

**Proposed Substitute
Bill No. 251**

LCO No. 2877

**AN ACT CONCERNING STATE CONSTRUCTION AND STATE
INFORMATION AND TELECOMMUNICATION SYSTEMS.**

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

1 Section 1. Subsection (d) of section 4b-91 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2018*):

4 (d) Each bid submitted for a contract described in subsection (c) of
5 this section shall include an update [bid] statement in such form as the
6 Commissioner of Administrative Services prescribes and, if required
7 by the public agency soliciting such bid, a copy of the prequalification
8 certificate issued by the Commissioner of Administrative Services. The
9 form for such update [bid] statement shall provide space for
10 information regarding all projects completed by the bidder since the
11 date the bidder's prequalification certificate was issued or renewed, all
12 projects the bidder currently has under contract, including the
13 percentage of work on such projects not completed, the names and
14 qualifications of the personnel who will have supervisory
15 responsibility for the performance of the contract, any significant
16 changes in the bidder's financial position or corporate structure since
17 the date the certificate was issued or renewed, any change in the
18 contractor's qualification status as determined by the provisions of
19 subdivision (6) of subsection (c) of section 4a-100 and such other
20 relevant information as the Commissioner of Administrative Services
21 prescribes. [Any bid submitted without a copy of the prequalification
22 certificate, if required by the public agency soliciting such bid, and an
23 update bid statement shall be deemed invalid.] Any public agency that

24 accepts a bid submitted without a copy of such prequalification
25 certificate, if required by such public agency soliciting such bid, and an
26 update [bid] statement may become ineligible for the receipt of funds
27 related to such bid, except that the public agency soliciting such bids
28 may allow bidders no more than two business days after the opening
29 of such bids to submit a copy of the prequalification certificate, if
30 required by such public agency, and an update statement.

31 Sec. 2. Subsection (n) of section 4a-100 of the general statutes is
32 repealed and the following is substituted in lieu thereof (*Effective July*
33 *1, 2018*):

34 (n) The commissioner shall establish an update statement for use by
35 contractors and substantial subcontractors for purposes of renewing or
36 upgrading a prequalification certificate and [an update bid statement]
37 for purposes of submitting a bid pursuant to section 4b-91, as amended
38 by this act.

39 Sec. 3. Section 4b-92 of the general statutes is repealed and the
40 following is substituted in lieu thereof (*Effective July 1, 2018*):

41 As used in this chapter and except as otherwise provided, "lowest
42 responsible and qualified bidder" means the bidder who is
43 prequalified pursuant to section 4a-100, as amended by this act, and
44 whose bid is the lowest of those bidders possessing the skill, ability
45 and integrity necessary to faithful performance of the work based on
46 objective criteria considering past performance and information
47 contained in the update [bid] statement submitted pursuant to section
48 4b-91, as amended by this act. Essential information in regard to such
49 qualifications shall be submitted with the bid in such form as the
50 awarding authority may require by specification in the bid documents
51 and on the bid form. Every general bid shall be accompanied by a bid
52 bond or a certified check in an amount which shall be ten per cent of
53 the bid, provided no such bid bond or certified check shall be required
54 in relation to any general bid in which the total estimated cost of labor
55 and materials under the contract with respect to which such general
56 bid is submitted is less than fifty thousand dollars. Failure to execute a

57 contract awarded as specified and bid shall result in the forfeiture of
58 such bid bond or certified check. In considering past performance the
59 awarding authority shall evaluate the skill, ability and integrity of
60 bidders in terms of the bidders' fulfillment of contract obligations and
61 of the bidders' experience or lack of experience with projects of the
62 nature and scope of the project for which the bids are submitted.

63 Sec. 4. Subsection (b) of section 4d-12 of the general statutes is
64 repealed and the following is substituted in lieu thereof (*Effective from*
65 *passage*):

66 (b) There is established an information and telecommunication
67 systems executive steering committee consisting of the following
68 members or their designees: The Commissioner of Administrative
69 Services, the Secretary of the State and the Secretary of the Office of
70 Policy and Management and not more than four other members who
71 are commissioners of an executive branch state agency, appointed
72 jointly by the Commissioner of Administrative Services and the
73 Secretary of the Office of Policy and Management. The Commissioner
74 of Administrative Services, or a designee, shall serve as chairperson of
75 the committee. The Department of Administrative Services shall serve
76 as staff to the committee. The committee shall (1) review and approve
77 or disapprove the annual information and telecommunication systems
78 strategic plan developed under section 4d-7, state agency estimates of
79 expenditure requirements for information and telecommunication
80 systems established under section 4d-11, and major telecommunication
81 initiatives, [(2) review, in consultation with the Department of
82 Administrative Services, and approve or disapprove variances to (A)
83 the list of approved architectural components for information and
84 telecommunication systems for state agencies, (B) the strategic plan,
85 and (C) appropriations for information and telecommunication
86 systems,] and [(3)] (2) advise the Department of Administrative
87 Services on the organization and functions of the department in
88 regards to information and telecommunication systems. [The
89 committee shall submit a report on each approved variance to the
90 General Assembly, in accordance with the provisions of section 11-4a.

91 Such report shall include the reasons for the variance and the results of
92 a cost-benefit analysis on the variance.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2018</i>	4b-91(d)
Sec. 2	<i>July 1, 2018</i>	4a-100(n)
Sec. 3	<i>July 1, 2018</i>	4b-92
Sec. 4	<i>from passage</i>	4d-12(b)