



March 17, 2014

Re: SB 454

Representative Jutila, Senator Musto and other members of the Government Administration and Elections Committee, I'm Nick Civitillo and I'm here today to speak in favor of SB No. 454, 'An Act Increasing the Transparency of General Bids for State Contracts'.

I need to give you some background so you understand why I'm in favor of this legislation. I work in a third generation masonry contracting company dating back to 1947. As a mason contractor, I currently submit bids on public projects under the conditions that this legislation seeks to provide. So you could say that I don't have anything to gain from this bill. But I come from a background that is mindful of the entire industry rather than merely our own little masonry cocoon. Our family can trace back and find that after my Grandfather made it to America, nearly 20 other families came to this country and found work solely through his efforts. He taught me that to help others is not only the right thing to do, it's how this country excels. So I come to you today on behalf of the entire construction industry.

Many of my colleagues today have or will speak about the specifics of this legislation, I want to speak to a few general points of the bill and the bidding/contracting climate it will create for so many Connecticut Contractors, both large and small.



Every bidding opportunity that comes across my desk is evaluated based on our perceived ability to be competitive. If we determine that the bidding procedure does not allow our Company to be competitive, we make a decision to pass up on bidding that particular project. That's a decision that's made with a great deal of reluctance, but in some sectors, there's not much we can do about it. Let's look at some of the reasons we determine that we will not be competitive on a particular project.

A bid on a private project to a general contractor, or owner is usually going to be won by the sub-bidder that is willing to lower their bid numerous times during the buyout process I like to call "Name That Tune". This leads to under-funded sub-contractors, poor quality workmanship, worker misclassification and subsequently, small business failures.

Secondly, the conditions of a private sector bid will require us to include a specification section that is work that we may not have any expertise in performing. Conversely, there may be conditions where our submitted bid can be a "free-for-all". Both of these scenarios make it difficult, if not impossible, for a general contractor receiving our bids to know which bid is actually the most comprehensive and competitive. When our bid will include the masonry, damproofing, insulation, flashing and caulking, a competitor's bid may include only the masonry and the insulation. That bid will look like the lowest responsible bid, when in fact it's not a complete bid. So if I bid under these scenarios, my company usually has no chance to be the lowest bid. That determines for me that we won't bid that particular project.

I'm not saying that all contractors think the same way we do regarding bidding, but after 40 years in this industry, if I can't be competitive, I don't bid.

This legislation provides the opportunity to amend the bidding process so every project funded by the taxpayers of the State of Connecticut will always have legitimate and ethical contractors submitting their most competitive bids. Contractors and sub-contractors who will always make the right decision to bid this work when given the opportunity because they will know they have an equal chance at being the successful bidder. When that happens, the industry will see job growth, new small business opportunities, more apprentices learning the trades, and less worker misclassification.

I want to see Connecticut's construction industry operate in the most competitive, worker-safe environment possible. We just don't get there when legitimate contractors decide to stay out of this segment of the market because of the current bidding process. Speaking from my own experience, on public bids, we get really good competition in the masonry bidding from the largest contractors to the smallest. Every masonry bidder has the same chance at winning the bid because the current statute provides us that opportunity. So we see a lot of bids and a lot of competition. I'd just like to see it be the same for all other trades.

Thank you

Nick Civitillo