

**Government Administration and Elections Committee
JOINT FAVORABLE REPORT**

Bill No.: HB-5692

AN ACT CONCERNING OVERSIGHT OF CONTRACTS OF THE

Title: CONNECTICUT PORT AUTHORITY.

Vote Date: 03/27/2023

Vote Action: Joint Favorable

PH Date: 3/20/2023

File No.:

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SPONSORS OF BILL:

Government Administration and Elections Committee

REASONS FOR BILL:

The purpose of the Connecticut Port Authority Oversight Act is to establish oversight of contracts made by the Connecticut Port Authority. This bill sets out definitions of terms such as "authority," "supplies," "materials," and "equipment." It requires the authority to use competitive bidding or competitive negotiation for purchases of supplies, materials, equipment, and contractual services, except for minor nonrecurring and emergency purchases of \$10,000 or less and public utility services. The bill requires that the authority solicits competitive bids or proposals by providing notice of the planned purchase in a form and manner that maximizes public participation in the competitive bidding or competitive negotiation process, including small contractors. The notice must also contain a notice of contract requirements concerning nondiscrimination and affirmative action and requirements concerning the awarding of contracts to small contractors, minority business enterprises, individuals with a disability, and nonprofit corporations. This bill also requires the authority to adopt procedures establishing standards and procedures for using competitive negotiation for purchases and contracts, including criteria which shall be considered in making purchases by competitive negotiation and the weight which shall be assigned to each criterion. This bill also eliminates the sunset provision created by Public Act 21-2 and permanently subjects the CPA to oversight by the SCSB.

RESPONSE FROM ADMINISTRATION/AGENCY:

[Lawrence S. Fox, Chairman, State Contracting Standards Board, State of Connecticut Office of Government Accountability:](#) Supports this bill

Chairman Fox states, "As Chair of the State Contracting Standards Board, I want to take the opportunity to provide testimony in support of Committee Bill No. 5692. In 2021, Public Act no. 21-2 made the Connecticut Port Authority (CPA) subject to Chapter 62 and the authority of the State Contracting Standards Board, except for completing Cost Benefit Analysis for new privatization ventures. This act established this oversight until July 1, 2026. Committee Bill No. 5692 would remove the sunset to this authority. The State Contracting Standards Board supports this legislation. The SCSB feels it is unlikely, as evident in recent events, that oversight would need to expire in 2026. Sunsetting an oversight responsibility can be a risky decision with potentially severe consequences. Oversight responsibilities exist to ensure accountability, transparency, and compliance with regulations or best practices. In some cases, the absence of oversight can harm individuals or communities. Therefore, it is essential to carefully evaluate the reasons behind any proposal to sunset an oversight responsibility and ensure that appropriate mechanisms are in place to mitigate potential negative impacts. Currently, there continue to be several concerns related to CPA procurements. The Board feels that preserving our oversight functions beyond 2026 will be crucial for maintaining trust, integrity, and good governance. I appreciate the opportunity to address you today and urge your favorable consideration of our support."

Representative Vincent Candelora, 86th District, Connecticut General Assembly:
Supports this bill

Rep. Candelora states, "The CPA has been plagued with problems from the outset. Accusations of nepotism, government resources wasted on frivolous expenditures, infighting among members of the board of directors, ballooning project costs, and even an investigation by federal criminal authorities; the CPA needs a cleaning. Fortunately, the legislature recognized this back in June of 2021 with the passage of Public Act 21-2 (June Special Session.) That bill temporarily subjected the CPA to the authority of the SCSB and reasoned that the CPA may be able to get its house in order by 2026. This bill expands the cleanup of the CPA in two ways. First, it takes the important and necessary step of subjecting the CPA to competitive bidding requirements. The Vision Statement of the CPA reads, "We envision a future where a thriving maritime economy is driving steady economic growth and creating new jobs across Connecticut." We agree with this statement, but this cannot be achieved without CPA setting aside personal associations in favor of an equal and open playing field that the competitive bidding requirements create. Second, House Bill 5692 eliminates the sunset provision created by Public Act 21-2 and permanently subjects the CPA to oversight by the SCSB. The legislature should only consider granting the CPA the autonomy over contracts that is possessed by the other quasi-public agencies when it can demonstrate that it is no longer in need of an elevated level of state oversight."

NATURE AND SOURCES OF SUPPORT:

Linda Dalessio:

General comment of support for the bill was submitted

NATURE AND SOURCES OF OPPOSITION:

Anonymous #1, "Concerned Citizen":

I oppose all of these bills because they are all bad. The election was fraudulent, and we the people of CT are NOT being represented by our “elected” officials. We live in a banana republic and in a communist state that’s run by a corrupt supermajority who doesn’t care about its constituents or their rights.

[Anonymous #2](#)

I oppose these bills. It’s nonsense and need to back to common sense!!

Reported by: Robert Mayne

Date: 03-27-2023