



General Assembly

January Session, 2023

Raised Bill No. 1223

LCO No. 5682



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING THE STATE CONTRACTING STANDARDS
BOARD.***

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

1 Section 1. (NEW) (*Effective from passage*) (a) Notwithstanding any
2 provision of the general statutes, the appropriations recommended for
3 the State Contracting Standards Board shall be the estimates of
4 expenditure requirements transmitted to the Secretary of the Office of
5 Policy and Management by the executive director of the board and the
6 recommended adjustments and revisions of such estimates shall be the
7 recommended adjustments and revisions, if any, transmitted by said
8 executive director to the Office of Policy and Management.

9 (b) Notwithstanding any provision of the general statutes, the
10 Governor shall not reduce allotment requisitions or allotments in force
11 concerning the State Contracting Standards Board.

12 Sec. 2. Section 4e-1 of the general statutes is repealed and the
13 following is substituted in lieu thereof (*Effective July 1, 2023*):

14 For the purposes of this section and sections [4e-1] 4e-2 to 4e-47,
15 inclusive, as amended by this act:

16 (1) "Best value selection" means a contract selection process in which
17 the award of a contract is based on a combination of quality, timeliness
18 and cost factors;

19 (2) "Bid" means an offer, submitted in response to an invitation to bid,
20 to furnish supplies, materials, equipment, construction or contractual
21 services to a state contracting agency under prescribed conditions at a
22 stated price;

23 (3) "Bidder" means a business submitting a bid in response to an
24 invitation to bid by a state contracting agency;

25 (4) "Business" means any individual or sole proprietorship,
26 partnership, firm, corporation, trust, limited liability company, limited
27 liability partnership, joint stock company, joint venture, association or
28 other legal entity through which business for profit or not-for-profit is
29 conducted;

30 (5) "Competitive bidding" means the submission of prices by a
31 business competing for a contract to provide supplies, materials,
32 equipment or contractual services to a state contracting agency, under a
33 procedure in which the contracting authority does not negotiate prices,
34 as set forth in statutes and regulations concerning procurement;

35 (6) "Consultant" means (A) any architect, professional engineer,
36 landscape architect, land surveyor, accountant, interior designer,
37 environmental professional or construction administrator, who is
38 registered or licensed to practice such person's profession in accordance
39 with the applicable provisions of the general statutes, (B) any planner or
40 any environmental, management or financial specialist, or (C) any
41 person who performs professional work in areas including, but not
42 limited to, educational services, medical services, information
43 technology and real estate appraisal;

44 (7) "Consultant services" means those professional services rendered
45 by a consultant and any incidental services that a consultant and those
46 in the consultant's employ are authorized to perform;

47 (8) "Contract" [or "state contract"] means an agreement or a
48 combination or series of agreements between a state contracting agency
49 [or quasi-public agency] and a business for:

50 (A) A project for the construction, reconstruction, alteration,
51 remodeling, repair or demolition of any public building, public work,
52 mass transit, rail station, parking garage, rail track or airport;

53 (B) Services, including, but not limited to, consultant and professional
54 services;

55 (C) The acquisition or disposition of personal property;

56 (D) The provision of goods and services, including, but not limited
57 to, the use of purchase of services contracts and personal service
58 agreements;

59 (E) The provision of information technology, state agency
60 information system or telecommunication system facilities, equipment
61 or services;

62 (F) A lease; or

63 (G) A licensing agreement;

64 "Contract" [or "state contract"] does not include a contract between a
65 state contracting agency [or a quasi-public agency] and a political
66 subdivision of the state;

67 (9) "Term contract" means the agreement reached when the state
68 accepts a bid or proposal to furnish supplies, materials, equipment or
69 contractual services at a stated price for a specific period of time in
70 response to an invitation to bid;

71 (10) "Contract risk assessment" means (A) the identification and

72 evaluation of loss exposures and risks, including, but not limited to,
73 business and legal risks associated with the contracting process and the
74 contracted goods and services, and (B) the identification, evaluation and
75 implementation of measures available to minimize potential loss
76 exposures and risks;

77 (11) "Contractor" means any business that is awarded, or is a
78 subcontractor under, a contract or an amendment to a contract with a
79 state contracting agency under statutes and regulations concerning
80 procurement, including, but not limited to, a small contractor, minority
81 business enterprise, an individual with a disability, as defined in section
82 4a-60, or an organization providing products and services by persons
83 with disabilities;

84 (12) "Contractual services" means the furnishing of labor by a
85 contractor, not involving the delivery of a specific end product other
86 than reports, which are merely incidental to the required performance
87 and includes any and all laundry and cleaning service, pest control
88 service, janitorial service, security service, the rental and repair, or
89 maintenance, of equipment, machinery and other [state-owned]
90 personal property owned by a state contracting agency, advertising and
91 photostating, mimeographing, human services and other service
92 arrangements where the services are provided by persons other than
93 state employees or quasi-public agency employees. "Contractual
94 services" includes the design, development and implementation of
95 technology, communications or telecommunications systems or the
96 infrastructure pertaining thereto, including hardware and software and
97 services for which a contractor is conferred a benefit by the state,
98 whether or not compensated by the state. "Contractual services" does
99 not include employment agreements or collective bargaining
100 agreements;

101 (13) "Data" means recorded information, regardless of form or
102 characteristic;

103 (14) "Vote of two-thirds of the members of the board present and

104 voting" means a vote by the State Contracting Standards Board that is
105 agreed upon by two-thirds of the members of the State Contracting
106 Standards Board present and voting for a particular purpose and that
107 includes the vote of one member of the board appointed by a legislative
108 leader;

109 (15) "Electronic" means electrical, digital, magnetic, optical,
110 electromagnetic, or any other similar technology;

111 (16) "Emergency procurement" means procurement by a state
112 contracting agency, [quasi-public agency, as defined in section 1-120,]
113 judicial department or constituent unit of higher education that is made
114 necessary by a sudden, unexpected occurrence that poses a clear and
115 imminent danger to public safety or requires immediate action to
116 prevent or mitigate the loss or impairment of life, health, property or
117 essential public services or in response to a court order, settlement
118 agreement or other similar legal judgment;

119 (17) "Equipment" means personal property of a durable nature that
120 retains its identity throughout its useful life;

