
37 participation in a qualified bid by a minority business enterprise with a  
38 nonminority business enterprise. The district shall give priority to such  
39 bid in an amount equal to the proportion of participation by a minority  
40 business enterprise in the qualified bid.

41 (3) If a bid selected includes participation by a minority business  
42 enterprise, the contract shall be performed with at least the same  
43 proportion of minority business enterprise subcontracts as the amount of  
44 priority that was given to the general contractor in evaluating the bid.

45 (4) The general contractor shall submit to the district a report every  
46 fifteen days after the date the contract is awarded which describes the  
47 extent of minority business enterprise participation in performance of the

48 contract. Such report shall identify all subcontracts and the dollar value  
49 of the contract between the general contractor and the subcontractor. If  
50 the extent of minority business enterprise participation in such contract  
51 is less than the amount of priority that was given in selection of the  
52 general contractor under subdivision (2) of this section, the district may  
53 (A) claim any retainage payable under the terms of the contract, or (B)  
54 disqualify the bidder from any future contracts.

55 (5) The district shall establish a program to assist potential minority  
56 business enterprises in obtaining bonds to ensure performance  
57 completion in contracts awarded by the authority.

58 (6) On or before July 1, 2008, and semiannually thereafter, the district  
59 shall submit to the joint standing committees of the General Assembly  
60 having cognizance of matters relating to planning and development and  
61 commerce, the Commission on Human Rights and Opportunities and  
62 the Office of Workforce Competitiveness a written report that describes  
63 the extent of minority business enterprises contracting with the district.

|                                                                               |                     |                                                 |
|-------------------------------------------------------------------------------|---------------------|-------------------------------------------------|
| This act shall take effect as follows and shall amend the following sections: |                     |                                                 |
| Section 1                                                                     | <i>from passage</i> | Number 511 of the special acts of 1929, Sec. 39 |

**Statement of Purpose:**

To require the Metropolitan District Commission to let contracts to the lowest qualified bidder and to provide for minority participation in contracting.

*[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.]*