

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 21-198—sSB 1076

Government Administration and Elections Committee

AN ACT CONCERNING THE SUBMISSION OF UPDATE STATEMENTS, THE REMOVAL OF REFERENCES TO UPDATE BID STATEMENTS AND THE GRANTING OF EASEMENTS ON STATE LAND

SUMMARY: This act makes several changes to the statutes governing the Department of Administrative Services (DAS) as follows:

1. eliminates a provision that invalidates any bid on public works contracts submitted without a required update bid statement or prequalification certificate and instead allows agencies to permit bidders up to two business days post-bid to submit the missing documentation (§ 3);
2. removes references to “update bid statement” and, where necessary, replaces them with “update statement” (§§ 1-4); and
3. allows DAS to grant easements to, and acquire easements from, the federal government or a subdivision of the state, subject to certain approvals (§ 5).

The act also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2021

§§ 1-4 — STATE CONTRACTING BID UPDATES

The act replaces statutory references to the term “update bid statement” with “update statement.” Prior law required the DAS commissioner to establish (1) an update statement for contractors and substantial subcontractors to use when renewing or upgrading their prequalification certificate and (2) an update bid statement for bidders on a public works contract to use to provide certain information regarding changes since the bidder’s prequalification certificate was issued or renewed (e.g., projects currently under contract and significant changes in financial position). Under the act, this information must be provided in the update statement, which serves both statements’ purposes.

The act also authorizes public contracting agencies to allow bidders up to two business days after a bid opening to submit their prequalification certificate, if required, and an update statement. Prior law disqualified a bid if the update bid statement or applicable prequalification certificate was missing.

§ 5 — EASEMENTS

The act authorizes the DAS commissioner to grant easements to, and acquire easements from, the federal government or a political subdivision of the state (e.g., a municipality) for public purposes, as long as he (1) determines that these

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purposes do not conflict with the public interest and (2) receives approval from the State Properties Review Board (SPRB). He must also receive approval from the Office of Policy and Management (OPM) and the agency supervising the land's care and control before granting an easement.

Under existing law unchanged by the act, DAS may grant easements on state land to public service companies, owners of district heating and cooling systems, municipal water and sewer authorities, and telecommunications companies. The easements are subject to approval by the controlling agency, OPM, and SPRB. He may also acquire easements in connection with a department project, subject to SPRB's approval.