121 (18) "Materials" means items required to perform a function or used
122 in a manufacturing process, particularly those incorporated into an end
123 product or consumed in its manufacture;

124 (19) "Nonprofit agency" means any organization that is not a for-
125 profit business under Section 501(c)(3) of the Internal Revenue Code of
126 1986, or any subsequent corresponding internal revenue code of the
127 United States, as amended from time to time, [amended,] makes no
128 distribution to its members, directors or officers and provides services
129 contracted for by (A) the state or a quasi-public agency, or (B) a nonstate
130 entity;

131 (20) "Professional services" means any type of service to the public
132 that requires that members of a profession rendering such service obtain
133 a license or other legal authorization as a condition precedent to the
134 rendition thereof, including, but not limited to, the professional services

135 of architects, professional engineers, or jointly by architects and
136 professional engineers, landscape architects, certified public
137 accountants and public accountants, land surveyors, attorneys-at-law,
138 psychologists, licensed marital and family therapists, licensed
139 professional counselors and licensed clinical social workers as well as
140 such other professional services described in section 33-182a;

141 (21) "Privatization contract" means an agreement or series of
142 agreements between a state contracting agency and a person or entity in
143 which such person or entity agrees to provide services that are
144 substantially similar to and in lieu of services provided, in whole or in
145 part, by state employees or quasi-public agency employees, other than
146 contracts with a nonprofit agency, which are in effect as of January 1,
147 2009, and which through a renewal, modification, extension or
148 rebidding of contracts continue to be provided by a nonprofit agency;

149 (22) "Procurement" means contracting for, buying, purchasing,
150 renting, leasing or otherwise acquiring or disposing of, any supplies,
151 services, including but not limited to, contracts for purchase of services
152 and personal service agreements, interest in real property, or
153 construction, and includes all government functions that relate to such
154 activities, including best value selection and qualification based
155 selection;

156 (23) "Proposer" means a business submitting a proposal to a state
157 contracting agency in response to a request for proposals or other
158 competitive sealed proposal;

159 (24) "Public record" means a public record, as defined in section 1-
160 200;

161 (25) "Qualification based selection" means a contract selection process
162 in which the award of a contract is primarily based on an assessment of
163 contractor qualifications and on the negotiation of a fair and reasonable
164 price;

165 (26) "Regulation" means regulation, as defined in section 4-166;

166 (27) "Request for proposals" means all documents, whether attached
167 or incorporated by reference, utilized for soliciting proposals;

168 (28) "State contracting agency" means any executive branch agency,
169 board, commission, department, office, institution, [or] council or quasi-
170 public agency. "State contracting agency" does not include the judicial
171 branch, the legislative branch, the offices of the Secretary of the State,
172 the State Comptroller, the Attorney General, the State Treasurer, with
173 respect to their constitutional functions, any state agency with respect
174 to contracts specific to the constitutional and statutory functions of the
175 office of the State Treasurer. For the purposes of section 4e-16, as
176 amended by this act, "state contracting agency" includes any constituent
177 unit of the state system of higher education and [for the purposes of
178 section 4e-19, "state contracting agency" includes the State Education
179 Resource Center, established under section 10-4q] The University of
180 Connecticut Health Center Finance Corporation;

181 (29) "Subcontractor" means a subcontractor of a contractor for work
182 under a contract or an amendment to a contract;

183 (30) "Supplies" means any and all articles of personal property,
184 including, but not limited to, equipment, materials, printing, insurance
185 and leases of real property, excluding land or a permanent interest in
186 land furnished to or used by any state agency;

187 (31) "Infrastructure facility" means a building, structure or network
188 of buildings, structures, pipes, controls and equipment that provide
189 transportation, utilities, public education or public safety services.
190 [Infrastructure facility] "Infrastructure facility" includes government
191 office buildings, public schools, jails, water treatment plants,
192 distribution systems and pumping stations, wastewater treatment
193 plants, collections systems and pumping stations, solid waste disposal
194 plants, incinerators, landfills, and related facilities, public roads and
195 streets, highways, public parking facilities, public transportation
196 systems, terminals and rolling stock, rail, air and water port structures,
197 terminals and equipment; [and]

198 (32) "State employee" means state employee, as defined in section 5-
199 154 and, for purposes of section 4e-16, as amended by this act, [state
200 employee] "state employee" includes an employee of any state
201 contracting agency that is not a quasi-public agency; and

202 (33) "Quasi-public agency" has the same meaning as provided in
203 section 1-120.

204 Sec. 3. Subsections (g) and (h) of section 4e-2 of the general statutes
205 are repealed and the following is substituted in lieu thereof (*Effective July*
206 *1, 2023*):

207 (g) The board shall appoint a Chief Procurement Officer for a term
208 not to exceed six years, unless reappointed pursuant to the provisions
209 of this subsection. The Chief Procurement Officer shall report to the
210 board and annually be evaluated by, and serve at the pleasure of, the
211 board. For administrative purposes only, the Chief Procurement Officer
212 shall be supervised by the executive director.

213 (1) The Chief Procurement Officer shall be responsible for carrying
214 out the policies of the board relating to procurement including, but not
215 limited to, oversight, investigation, auditing, agency procurement
216 certification and procurement and project management training and
217 enforcement of [said] such policies as well as the application of such
218 policies to the screening and evaluation of current and prospective
219 contractors. The Chief Procurement Officer may enter into such
220 contractual agreements as may be necessary for the discharge of the
221 duties as set forth in this subsection and by the board, including, but not
222 limited to, recommending best practices and providing operational and
223 administrative assistance to state agencies determined, by the board, to
224 be in violation of sections 4e-16 to 4e-47, inclusive, as amended by this
225 act.

226 (2) In addition to the duties set forth by the board, the Chief
227 Procurement Officer shall (A) oversee state contracting agency
228 compliance with the provisions of statutes and regulations concerning
229 procurement; (B) monitor and assess the performance of the

230 procurement duties of each agency procurement officer; (C) administer
231 the certification system and monitor the level of agency compliance with
232 the requirements of statutes and regulations concerning procurement,
233 including, but not limited to, the education and training, performance
234 and qualifications of agency procurement officers; (D) review and
235 monitor the procurement processes of each state contracting agency [,
236 quasi-public agencies] and institutions of higher education; and (E)
237 serve as chairperson of the Contracting Standards Advisory Council
238 and an ex-officio member of the Vendor and Citizen Advisory Panel.

