



General Assembly

February Session, 2010

**Raised Bill No. 241**

LCO No. 997

\*00997\_\_\_\_\_LAB\*

Referred to Committee on Labor and Public Employees

Introduced by:  
(LAB)

**AN ACT CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES AND PREQUALIFICATION AND EVALUATION OF CONTRACTORS.**

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

1 Section 1. Subsection (i) of section 4a-100 of the 2010 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2010*):

4 (i) The commissioner may [not issue or renew] deny a  
5 prequalification certificate to any contractor or substantial  
6 subcontractor (1) who is disqualified pursuant to section 31-57c or 31-  
7 57d, [or] (2) who has a principal or key personnel who, within the past  
8 five years, has a conviction or has entered a plea of guilty or nolo  
9 contendere for or has admitted to commission of an act or omission  
10 that reasonably could have resulted in disqualification pursuant to any  
11 provision of subdivisions (1) to (3), inclusive, of subsection (d) of  
12 section 31-57c or subdivisions (1) to (3), inclusive, of subsection (d) of  
13 section 31-57d, as determined by the commissioner, or (3) who, within  
14 the past three years, has received four or more unsatisfactory written  
15 evaluations.

16 Sec. 2. Subsection (o) of section 4a-100 of the 2010 supplement to the  
17 general statutes is repealed and the following is substituted in lieu  
18 thereof (*Effective October 1, 2010*):

19 (o) Any contractor or substantial subcontractor aggrieved by the  
20 commissioner's final determination concerning a preliminary  
21 determination, a denial of certification, a reduction in prequalification  
22 classification or aggregate work capacity rating or a revocation [or  
23 nonrenewal] of certification may appeal to the Superior Court in  
24 accordance with section 4-183.

25 Sec. 3. Subsection (e) of section 4a-101 of the 2010 supplement to the  
26 general statutes is repealed and the following is substituted in lieu  
27 thereof (*Effective October 1, 2010*):

28 (e) No person, public agency, employee of a public agency or  
29 certifying official of a public agency shall be held liable to any  
30 contractor, substantial subcontractor or subcontractor for any loss or  
31 injury sustained by such contractor, substantial contractor or  
32 subcontractor as the result of the completion of an evaluation form, as  
33 required by this section or by section 4a-100, as amended by this act,  
34 unless such person, agency, employee or official is found by a court of  
35 competent jurisdiction to have acted in a wilful, wanton or reckless  
36 manner.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	4a-100(i)
Sec. 2	<i>October 1, 2010</i>	4a-100(o)
Sec. 3	<i>October 1, 2010</i>	4a-101(e)

**Statement of Purpose:**

To modify the contractor prequalification statutes so the Department of Administrative Services may more effectively identify contractors with past unsatisfactory contract performances.

*[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.]*