



STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION

2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546



Office of the
Commissioner

An Equal Opportunity Employer

Public Hearing – March 13, 2014 Commerce Committee

Testimony Submitted by Commissioner James Redeker Department of Transportation

Raised S.B. 421 – An Act Concerning Certain Bidding Preferences in State and Municipal Contracting.

The Department of Transportation (Department) is opposed to Raised S.B. 421, AAC Certain Bidding Preferences in State and Municipal Contracting.

The Department does not have the resources to adhere to the proposed changes to this legislation.

The overwhelming majority of the Department's work utilizes Federal funds, which requires us to adhere to the Code of Federal Regulations (CFR). Conceptually, this bill mandates the lowest responsible bidder be penalized regardless of funding sources and could essentially alter the competitive bidding process by erroneously adjusting a sealed bid for a contractor based on an anticipated man hour proposal.

It is imperative that the Department follow the CFR in order to ensure that the Department does not lose any federal funds which amounted to approximately \$692,000,000 last year. In accordance with Title 23 Section 635 of the CFR:

1. A State Transportation Department (STD) cannot impose statutory or administrative requirements which provide an in-State or local geographical preference in the contractor selection process;
2. Nondiscriminatory bidding procedures shall be afforded to all qualified bidders regardless of National, State or local boundaries; and
3. Federal-aid contracts shall be awarded only on the basis of the lowest responsive bid submitted

Pursuant to Public Act 11-229, Sec. 9, the Department of Administrative Services completed a report concerning ways to increase the number of in-state contracts awarded through use of in-state preferences. That report provides more specifics concerning transportation contracting and the requirements of federal funding

For further information or questions, please contact Pam Sucato, Legislative Program Manager for the Department of Transportation, at (860) 594-3013 or pamela.sucato@ct.gov.