239 (h) The board may contract with consultants and professionals on a
240 temporary or project by project basis and [may] shall employ, subject to
241 the provisions of chapter 67, [such] not less than five full-time
242 employees and may employ such additional employees as may be
243 necessary to carry out the provisions of this section.

244 Sec. 4. Subdivision (2) of subsection (a) of section 4e-3 of the general
245 statutes is repealed and the following is substituted in lieu thereof
246 (*Effective July 1, 2023*):

247 (2) Any state contracting agency's contracting and procurement
248 processes, including, but not limited to, leasing and property transfers,
249 purchasing or leasing of supplies, materials or equipment, consultant or
250 consultant services, purchase of service agreements or privatization
251 contracts; and

252 Sec. 5. Section 4e-4 of the general statutes is repealed and the
253 following is substituted in lieu thereof (*Effective July 1, 2023*):

254 Except as otherwise provided in the general statutes, the board shall
255 have the following authority and responsibilities with respect to
256 procurements by state contracting agencies:

257 [(a)] (1) Recommend the repeal of repetitive, conflicting or obsolete
258 statutes concerning [state] procurement;

259 [(b)] (2) Review and make recommendations concerning proposed

260 legislation and regulations concerning procurement, management,
261 control, and disposal of any and all supplies, services, and construction
262 to be procured by [the] state contracting agencies, including, but not
263 limited to:

264 [(1)] (A) Conditions and procedures for delegation of procurement
265 authority;

266 [(2)] (B) Prequalification, suspension, debarment and reinstatement
267 of prospective bidders and contractors;

268 [(3)] (C) Small purchase procedures;

269 [(4)] (D) Conditions and procedures for the procurement of
270 perishables and items for resale;

271 [(5)] (E) Conditions and procedures for the use of source selection
272 methods authorized by statutes and regulations concerning
273 procurement;

274 [(6)] (F) Conditions and procedures for the use of emergency
275 procurements;

276 [(7)] (G) Conditions and procedures for the selection of contractors by
277 processes or methods that restrict full and open competition;

278 [(8)] (H) The opening or rejection of bids and offers, and waiver of
279 errors in bids and offers;

280 [(9)] (I) Confidentiality of technical data and trade secrets submitted
281 by actual or prospective bidders;

282 [(10)] (J) Partial, progressive and multiple awards;

283 [(11)] (K) Supervision of storerooms and inventories, including
284 determination of appropriate stock levels and the management,
285 transfer, sale or other disposal of publicly-owned supplies;

286 [(12)] (L) Definitions and classes of contractual services and

287 procedures for acquiring such services;

288 [(13)] (M) Regulations providing for conducting cost and price
289 analysis;

290 [(14)] (N) Use of payment and performance bonds;

291 [(15)] (O) Guidelines for use of cost principles in negotiations,
292 adjustments and settlements; and

293 [(16)] (P) Identification of procurement best practices;

294 [(c)] (3) Adopt regulations, pursuant to chapter 54, to carry out the
295 provisions of statutes concerning procurement, in order to facilitate
296 consistent application of the law and require the implementation of
297 procurement best practices;

298 [(d)] (4) Make recommendations with regard to information systems
299 for [state] procurement including, but not limited to, data element and
300 design and the State Contracting Portal;

301 [(e)] (5) Develop a guide to state statutes and regulations concerning
302 procurement, for use by all state contracting agencies;

303 [(f)] (6) Assist state contracting agencies in complying with the
304 statutes and regulations concerning procurement by providing
305 guidance, models, advice and practical assistance to state contracting
306 agency staff relating to: [(1)] (A) Buying the best service at the best price,
307 [(2)] (B) properly selecting contractors, and [(3)] (C) drafting contracts
308 that achieve state goals of accountability, transparency and results
309 based outcomes and to protect taxpayers' interest;

310 [(g)] (7) Train and oversee the agency procurement officer of each
311 state contracting agency and any contracting officers thereunder;

312 [(h)] (8) Review and certify, on or after January 1, 2009, that a state
313 contracting agency's procurement processes are in compliance with
314 statutes and regulations concerning procurement by:

315 [(1)] (A) Establishing procurement and project management
316 education and training criteria and certification procedures for agency
317 procurement officers and contracting officers. All agency procurement
318 officers and contracting officers designated under this [provision]
319 subparagraph shall be required to maintain the certification in good
320 standing at all times while performing procurement functions;

321 [(2)] (B) Approving an ethics training course, in consultation with the
322 Office of State Ethics, including, but not limited to, state employees and
323 quasi-public agency employees involved in procurement and for state
324 contractors and substantial subcontractors who are prequalified
325 pursuant to chapter 58a. Such ethics training course may be developed
326 and provided by the Office of State Ethics or by any person, firm or
327 corporation provided such course is approved by the State Contracting
328 Standards Board;

329 [(i)] (9) Recertify each state contracting agency's procurement
330 processes, triennially, and provide agencies with notice of any
331 certification deficiency and exercise those powers authorized by section
332 4e-34, as amended by this act, 4e-39 or 4e-40, as amended by this act, as
333 applicable, if a determination of noncompliance is made;

334 [(j)] (10) Define the contract data reporting requirements to the board
335 for state contracting agencies concerning information on: [(1)] (A) The
336 number and type of [state] contracts of each state contracting agency
337 currently in effect state-wide; [(2)] (B) the term and dollar value of such
338 contracts; [(3)] (C) a list of client agencies; [(4)] (D) a description of
339 services purchased under such contracts; [(5)] (E) contractor names; [(6)]
340 (F) an evaluation of contractor performance, including, but not limited
341 to records pertaining to the suspension or disqualification of
342 contractors, and assuring such information is available on the State
343 Contracting Portal; and [(7)] (G) a list of contracts and contractors
344 awarded without full and open competition stating the reasons [for]
345 therefor and identifying the approving authority; and

346 [(k)] (11) Provide the Governor and the joint standing committee of

347 the General Assembly having cognizance of matters relating to
348 government administration with recommendations concerning the
349 statutes and regulations concerning procurement.

