

---

---

## OLR Bill Analysis

### sHB 6617

#### ***AN ACT CONCERNING AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS AND REVISIONS TO THE SCHOOL BUILDING PROJECTS STATUTES.***

#### **SUMMARY**

This bill authorizes 15 school construction state grant commitments totaling an estimated \$394.9 million toward total estimated project costs of \$659.7 million. It also reauthorizes one high school renovation project with additional estimated project costs of \$40.7 million (see BACKGROUND).

Beginning in fiscal year 2022, the bill requires water bottle filling stations in all significant school construction projects, requires boards of education to reconstitute local school building committees, and sets new requirements for construction managers to be eligible to self-perform certain construction work on a school building project.

EFFECTIVE DATE: Upon passage for the grant commitments and July 1, 2021, for the statutory program changes.

#### **§ 1 — SCHOOL CONSTRUCTION GRANT COMMITMENTS**

For each project authorized by the bill, Table 1 shows the associated district, school, estimates for total cost and state grant commitment, and state reimbursement rate, ordered by project type.

**Table 1: 2021 School Construction Grant Commitments**

<i>District</i>	<i>School</i>	<i>Project Type</i>	<i>Estimated Project Costs</i>	<i>Estimated Grant</i>	<i>Reimbursement Rate</i>
North Branford	North Branford High School	New	\$88,242,390	\$29,100,282	32.98%
Norwalk	Cranberry Elementary School	New	45,000,000	10,125,000	22.50%

South Windsor	Pleasant Valley Elementary School	New	58,500,000	22,148,100	37.86%
Torrington	Torrington Middle & High School	New	159,575,000	100,308,845	62.86%
West Haven	Washington Elementary School	New	38,803,926	26,052,956	67.14%
Danbury	Ellsworth Avenue School Annex	Expansion/ Alteration	9,600,000	6,137,280	63.93%
Hartford	Betances Learning Lab Magnet School	Renovation	43,709,774	41,524,285	95.00%
Hartford	E. B. Kennelly School	Renovation	51,416,225	48,845,414	95.00%
Hartford	Fred D. Wish Museum School	Renovation	49,320,000	46,854,000	95.00%
Killingly	Killingly Memorial School	Renovation	34,000,000	24,891,400	73.21%
Newington	Anna Reynolds Elementary School	Renovation	35,500,000	20,792,350	58.57%
Norwalk	Naramake Elementary School	Extension/ Alteration	3,500,000	1,137,500	32.50%
Westport	Coleytown Middle School	Renovation	32,372,235	8,820,830	27.25%
Regional District 1	Housatonic Valley Regional High School	Vo-Ag Equipment	319,533	255,626	80.00%
LEARN (New London area regional educational service center)	LEARN Ocean Avenue Academy	Special Education	9,851,000	7,880,800	80.00%

<b>Totals</b>			<b>\$659,710,983</b>	<b>\$394,874,668</b>	
---------------	--	--	----------------------	----------------------	--

Also, the bill reauthorizes one project with increased costs due to changes in its scope. PA 18-138 originally authorized the Windham High School renovation project with a total estimated project cost of \$71,670,200 and a 79.64% state reimbursement rate for the grant. The bill authorizes a new total project estimated cost of \$112,329,500, which is an increase of \$40,659,300. The bill provides a total estimated grant commitment of \$112,329,500, which is 100% of the project cost.

## **§ 2 — WATER BOTTLE FILLING STATIONS**

The bill adds a requirement for water bottle filling stations to be included in all school building projects for new construction, extension, major alteration, renovation, or replacement on any project listing the Department of Administrative Services (DAS) submits to the General Assembly beginning July 1, 2022 (next year's school construction priority list). It does this by prohibiting DAS from approving any school building project plan that does not provide for the installation of at least one water bottle filling station:

1. per 100 students of the projected school building enrollment,
2. on each new floor or wing of the school building, and
3. in any food service area of the school building.

## **§ 3 — LOCAL SCHOOL BUILDING PROJECT COMMITTEES**

Under current law, any school building committee established by a town or regional board of education to undertake a school building project must include at least one member who has experience in the construction industry.

Beginning July 1, 2021, the bill requires local or regional boards of education to (1) establish a new school building committee charged with undertaking a school building project or (2) re-establish an existing school building project committee. The board of education must appoint the members of these committees, including at least one member with experience in the construction industry as under existing

law.

The bill specifies that any committee reestablished under its provisions constitutes a successor committee to the prior school building committee for purposes of undertaking a school building project under the school construction statutes.

#### **§ 4 — CONSTRUCTION MANAGERS SELF-PERFORMING PROJECT WORK**

By law, most contracts and orders for school building construction receiving state assistance must be awarded to the lowest responsible qualified bidder following a public bidding invitation. The law provides exceptions for construction management contracts, which instead must be awarded from a pool of up to the four most responsible qualified proposers after a public selection process.

Beginning July 1, 2021, the law also allows awarding authorities (e.g., boards of education), upon the written approval of the DAS commissioner, to permit a construction manager to self-perform part of the construction work if the authority and the commissioner determine that doing so will be more cost-effective than using a subcontractor. The bill additionally requires the awarding authority and the commissioner to determine that the construction manager has the requisite work experience and qualifications to self-perform the work.

In order to be eligible to self-perform work, the bill requires the construction manager to identify the project element at the time of the original proposal to the owner and be (1) enrolled in a state-registered apprenticeship program that provides related instruction for the work the construction manager is seeking to self-perform and (2) prequalified by DAS.

Current law requires work not done by the construction manager to be performed by trade subcontractors selected under a process approved by the DAS commissioner and the awarding authority. The bill instead requires the subcontractor selection to be done in accordance with state bidding and contracting rules that require a

competitive bidding process and awarding the job to the lowest responsible and qualified bidder who is prequalified by DAS.

The bill also requires sealed bids for specific project elements, including from a construction manager, to be submitted simultaneously with the project bid and only opened at the time and place set in the bid solicitation notice.

Furthermore, if the construction manager is the successful bidder for a project element, the manager must:

1. not use any of the project contingency money to assist in the performance of self-performed work;
2. perform the work, other than limited portions that would typically be done by specialty subcontractors, with employees who are on the construction manager's payroll and are properly classified under the prevailing wage law; and
3. submit all change orders on self-performed work to be reviewed by the owner or the owner's representative.

## **BACKGROUND**

### ***State School Construction Grant Program***

Under the state school construction grant program, the state reimburses towns and local districts for a percentage of eligible school construction costs through general obligation bonds (with less wealthy municipalities receiving a higher reimbursement). The municipalities pay the remaining costs. School districts must begin project construction within two years of grant commitment to minimize potential cost increases.

## **COMMITTEE ACTION**

Education Committee

Joint Favorable Change of Reference - FIN  
Yea 38 Nay 0 (03/22/2021)

Finance, Revenue and Bonding Committee

Joint Favorable Substitute

Yea 42 Nay 4 (04/22/2021)