



General Assembly

**Substitute Bill No. 435**

February Session, 2008

\* SB00435ED 031908 \*

**AN ACT CONCERNING ORDERS AND CONTRACTS FOR  
ARCHITECTURAL AND CONSTRUCTION MANAGEMENT SERVICES  
FOR SCHOOL CONSTRUCTION PROJECTS.**

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

1 Section 1. Subsection (b) of section 10-287 of the 2008 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective July 1, 2008*):

4 (b) (1) All orders and contracts for school building construction  
5 receiving state assistance under this chapter, including orders and  
6 contracts for architectural or construction management services  
7 pursuant to the provisions of subdivision (2) of this subsection, shall be  
8 awarded to the lowest responsible qualified bidder only after a public  
9 invitation to bid, which shall be advertised in a newspaper having  
10 circulation in the town in which construction is to take place, except  
11 for [(1)] (A) school building projects for which the town or regional  
12 school district is using a state contract pursuant to subsection (d) of  
13 section 10-292, and [(2)] (B) change orders, those contracts or orders  
14 costing less than ten thousand dollars and those of an emergency  
15 nature, as determined by the Commissioner of Education, in which  
16 cases the contractor or vendor may be selected by negotiation,  
17 provided no local fiscal regulations, ordinances or charter provisions  
18 conflict.

19       (2) All orders and contracts for architectural or construction  
20 management services shall be awarded from a pool of not more than  
21 the four lowest responsible qualified bidders after a public selection  
22 process. Such process shall, at a minimum, involve requests for  
23 qualifications, followed by requests for proposals and bids from the  
24 bidders meeting the qualifications criteria of the request for  
25 qualifications process. Public advertisements shall be required in a  
26 newspaper having circulation in the town in which construction is to  
27 take place, except for (A) school building projects for which the town  
28 or regional school district is using a state contract pursuant to  
29 subsection (d) of section 10-292, and (B) change orders, those contracts  
30 or orders costing less than ten thousand dollars, and those of an  
31 emergency nature, as determined by the Commissioner of Education,  
32 in which cases the contractor or vendor may be selected by  
33 negotiation, provided no local fiscal regulations, ordinances or charter  
34 provisions conflict. Following the bidding process, the awarding  
35 authority shall evaluate the bids and proposals of not more than the  
36 four lowest responsible qualified bidders using those criteria  
37 previously listed in the requests for qualifications and requests for  
38 proposals that are specific to the project or school district in selecting  
39 architectural or construction management services from the four  
40 lowest responsible qualified bidders in order to qualify the bids. Such  
41 evaluation shall include consideration of the firm's experience with  
42 work of similar size and scope as required for the order or contract,  
43 organizational and team structure for the order or contract, past  
44 performance data including, but not limited to, adherence to project  
45 schedules and project budgets and the number of change orders for  
46 projects, the approach to the work required for the contract and  
47 documented contract oversight capabilities. Final selection by the  
48 awarding authority is limited to the pool of the four lowest responsible  
49 qualified bidders and shall include consideration of all factors  
50 included within the bid proposal. As used in this subdivision, "lowest  
51 responsible qualified bidder" means the bidder who is qualified by the  
52 awarding authority when considering price and the factors necessary  
53 for faithful performance of the work based on the criteria and scope of

54 work included in the request for proposals.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2008</i>	10-287(b)
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**ED**      *Joint Favorable Subst.*