350 Sec. 6. Subsections (a) to (c), inclusive, of section 4e-5 of the general
351 statutes are repealed and the following is substituted in lieu thereof
352 (*Effective July 1, 2023*):

353 (a) (1) The head of each state contracting agency shall appoint an
354 agency procurement officer. Such officer shall serve as the liaison
355 between the agency and the Chief Procurement Officer on all matters
356 relating to the agency's procurement activity, including, but not limited
357 to, implementation and compliance with the provisions of statutes and
358 regulations concerning procurement and any policies or regulations
359 adopted by the board, coordination of the training and education of
360 agency procurement employees and any person serving on the
361 Contracting Standards Advisory Council;

362 (2) The agency procurement officer shall be responsible for (A)
363 ensuring that any invitation to bid, request for proposals or any other
364 solicitation for goods and services issued on or after July 1, 2023,
365 contains a notice of the rights of prospective bidders, proposers or
366 prospective contractors under sections 4e-36, 4e-39 and 4e-40, as
367 amended by this act, (B) assuring that contractors are properly screened
368 prior to the award of a contract, (C) ensuring contractors are advised of
369 their rights under sections 4e-36, 4e-39 and 4e-40, as amended by this
370 act, prior to entering into a contract on or after July 1, 2023, (D) ensuring
371 that, upon the award of such a contract, that unsuccessful bidders,
372 proposers or respondents are advised of their rights under sections 4e-
373 36, 4e-39 and 4e-40, as amended by this act, (E) evaluating contractor
374 performance during and at the conclusion of a contract, (F) submitting
375 written evaluations to a central data repository to be designated by the
376 board, and (G) creating a project management plan for the agency with
377 annual reports to the board pertaining to procurement projects within
378 the agency.

379 (b) The State Contracting Standards Board, with the advice and
380 assistance of the Commissioner of Administrative Services, shall
381 develop a standardized state procurement and project management
382 education and training program. Such education and training program
383 shall develop education, training and professional development
384 opportunities for employees of state contracting agencies charged with
385 procurement responsibilities. The education and training program shall
386 educate such employees in general business acumen and on proper
387 purchasing procedures as established in statutes and regulations
388 concerning procurement with an emphasis on ethics, fairness,
389 consistency and project management. Participation in the education and
390 training program shall be required of any supervisory and
391 nonsupervisory [state] employees in state contracting agencies with
392 responsibility for buying, purchasing, renting, leasing or otherwise
393 acquiring any supplies, service or construction, including the
394 preparation of the description of requirements, selection and solicitation
395 of sources, preparation and award of contracts and all phases of contract
396 administration.

397 (c) The state procurement and project management education and
398 training program shall include, but shall not be limited to (1) training
399 and education concerning federal, state and municipal procurement
400 processes, including the statutes and regulations concerning
401 procurement; (2) training and education courses developed in
402 cooperation with the Office of State Ethics, the Freedom of Information
403 Commission, the State Elections Enforcement Commission, the
404 Commission on Human Rights and Opportunities, the office of the
405 Attorney General and any other state agency the board determines is
406 necessary in carrying out statutes and regulations concerning
407 procurement; (3) providing technical assistance to state contracting
408 agencies and municipalities for implementing statutes and regulations
409 concerning procurement, regulations, policies and standards developed
410 by the board; (4) training to current and prospective contractors and
411 vendors and others seeking to do business with [the] state contracting
412 agencies; and (5) training and education of state employees and quasi-

413 public agency employees in the area of best procurement practices in
414 [state] purchasing with the goal of achieving the level of acumen
415 necessary to achieve the objectives of statutes and regulations
416 concerning procurement.

417 Sec. 7. Subsection (a) of section 4e-7 of the general statutes is repealed
418 and the following is substituted in lieu thereof (*Effective July 1, 2023*):

419 (a) For cause, the State Contracting Standards Board may review,
420 terminate or recommend to a state contracting agency the termination
421 of any contract or procurement agreement undertaken by any state
422 contracting agency after providing fifteen days' notice to the state
423 contracting agency and the applicable contractor, and consulting with
424 the Attorney General. Such termination of a contract or procurement
425 agreement by the board may occur only after (1) the board has consulted
426 with the state contracting agency to determine the impact of an
427 immediate termination of the contract, (2) a determination has been
428 made jointly by the board and the state contracting agency that an
429 immediate termination of the contract will not create imminent peril to
430 the public health, safety or welfare, (3) a vote of two-thirds of the
431 members of the board present and voting for that purpose, and (4) the
432 board has provided the state contracting agency and the contractor with
433 opportunity for a hearing conducted pursuant to the provisions of
434 chapter 54. Such action shall be accompanied by notice to the state
435 contracting agency and any other affected party. For the purpose of this
436 section, "for cause" means: (A) A violation of section 1-84 or 1-86e, as
437 determined by the Citizen's Ethics Advisory Board; (B) wanton or
438 reckless disregard of any state or quasi-public agency contracting and
439 procurement process by any person substantially involved in such
440 contract or state contracting agency; or (C) notification from the
441 Attorney General to the state contracting agency that an investigation
442 pursuant to section 4-61dd has concluded that the process by which
443 such contract was awarded was compromised by fraud, collusion or any
444 other criminal violation. Nothing in this section shall be construed to
445 limit the authority of the board as described in section 4e-6.

446 Sec. 8. Section 4e-8 of the general statutes is repealed and the
447 following is substituted in lieu thereof (*Effective July 1, 2023*):

448 There is established a Contracting Standards Advisory Council,
449 which shall consist of representatives from the Office of Policy and
450 Management, Departments of Administrative Services and
451 Transportation, [and] representatives of at least three additional state
452 contracting agencies, including at least one human services related state
453 agency, to be designated by the Governor and at least four additional
454 state contracting agencies that are quasi-public agencies, two to be
455 appointed by the speaker of the House of Representatives and two to be
456 appointed by the president pro tempore of the Senate. The Chief
457 Procurement Officer shall be a member of the council and serve as
458 chairperson. The advisory council shall meet at least four times per year
459 to discuss [state] procurement issues and to make recommendations for
460 improvement of the procurement processes to the State Contracting
461 Standards Board. The advisory council may conduct studies, research
462 and analyses and make reports and recommendations with respect to
463 subjects or matters within the jurisdiction of the State Contracting
464 Standards Board.

