



General Assembly

February Session, 2012

**Raised Bill No. 429**

LCO No. 2198

\*02198 \_\_\_\_\_ GAE\*

Referred to Committee on Government Administration and Elections

Introduced by:  
(GAE)

**AN ACT CONCERNING TECHNICAL CHANGES TO STATUTES CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES.**

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

1 Section 1. Section 4-60 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 The executive head of each budgeted agency shall, on or before  
4 September first, annually, deliver to the Governor a report of the  
5 activities of such agency during the fiscal year ended the preceding  
6 June thirtieth. The Governor shall immediately file such reports with  
7 the Commissioner of Administrative Services, who shall edit the same  
8 with regard to contents, arrangement and brevity and cause them to be  
9 published in convenient form for distribution not later than December  
10 first. Copies of such document shall be distributed in accordance with  
11 the provisions of section 11-4a to each elected state officer and each  
12 member of the General Assembly or, in the even-numbered years, to  
13 each such officer and member elected to take office the following  
14 January.

15 Sec. 2. Section 4a-52 of the general statutes is repealed and the  
16 following is substituted in lieu thereof (*Effective from passage*):

17 Not later than January 1, 1995, the Commissioner of Administrative  
18 Services shall adopt regulations in accordance with the provisions of  
19 chapter 54 for the following purposes: (1) To authorize any agency to  
20 purchase directly specified supplies, materials, equipment and  
21 contractual services under prescribed conditions and procedure; (2) to  
22 authorize, in writing, any state agency to purchase, in the open market  
23 without filing a requisition or estimate, specified supplies, materials or  
24 equipment for immediate delivery to meet emergencies arising from  
25 unforeseen causes, including delays by contractors, delays in  
26 transportation and an unanticipated volume of work, provided a  
27 report of any such purchase, with a record of the competitive  
28 quotations upon which it was based and a full account of the  
29 circumstances of the emergency, shall be submitted at once to said  
30 commissioner by the administrative head of the agency concerned and  
31 provided such report shall be entered by him on a record and shall be  
32 open to public inspection; (3) to prescribe the manner in which  
33 supplies, materials and equipment shall be purchased, delivered,  
34 stored and distributed; (4) to prescribe the manner of making  
35 requisitions and estimates, the future periods which they are to cover,  
36 the form in which they shall be submitted and the manner of their  
37 authentication; (5) to prescribe the manner of inspecting all deliveries  
38 of supplies, materials and equipment and of making chemical and  
39 physical tests of samples submitted with bids or proposals and  
40 samples of deliveries to determine whether or not the specifications are  
41 being complied with; (6) to provide for the transfer to or between such  
42 state agencies of supplies, materials and equipment which are surplus  
43 with one such agency but which may be needed by another or others,  
44 and for the disposal by sale of supplies, materials and equipment  
45 which are obsolete or unusable; (7) to prescribe the amount of deposit  
46 or bond to be submitted with a bid or a contract and the amount of  
47 deposit or bond to be given for the faithful performance of a contract;  
48 (8) to carry out the provisions of section 4a-59a; (9) to specify the

49 categories of purchases which are not subject to the competitive  
50 bidding requirements of section 4a-57; (10) to indicate the types of  
51 objective criteria that may be used by the commissioner in determining  
52 "lowest responsible qualified bidder" for the purposes of section 4a-59;  
53 (11) to define the term "minor irregularities" for the purposes of section  
54 4a-59, provided such term shall not include (A) variations in the  
55 quality, unit price or date of delivery or completion of supplies,  
56 materials, equipment or contractual services or (B) exceptions to  
57 programs required under the general statutes; (12) to provide for any  
58 other matters necessary to effect the provisions of this chapter and the  
59 regulations promulgated in pursuance thereof; (13) to establish policies  
60 and procedures for use by agencies in preparing specifications which  
61 will ensure that such specifications shall not be unreasonably  
62 restrictive and shall encourage competition; (14) to determine when  
63 the commissioner or his designee may cancel a procurement; (15) to  
64 establish guidelines governing the use of "brand name or equal"  
65 specifications; (16) to establish procedures by which a bidder or  
66 proposer may request reconsideration of an award determination; (17)  
67 to establish guidelines governing the use of remanufactured goods and  
68 circumstances under which remanufactured goods [must] are required  
69 to be used by requesting agencies; and (18) to determine when the  
70 commissioner or his designee may amend or reject a bid specification.

71 Sec. 3. Subsection (a) of section 4a-100 of the 2012 supplement to the  
72 general statutes is repealed and the following is substituted in lieu  
73 thereof (*Effective from passage*):

74 (a) As used in this section: (1) "Prequalification" means  
75 prequalification issued by the Commissioner of Administrative  
76 Services to bid on a contract or perform work pursuant to a contract  
77 for the construction, reconstruction, alteration, remodeling, repair or  
78 demolition of any public building or any other public work by the state  
79 or a municipality, except a public highway or bridge project or any  
80 other construction project administered by the Department of  
81 Transportation, or to perform work under such a contract as a

82 substantial subcontractor; (2) "subcontractor" means a person who  
83 performs work with a value in excess of twenty-five thousand dollars  
84 for a contractor pursuant to a contract for work for the state or a  
85 municipality [which] that is estimated to cost more than five hundred  
86 thousand dollars; (3) "principals and key personnel" includes officers,  
87 directors, shareholders, members, partners and managerial employees;  
88 (4) "aggregate work capacity rating" means the maximum amount of  
89 work an applicant is capable of undertaking for any and all projects;  
90 (5) "single project limit" means the highest estimated cost of a single  
91 project that an applicant is capable of undertaking; (6) "contract"  
92 means an agreement for work for the state or a municipality that is  
93 estimated to cost more than five hundred thousand dollars and that is  
94 funded, in whole or in part, by state funds; and (7) "substantial  
95 subcontractor" means a person who performs work with a value in  
96 excess of five hundred thousand dollars for a contractor pursuant to a  
97 contract for work for the state or a municipality [which] that is  
98 estimated to cost more than five hundred thousand dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	4-60
Sec. 2	<i>from passage</i>	4a-52
Sec. 3	<i>from passage</i>	4a-100(a)

**Statement of Purpose:**

To make technical changes to statutes concerning the Department of Administrative Services.

*[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.]*