

**GENERAL LAW COMMITTEE PUBLIC HEARING
FRIDAY, FEBRUARY 13, 2009**

Re: SB 785 – AAC Construction Change Orders

**Testimony Presented by: Joyce A. Wojtas, Lobbyist
Mechanical Contractors Association of Connecticut**

The Mechanical Contractors Association of Connecticut (MCAC) supports the concept of this bill, which is intended to speed up the payment and/or actually effectuate payment to subcontractors for extra work that is performed under a change order authorized by the General Contractor or Construction Manager for a project. Any changes in the law would not involve work that is in dispute.

The MCAC members include mechanical contractors who perform plumbing, process piping heating, piping and cooling work and generally work as subcontractors on major projects.

In today's contracting world, the subcontractors are the people actually constructing a project and employing the many trades people necessary to construct a building or other facility. They are the ones that have to meet weekly payroll, health insurance, workers compensation insurance, unemployment compensation and pension benefit payments for the thousands of workers on a construction site. The subcontractors are also the ones that have to pay their suppliers on time (often when material is delivered to a site) for the materials and supplies that go into a project. In view of the fact that the subcontractors are, in reality, bankrolling each and every project, it is incumbent that they be paid in a timely fashion, whether it is for the regular work performed or for extra work that is required of them. Far too often, payment to the subcontractor is held up for such a long time that that he or she is forced to accept a smaller payment than the actual value of the extra work and materials that were required by the written, authorized change order.

Formal complaints to awarding authorities about non-payment for change orders or non-payment of any progress payment or retainage will not happen because everyone is nervous about getting the work and complainers are just not going to be awarded contracts.

Although the state contracting agencies do not like the language in this bill, there should be some resolution to the problem that will get the subcontractors paid for work performed satisfactorily. I am certain that the many proponents of this bill will work out some acceptable compromise.

Thank you for your consideration in this matter.

For additional information, please contact Joyce Wojtas 860-280-4623 or jawojtas@myway.com