465 Sec. 9. Subsection (a) of section 4e-10 of the general statutes is
466 repealed and the following is substituted in lieu thereof (*Effective July 1,*
467 *2023*):

468 (a) On or before July 1, 2010, the board shall submit to the Governor
469 and the General Assembly such legislation as is necessary to permit state
470 contracting agencies, not including [quasi-publics] quasi-public
471 agencies, institutions of higher education, and municipal procurement
472 processes utilizing state funds, to carry out their functions under
473 statutes and regulations concerning procurement.

474 Sec. 10. Section 4e-14 of the general statutes is repealed and the
475 following is substituted in lieu thereof (*Effective July 1, 2023*):

476 On and after June 1, 2010, all [state] contracts of each state contracting
477 agency that is not a quasi-public agency that take effect on or after June

478 1, 2010, shall contain provisions to ensure accountability, transparency
479 and [results based] results-based outcomes, as prescribed by the State
480 Contracting Standards Board. On and after June 1, 2010, all state
481 contracts of the legislative branch and the judicial branch that take effect
482 on or after June 1, 2010, shall contain provisions to ensure
483 accountability, transparency and [results based] results-based
484 outcomes. On and after July 1, 2023, all contracts of each state
485 contracting agency that is a quasi-public agency shall contain provisions
486 to ensure accountability, transparency and results-based outcomes.

487 Sec. 11. Subsections (c) and (d) of section 4e-16 of the general statutes
488 are repealed and the following is substituted in lieu thereof (*Effective July*
489 *1, 2023*):

490 (c) (1) If such cost-benefit analysis identifies a cost savings to the state
491 contracting agency of ten per cent or more, and such privatization
492 contract will not diminish the quality of such service, the state
493 contracting agency shall develop a business case, in accordance with the
494 provisions of subsection (d) of this section, in order to evaluate the
495 feasibility of entering into any such contract and to identify the potential
496 results, effectiveness and efficiency of such contract.

497 (2) If such cost-benefit analysis identifies a cost savings of less than
498 ten per cent to the state contracting agency and such privatization
499 contract will not diminish the quality of such service, the state
500 contracting agency may develop a business case, in accordance with the
501 provisions of subsection (d) of this section, in order to evaluate the
502 feasibility of entering into any such contract and to identify the potential
503 results, effectiveness and efficiency of such contract, provided there is a
504 significant public policy reason to enter into such privatization contract.
505 Any such business case shall be approved in accordance with the
506 provisions of subdivision (4) of subsection (h) of this section.

507 (3) If any such proposed privatization contract would result in the
508 layoff, transfer or reassignment of one hundred or more state
509 contracting agency employees, after consulting with the potentially

510 affected bargaining units, if any, the state contracting agency shall notify
511 the state employees or quasi-public agency employees of such
512 bargaining unit, as applicable, after such cost-benefit analysis is
513 completed. Such state contracting agency shall provide an opportunity
514 for [said] such employees to reduce the costs of conducting the
515 operations to be privatized and provide reasonable resources for the
516 purpose of encouraging and assisting such [state] employees to organize
517 and submit a bid to provide the services that are the subject of the
518 potential privatization contract. The state contracting agency shall retain
519 sole discretion in determining whether to proceed with the privatization
520 contract, provided the business case for such contract is approved by the
521 board.

522 (d) Any business case developed by a state contracting agency for the
523 purpose of complying with subsection (c) of this section shall include:
524 (1) The cost-benefit analysis as described in subsection (b) of this section,
525 (2) a detailed description of the service or activity that is the subject of
526 such business case, (3) a description and analysis of the state contracting
527 agency's current performance of such service or activity, (4) the goals to
528 be achieved through the proposed privatization contract and the
529 rationale for such goals, (5) a description of available options for
530 achieving such goals, (6) an analysis of the advantages and
531 disadvantages of each option, including, at a minimum, potential
532 performance improvements and risks attendant to termination of the
533 contract or rescission of such contract, (7) an analysis of the potential
534 impact of the proposed privatization contract on workers of color and
535 workers who are women, including whether such privatization contract
536 will lessen or increase historical patterns that produce inequities
537 between such workers and other workers, (8) a description of the
538 current market for the services or activities that are the subject of such
539 business case, [(8)] (9) an analysis of the quality of services as gauged by
540 standardized measures and key performance requirements including
541 compensation, turnover, and staffing ratios, [(9)] (10) a description of
542 the specific results-based performance standards that shall, at a
543 minimum be met, to ensure adequate performance by any party

544 performing such service or activity, [(10)] (11) the projected time frame
545 for key events from the beginning of the procurement process through
546 the expiration of a contract, if applicable, [(11)] (12) a specific and
547 feasible contingency plan that addresses contractor nonperformance
548 and a description of the tasks involved in and costs required for
549 implementation of such plan, and [(12)] (13) a transition plan, if
550 appropriate, for addressing changes in the number of agency personnel,
551 affected business processes, employee transition issues, and
552 communications with affected stakeholders, such as agency clients and
553 members of the public, if applicable. Such transition plan shall contain
554 a reemployment and retraining assistance plan for employees who are
555 not retained by the state or a quasi-public agency or employed by the
556 contractor. If the primary purpose of the proposed privatization
557 contract is to provide a core governmental function, such business case
558 shall also include information sufficient to rebut the presumption that
559 such core governmental function should not be privatized. Such
560 presumption shall not be construed to prohibit a state contracting
561 agency from contracting for specialized technical expertise not available
562 within such agency, provided such agency shall retain responsibility for
563 such core governmental function. For the purposes of this section, "core
564 governmental function" means a function for which the primary
565 purpose is (A) the inspection for adherence to health and safety
566 standards because public health or safety may be jeopardized if such
567 inspection is not done or is not done in a timely or proper manner, (B)
568 the establishment of statutory, regulatory or contractual standards to
569 which a regulated person, entity or state contractor shall be held, (C) the
570 enforcement of statutory, regulatory or contractual requirements
571 governing public health or safety, [or] (D) criminal or civil law
572 enforcement, or (E) the provision of essential human services to
573 residents of the state who would otherwise lack the support necessary
574 to assure basic human needs. If any part of such business case is based
575 upon evidence that the state contracting agency is not sufficiently
576 staffed to provide the core governmental function required by the
577 privatization contract, the state contracting agency shall also include
578 within such business case a plan for remediation of the understaffing to

579 allow such services to be provided directly by the state contracting
580 agency in the future.

