



Connecticut Chapter

Testimony by Chris Syrek, President of
Associated Builders & Contractors

Before the Government Administration and Elections Committee on February 22, 2016

**HB 5049 – An Act Implementing the Governor’s Budget Recommendations for General
Government**

Good afternoon Senator Cassano, Representative Jutila and Members of the Committee, my name is Chris Syrek; I am the President of Associated Builders and Contractors of Connecticut (CT ABC). CT ABC is a statewide trade association of almost 200 members that represents merit shop contractors. I appreciate the opportunity to speak before the committee today on their behalf.

I am speaking specifically on the proposed recommendation to postpone implementation of the set-aside program for municipalities and quasi-public agencies. This was a new law passed last year in the budget implementer bill, requiring contractors to file affirmative action plans on construction projects procured by both municipalities and quasi-public agencies. Existing law already requires that affirmative action plans to be filed on State funded projects.

CT ABC has always been supportive of CHRO’s mission in relation to the construction industry. Providing opportunity to small businesses (SBE), minority owned businesses (MBE), and women owned businesses (WBE) is both a benefit to the contractor, and also a benefit to the industry by helping small businesses grow and adding qualified tradesmen into the workforce. That being said, we are concerned that right now might not be the time to increase CHRO’s workload and level of responsibility. In recent years, many in the construction industry have had issues with the timeliness, consistency, and clarity in which CHRO reviews affirmative action plans submitted for construction projects.

It is well documented that there is a serious backlog of unapproved plans that exists within CHRO. There are examples of some contractors either receiving plans that are approved, or in some cases rejected months after a job has already started and well past the 60 day requirement that CHRO is allotted to review the plan after submission by the contractor. There are also delays in closing out projects once they are completed.

In addition to the backlog, the industry believes that there are a number of inconsistencies when CHRO staff is reviewing plans and a number of confusing requirements. We have heard instances of identical plans being submitted where one was rejected and the other approved. Not only does this frustrate a contractor, but that plan then goes back to the starting line to be reviewed by CHRO staff a second time, further adding to their workload. Confusing requirements have been an issue as well. Contractors have been told that inviting an MBE or WBE to bid on a job is not sufficient, and that they must repeatedly follow up and meet with that company to determine why they did not bid. This is not stated in any CHRO regulation, but rather up to the discretion of each plan reviewer. If there were

specific guidelines stated in statute regarding how plans should be submitted, it would eliminate these examples of ambiguity. This would benefit the contractor, the project, and CHRO's ability to review plans in a timely manner.

In closing, CT ABC and our members would suggest that these issues be resolved, and the plan approval process be streamlined before CHRO expands oversight of the set-aside program to municipalities and quasi-public agencies. This would benefit both the CHRO and the construction industry.

Thank you for your time and consideration.

Christopher Syrek
President, Associated Builders and Contractors