



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC WORKS

Testimony of Jonathan Holmes
Acting Commissioner, Department of Public Works
To the Labor Committee
March 3, 2011



977

~~S.B. No. 977~~

CONCERNING PUBLIC WORKS PROJECTS AND CONTRACTING PREFERENCES

The Department of Public Works (DPW) offers the following perspective on the above-referenced bill.

For contracting generally, section 4e-48 (b), C.G.S., provides for a reciprocal preference (penalty) provision in award of state contracts:

“(b) Notwithstanding any provision of law, in the award of a contract, after the original bids have been received and an original lowest responsible qualified bid is identified, a state contracting agency shall add a per cent increase to the original bid of a nonresident bidder equal to the per cent, if any, of the preference given to such nonresident bidder in the state in which such nonresident bidder resides.”

In other words, if a bidder is from a state in which the bidder would receive an in-state preference, that preference is held against the bidder in competing for work in this state.

For DPW projects involving consultant services, chiefly architectural and engineering firms, section 4b-57 (b), C.G.S., provides:

“(b) In the case of a project, the responses received shall be considered by the selection panel. The panel shall select from among those responding no fewer than three firms, which such panel determines in accordance with criteria established by the commissioner are most qualified to perform the required consultant services. In the case of any project that requires consultant services by an architect or professional engineer, additional criteria to be considered by such panel in selecting a list of the most qualified firms shall include: (1) Such firm's knowledge of this state's building and fire codes, and (2) the geographic location of such firm in relation to the geographic location of the proposed project....”

This provision is carried out through the agency's consultant selection criteria, which awards an extra ten (10) points to a bidder if the firm's "headquarter office location" is within 60 miles of the project site.

In terms of DPW's recent experience with out-of state firms, we have the following information for the period July, 2007 to June, 2010:

Architects/Engineers

Formal selection (Advertised) - Projects valued at over \$5 million

35 Projects:

35 Assigned to CT Engineers

33 Assigned to CT Architects, 2 Assigned to non-CT firms: Perkins & Will, which has a CT office with the majority of work done in NY; and Burt Hill in Boston

On-Call Design Assignments - (Last two years)

- 17 categories, 78 Firms, 3 of which are specialty firms from out of state
- 96% CT firms on the on-call list

- 312 Assignments in last two years
- 4 of the 312 Assignments went to 3 out-of state specialty firms
- 98% of the work went to CT firms

Design/Build Projects

2 Projects: 2 teams, all CT

Construction Manager at Risk (CMR) projects

2 Projects Underway

Gateway Community College - CMR is headquartered out of state but has an office and employees in state. Subcontractors all instate.

CT Health Lab - CMR is headquartered out of state but has an office and employees in state. Subcontractors all instate.

2 Projects awarded not yet underway: WCSU Performing Arts and CCSU Classroom building

Construction

Small and Informal projects Bid by DPW Procurement 7/07 – 6/10

18 Projects (informal) \$3,918,000 all CT Contractors

Larger Projects over \$500,000

28 Projects (Formal) \$94,977,000 all CT Contractors

Agency Administered Projects (Projects within CSS allowable range) all CT Firms

2007/8	432 Projects \$61,098,734
2008/9	450 Projects \$70,465,701
2009/10	273 Projects \$26,843,631

As you can see, all of the recent construction work has been performed by in-state firms and more than ninety per cent of the design work was by in-state firms. To the extent that work by out-of-state firms is an issue, it is not a common experience of DPW.

Thank you for the opportunity to submit this testimony. The agency is happy to work with the committee should you require additional information.

For further information, please contact:

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