581 Sec. 12. Subdivisions (2) to (4), inclusive, of subsection (l) of section
582 4e-16 of the general statutes are repealed and the following is
583 substituted in lieu thereof (*Effective July 1, 2023*):

584 (2) If such cost-benefit analysis identifies a ten per cent or more cost
585 savings to the state contracting agency from the use of such
586 privatization contract and such contract does not diminish the quality
587 of the service provided, such state contracting agency shall develop a
588 business case for the renewal of such privatization contract in
589 accordance with the provisions of subsections (d) and (e) of this section.
590 The board shall review such contract in accordance with the provisions
591 of subsections (f) to (h), inclusive, of this section and may approve such
592 renewal by the applicable vote of the board, provided any such renewal
593 that is estimated to cost in excess of one hundred fifty million dollars
594 annually or six hundred million dollars or more over the life of the
595 contract shall also be approved by the General Assembly prior to the
596 state contracting agency renewing such contract. If such renewal is
597 approved by the board and the General Assembly, if applicable, the
598 provisions of subsection (j) of this section shall apply to any proposed
599 amendment to such contract.

600 (3) If such cost-benefit analysis identifies a cost savings to the state
601 contracting agency of less than ten per cent, such state contracting
602 agency shall prepare a plan to have such service provided by state
603 employees or, in the case of a state contracting agency that is a quasi-
604 public agency, the employees of such quasi-public agency, [and] shall
605 begin to implement such plan, provided: (A) While such plan is
606 prepared, but prior to implementation of such plan, such state
607 contracting agency may develop a business case for such privatization
608 contract, in accordance with the provisions of subsection (d) of this
609 section, that achieves a cost savings to the state of ten per cent or more.
610 Any such business case shall be reviewed by the board in accordance
611 with the provisions of subsections (f) to (h), inclusive, of this section, and

612 may be approved by the applicable vote of the board; (B) such
613 privatization contract shall not be renewed with the vendor currently
614 providing such service unless: (i) There exists a significant public
615 interest in renewing such contract, and (ii) such renewal is approved by
616 a two-thirds vote of the board; (C) the state contracting agency may
617 enter into a contract with a term of one year or less for the provision of
618 such service until such state contracting agency implements such plan;
619 and (D) the procedure for the transfer of funds from the General Fund,
620 as described in section 4-94, may be utilized to allocate necessary
621 resources for the implementation of the provisions of this subdivision.

622 (4) Notwithstanding the provisions of subdivision (3) of this
623 subsection, the renewal of a privatization contract with a nonprofit
624 organization shall not be denied if the cost of increasing compensation
625 to employees performing the privatized service is the sole cause for such
626 contract not achieving a cost savings to the state contracting agency of
627 ten per cent or more.

628 Sec. 13. Subsection (n) of section 4e-16 of the general statutes is
629 repealed and the following is substituted in lieu thereof (*Effective July 1,*
630 *2023*):

631 (n) The State Contracting Standards Board, in consultation with the
632 Department of Administrative Services, shall: (1) Recommend and
633 implement standards and procedures for state contracting agencies to
634 develop business cases in connection with privatization contracts,
635 including templates for use by state contracting agencies when
636 submitting business cases to the board, and policies and procedures to
637 guide state contracting agencies to complete such business cases, and (2)
638 develop guidelines and procedures for assisting state employees or
639 quasi-public agency employees whose jobs are affected by a
640 privatization contract.

641 Sec. 14. Section 4e-17 of the general statutes is repealed and the
642 following is substituted in lieu thereof (*Effective July 1, 2023*):

643 (a) Except as otherwise provided, the provisions of sections 4e-16 to

644 4e-47, inclusive, as amended by this act, shall apply to all contracts
645 solicited or entered into by [state contracting agencies] a state
646 contracting agency that is a state agency after June 1, 2010, and all
647 contracts solicited or entered into by a state contracting agency that is a
648 quasi-public agency on or after July 1, 2023.

649 (b) Except as otherwise provided, the provisions of sections 4e-16 to
650 4e-47, inclusive, as amended by this act, shall apply to every
651 expenditure of public funds by any state contracting agency,
652 irrespective of their source, involving any state or quasi-public agency
653 contracting and procurement processes, including, but not limited to,
654 leasing and property transfers, purchasing or leasing of supplies,
655 materials or equipment, consultant or consultant services, personal
656 service agreements, purchase of service agreements or privatization
657 contracts, as defined in section 4e-1, as amended by this act, and,
658 relating to contracts for the construction, reconstruction, alteration,
659 remodeling, repair or demolition of any public building, bridge or road.

660 (c) Nothing in sections 4e-16 to 4e-47, inclusive, as amended by this
661 act, shall be construed to require the application of procurement statutes
662 or regulations to a procurement that involves the expenditure of federal
663 assistance or federal contract funds if federal law provides procurement
664 procedures applicable to the expenditure of such funds, to the extent
665 such federal procedures are inconsistent with state procurement
666 statutes or regulations.

667 Sec. 15. Section 4e-18 of the general statutes is repealed and the
668 following is substituted in lieu thereof (*Effective July 1, 2023*):

669 For the purpose of obtaining supplies, materials, equipment or
670 contractual services, except infrastructure facilities, the Commissioner
671 of Administrative Services shall establish a requisition system to be used
672 by state contracting agencies that are not quasi-public agencies to
673 initiate and authorize the procurement process. Such system shall be
674 approved by the State Contracting Standards Board.

675 Sec. 16. Subsection (c) of section 4e-21 of the general statutes is

676 repealed and the following is substituted in lieu thereof (*Effective July 1,*
677 *2023*):

678 (c) The State Contracting Standards Board, in consultation with the
679 Commissioner of Administrative Services, may waive the requirement
680 of competitive bidding or competitive negotiation in the case of minor,
681 nonrecurring or emergency purchases of ten thousand dollars or less in
682 amount, upon application of the state contracting agency. Any state
683 contracting agency that obtains such a waiver for such an emergency
684 purchase shall post notice of such emergency purchase on the Internet
685 web site of the state contracting agency prior to making such emergency
686 purchase.

