



General Assembly

Amendment

February Session, 2010

LCO No. 5662

SB0024105662SR0

Offered by:
SEN. MCKINNEY, 28th Dist.

To: Subst. Senate Bill No. 241 File No. 341 Cal. No. 225

(As Amended by Senate Amendment Schedule "A")

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

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (k) of section 4a-100 of the 2010 supplement to
4 the general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective October 1, 2010*):

6 (k) (1) Any substantial evidence of fraud in obtaining or
7 maintaining prequalification or any materially false statement in the
8 application, update statement or update bid statement may, in the
9 discretion of the awarding authority, result in termination of any
10 contract awarded the contractor by the awarding authority. The
11 awarding authority shall provide written notice to the commissioner of
12 such false statement not later than thirty days after discovering such

13 false statement. The commissioner shall provide written notice of such
14 false statement to the Commissioner of Public Works, the
15 Commissioner of Consumer Protection and the President of The
16 University of Connecticut not later than thirty days after discovering
17 such false statement or receiving such notice.

18 (2) The commissioner shall deny or revoke the prequalification of
19 any contractor or substantial subcontractor if the commissioner finds
20 that the contractor or substantial subcontractor, or a principal or key
21 personnel of such contractor or substantial contractor, within the past
22 five years (A) has included any materially false statement in a
23 prequalification application, update statement or update bid
24 statement, (B) has been convicted of, entered a plea of guilty or nolo
25 contendere for, or admitted to, a crime related to the procurement or
26 performance of any public or private construction contract, including,
27 but not limited to, criminal negligence, theft or embezzlement, or (C)
28 has otherwise engaged in fraud or bribery in obtaining or maintaining
29 prequalification. Any revocation made pursuant to this subsection
30 shall be made only after an opportunity for a hearing. Any contractor
31 or substantial subcontractor whose prequalification has been revoked
32 pursuant to this subsection shall be disqualified for a period of two
33 years after which the contractor or substantial subcontractor may
34 reapply for prequalification, except that a contractor or substantial
35 subcontractor whose prequalification has been revoked on the basis of
36 conviction of a crime or engaging in fraud or bribery shall be
37 disqualified for a period of [five] ten years after which the contractor
38 or substantial subcontractor may reapply for prequalification. The
39 commissioner shall not prequalify a contractor or substantial
40 subcontractor whose prequalification has been revoked pursuant to
41 subparagraph (A) of this subdivision until the expiration of said two-
42 year [, five-year, or other applicable disqualification] period and the
43 commissioner is satisfied that the matters that gave rise to the
44 revocation have been eliminated or remedied."