

Education Committee JOINT FAVORABLE REPORT

Bill No.: SB-428

Title: AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT
OF ADMINISTRATIVE SERVICES RELATING TO SCHOOL CONSTRUCTION.

Vote Date: 3/25/2022

Vote Action: Joint Favorable Substitute

PH Date: 3/21/2022

File No.:

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SPONSORS OF BILL:

Education Committee

REASONS FOR BILL:

The legislation requires the Department of Administrative Services to administer a HVAC grant program to reimburse local regional boards of education for costs associated with the installation of HVAC systems or to improve air quality in school building. The bill also requires applications for grants for school building projects to include an addendum that contains all grants approved.

In addition, the bill eliminates public school administrative or service facilities, and school security projects from a notwithstanding provision regarding the application date requirements regarding grants for school building projects. Also, the bill removes a seven-calendar day reporting requirement to the notwithstanding provisions regarding grants for school building projects. Furthermore, the bill requires a town or regional school district, within 3 years, to submit a notice of project completion or the Commissioner of the Department of Administrative Services will deem the project completed and undertake an audit.

The bill also, grants new authority to the School Building Projects Advisory Council. Specifically the bill requires the School Building Projects Advisory Council to review and update, school safety infrastructure criteria. The bill then eliminates the School Safety Infrastructure Council.

Also, the bill eliminates the requirement that public invitations to bid be advertised in a newspaper having circulation in the town in which the construction is to take place and other

conforming changes. The bill then directs construction project managers to invite bids and give notice of opportunities to bid on projects on the State Contracting Portal.

RESPONSE FROM ADMINISTRATION/AGENCY:

Michelle Gilman, Commissioner, Department of Administrative Services (DAS)

"DAS supports Senate Bill 428, An Act Implementing the Recommendations of the Department of Administrative Services Relating to School Construction. This bill would increase transparency for all priority list and non-priority list projects, and align municipally administered school construction projects with state construction projects by removing the ability to "self-perform". I urge the Committee to support this bill".

NATURE AND SOURCES OF SUPPORT:

Kristen Brainerd Abrahamson, Executive Vice President, Mechanical Contractors Association of Connecticut, Inc. (MCAC)

"MCAC supports Senate Bill 428 and respectfully requests that the Education Committee approve the bill. Section 7 of the bill repeals the authority for construction managers, beginning July 1, 2022, to self perform on school construction projects. MCAC was opposed to the original authorization because it failed to protect subcontractors from solicitations from CMs for services, information and pricing, which would have given CMs who self-perform an unfair advantage".

Andrew A. Feinstein, Legislative Chair, Special Education Equity for Kids in Connecticut (SEEK)

"S.B. 428 relates to school construction process, something that sorely needs rebuilding. School construction is, by law, compliant with the accessibility provisions of the Americans with Disabilities Act. Still, the physical structure of a school can foster inclusion of students with 5 disabilities or can hinder inclusion. Indeed, how a school is designed can be an enormous boost to implementing a Universal Design for Learning (UDL). For that reason, the School Projects Advisory Council needs to have among its members an advocate for students with disabilities as well as an expert in UDL".

Kimberly Glassman, Director, Foundation for Fair Contracting of Connecticut, Inc.

"If DAS or the OSCGR find that allowing construction managers to self-perform any elements of school construction work to be advantageous to the state, we would urge the agency to pull together all the stakeholders in the industry to craft language together that addresses the industry's concerns while meeting the ultimate goals of our procurement agency. In the meantime, the FFC believes that the Education Committee is taking the right step by repealing the language as written".

NATURE AND SOURCES OF OPPOSITION:

David Godbout

"The general assembly is not conducting its sessions in public and such activity is automatically void. The general assembly could meet and allow the public to view but has decided, instead, to provide citizens and residents a one square foot picture via CT-N broadcast and most human communication is displayed by body language, not spoken words...The role of government is to protect citizens' rights but this general assembly seems

to think its just the opposite. The committee and its members clearly approve of a general assembly acting in a manner that voids everything it has done in the past two years and going forward. Citizens should simply nullify the illegal actions taken by the state".

*Additional testimony submitted in support of S.B 428 is posted on the CGA webpage.

Reported by: Madison Chain

Date: 3/28/2022