687 Sec. 17. Section 4e-24 of the general statutes is repealed and the
688 following is substituted in lieu thereof (*Effective July 1, 2023*):

689 (a) [Not later than June 1, 2010, the State Contracting Standards
690 Board, in consultation with the Commissioner of Administrative
691 Services and any other appropriate award authority, shall adopt
692 regulations, in accordance with the provisions of chapter 54, permitting]
693 If an emergency [procurements when there exists] procurement is
694 deemed necessary by a state contracting agency due to a threat to public
695 health, welfare or safety, the state contracting agency shall give notice
696 to the board of the need for such emergency procurement. Such
697 emergency procurements shall be made with competition, as is
698 practicable under the circumstances. [Said regulations shall require that]
699 The state contracting agency shall (1) include a written determination of
700 the basis for the emergency and for the selection of the particular
701 contractor [be included] in the contract file and [transmitted] transmit
702 such determination to the Governor, the president pro tempore of the
703 Senate, the majority and minority leaders of the Senate, the speaker of
704 the House of Representatives and the majority and minority leaders of
705 the House of Representatives, and (3) post such determination on the
706 Internet web site of the state contracting agency.

707 (b) The State Contracting Standards Board may adopt regulations in

708 accordance with the provisions of chapter 54 to implement the
709 provisions of this section.

710 Sec. 18. Subsection (d) of section 4b-51 of the general statutes is
711 repealed and the following is substituted in lieu thereof (*Effective July 1,*
712 *2023*):

713 (d) (1) Notwithstanding any provision of the general statutes, the
714 Commissioner of Administrative Services may select consultants to be
715 on a list established for the purpose of providing any consultant
716 services. Such list shall be established as provided in sections 4b-56 and
717 4b-57, as amended by this act. [The] In the case of an emergency
718 procurement due to a threat to public health, welfare or safety, the
719 commissioner may enter into a contract with any consultant on such list
720 without inviting responses from such consultants to perform a range of
721 consultant services or to perform a range of tasks pursuant to a task
722 letter detailing services to be performed under such contract.

723 (2) Notwithstanding any provision of the general statutes, the
724 Commissioner of Administrative Services may (A) compile a list of
725 architects, professional engineers and construction administrators for
726 the limited purpose of providing consultant services for a particular
727 program involving various projects for the construction of new
728 buildings or renovations to existing buildings where such buildings are
729 under the operation and control of either the Military Department or the
730 Department of Energy and Environmental Protection, and (B) in the case
731 of an emergency procurement due to a threat to public health, welfare
732 or safety, enter into a contract with any architect, professional engineer
733 or construction administrator on such list for such limited purpose
734 without inviting responses from the persons on such list, except that the
735 Adjutant General may perform the functions described in
736 subparagraphs (A) and (B) of this subdivision for any such building
737 under the operation and control of the Military Department.

738 (3) As used in this subsection, "consultant" means "consultant" as
739 defined in section 4b-55, "consultant services" means "consultant

740 services" as defined in section 4b-55, and "program" means multiple
741 projects involving the planning, design, construction, repair,
742 improvement or expansion of specified buildings, facilities or site
743 improvements, wherein the work (A) will be of a repetitive nature, (B)
744 will share a common funding source that imposes particular
745 requirements, or (C) would be significantly facilitated if completed by
746 the same design professional or construction administrator.

747 Sec. 19. Subsection (a) of section 4b-57 of the general statutes is
748 repealed and the following is substituted in lieu thereof (*Effective July 1,*
749 *2023*):

750 (a) Whenever consultant services are required by the commissioner
751 in fulfilling the responsibilities under section 4b-1, and in the case of
752 each project, the commissioner shall invite responses from such firms by
753 posting notice on the State Contracting Portal, except that, in the case of
754 an emergency procurement, the commissioner may receive consultant
755 services under a contract entered into pursuant to subsection (d) of
756 section 4b-51, as amended by this act. The commissioner shall prescribe,
757 by regulations adopted in accordance with chapter 54, the advance
758 notice required for, the manner of submission, and conditions and
759 requirements of, such responses.

760 Sec. 20. Subsection (g) of section 4b-91 of the general statutes is
761 repealed and the following is substituted in lieu thereof (*Effective July 1,*
762 *2023*):

763 (g) Notwithstanding the provisions of this chapter regarding
764 competitive bidding procedures, in the case of an emergency
765 procurement due to a threat to public health, welfare or safety, the
766 commissioner may select and interview at least three responsible and
767 qualified general contractors who are prequalified pursuant to section
768 4a-100 and submit the three selected contractors to the construction
769 services award panels process described in section 4b-100a and any
770 regulation adopted by the commissioner. The commissioner may
771 negotiate with the successful bidder a contract which is both fair and

772 reasonable to the state for a community court project, the downtown
773 Hartford higher education center project, a correctional facility project,
774 a juvenile residential center project, or a student residential facility for
775 the Connecticut State University System that is a priority higher
776 education facility project. The Commissioner of Administrative
777 Services, prior to entering any such contract or performing any work on
778 such project, shall submit such contract to the State Properties Review
779 Board for review and approval or disapproval by the board, pursuant
780 to subsection (i) of this section. Any general contractor awarded a
781 contract pursuant to this subsection shall be subject to the same
782 requirements concerning the furnishing of bonds as a contractor
783 awarded a contract pursuant to subsection (b) of this section.

784 Sec. 21. Section 4e-27 of the general statutes is repealed and the
785 following is substituted in lieu thereof (*Effective July 1, 2023*):

786 Not later than June 1, 2010, the State Contracting Standards Board, in
787 consultation with the Attorney General, shall adopt regulations, in
788 accordance with the provisions of chapter 54, specifying the types of
789 contracts that may be used by state contracting agencies. Such
790 regulations shall specify that a cost-reimbursement contract may be
791 used only when a determination is made in writing by the agency
792 procurement officer that such contract is likely to be less costly to the
793 state contracting agency than any other type or that it is impracticable
794 to obtain the supplies, services or construction required except under
795 such a contract.

796 Sec. 22. Section 4e-31 of the general statutes is repealed and the
797 following is substituted in lieu thereof (*Effective July 1, 2023*):

798 When, for any reason, collusion or other anticompetitive practices are
799 suspected among any bidders or proposers for a [state] contract of a
800 state contracting agency, a notice of the relevant facts shall be
801 transmitted to the Attorney General by any affected party, including,
802 but not limited to, the state contracting agency, a bidder or a proposer.

803 Sec. 23. Section 4e-34 of the general statutes is repealed and the

804 following is substituted in lieu thereof (*Effective July 1, 2023*):

805 (a) After reasonable notice and hearing and consultation with the
806 relevant state contracting agency and the Attorney General, the State
807 Contracting Standards Board, acting through a subcommittee of three
808 members, appointed by the chairperson, which subcommittee shall
809 include not less than one legislative appointee, may disqualify any
810 contractor, bidder or proposer, for a period of not more than five years,
811 from bidding on, applying for or participating as a contractor or
812 subcontractor under, contracts with the state or quasi-public agencies.
813 Such disqualification shall be upon the vote of two-thirds of the
814 members of the subcommittee present and voting for that purpose. Such
815 hearing shall be conducted in accordance with the provisions of chapter
816 54. The subcommittee shall issue a written recommendation not later
817 than sixty days after the conclusion of such hearing, and shall state the
818 reason for the recommended action and, if the disqualification is
819 recommended, the period of time the contractor, bidder or proposer
820 shall be disqualified. In determining whether to disqualify a contractor,
821 bidder or proposer, the subcommittee shall consider the seriousness of
822 the acts or omissions of the contractor, bidder or proposer and any
823 mitigating factors. Such recommendation shall be submitted to the
824 board for action and sent to the contractor by certified mail, return
825 receipt requested. If disqualification is recommended, the contractor
826 shall have thirty days to submit comments to the board. Upon receipt of
827 the proposed recommendation by the subcommittee, the board shall
828 issue a written decision either adopting, rejecting or modifying the
829 subcommittee's recommendation. Such decision shall be issued not later
830 than thirty days after receipt by the board of the contractor's comments,
831 if any. The board shall send the decision to the contractor by certified
832 mail, return receipt requested. The written decision shall be a final
833 decision for purposes of sections 4-180 and 4-183.

834 (b) Causes for such disqualification shall include the following:

835 (1) Conviction of, or entry of a plea of guilty or nolo contendere or
836 admission to, the commission of a criminal offense as an incident to

837 obtaining or attempting to obtain a public or private contract or
838 subcontract, or in the performance of such contract or subcontract;

839 (2) Conviction of, or entry of a plea of guilty or nolo contendere or
840 admission to, the violation of any state or federal law for embezzlement,
841 theft, forgery, bribery, falsification or destruction of records, receiving
842 stolen property or any other offense indicating a lack of business
843 integrity or business honesty which affects responsibility as a [state]
844 contractor;

845 (3) Conviction of, or entry of a plea of guilty or nolo contendere or
846 admission to, a violation of any state or federal antitrust, collusion or
847 conspiracy law arising out of the submission of bids or proposals on a
848 public or private contract or subcontract;

849 (4) Accumulation of two or more suspensions pursuant to section 4e-
850 35, as amended by this act, within a twenty-four-month period;

851 (5) A wilful, negligent or reckless failure to perform in accordance
852 with the terms of one or more contracts or subcontracts, agreements or
853 transactions with state contracting agencies;

854 (6) A history of failure to perform or of unsatisfactory performance
855 on one or more public contracts, agreements or transactions with state
856 contracting agencies;

857 (7) A wilful violation of a statutory or regulatory provision or
858 requirement applicable to a contract, agreement or transaction with
859 state contracting agencies;

860 (8) A wilful or egregious violation of the ethical standards set forth in
861 sections 1-84, 1-86e and 1-101nn, as determined by the Citizen's Ethics
862 Advisory Board; or

863 (9) Any other cause or conduct the board determines to be so serious
864 and compelling as to affect responsibility as a [state] contractor,
865 including, but not limited to:

866 (A) Disqualification by another state for cause;

867 (B) The fraudulent or criminal conduct of any officer, director,
868 shareholder, partner, employee or other individual associated with a
869 contractor, bidder or proposer of such contractor, bidder or proposer,
870 provided such conduct occurred in connection with the individual's
871 performance of duties for or on behalf of such contractor, bidder or
872 proposer and such contractor, bidder or proposer knew or had reason
873 to know of such conduct;

874 (C) The existence of an informal or formal business relationship with
875 a contractor who has been disqualified from bidding or proposing on
876 [state] contracts of any state contracting agency.

877 (c) Upon written request by the affected [state] contractor, bidder or
878 proposer, the State Contracting Standards Board may reduce the period
879 or extent of disqualification for a contractor, bidder or proposer if
880 documentation supporting any of the following reasons for
881 modification is provided to the board by the contractor, bidder or
882 proposer:

883 (1) Newly discovered material evidence;

884 (2) Reversal of the conviction upon which the disqualification was
885 based;

886 (3) Bona fide change in ownership or management; or

887 (4) Elimination of other causes for which the disqualification was
888 imposed.

889 Sec. 24. Section 4e-35 of the general statutes is repealed and the
890 following is substituted in lieu thereof (*Effective July 1, 2023*):

891 (a) For purposes of this section and sections 4e-37 and 4e-38, as
892 amended by this act, "contracting agency of the state" does not include
893 a quasi-public agency. After reasonable notice and a hearing, conducted
894 in accordance with the provisions of chapter 54, the department head of

895 any [state] contracting agency of the state may suspend any contractor,
896 bidder or proposer for a period of not more than six months from
897 bidding on, applying for or performing work as a contractor or
898 subcontractor under, contracts with the state. The department head
899 shall issue a written decision not later than ninety days after the
900 conclusion of such hearing and state in the decision the reasons for the
901 action taken and, if the contractor, bidder or proposer is being
902 suspended, the period of such suspension. In determining whether to
903 suspend a contractor, bidder or proposer, the department head shall
904 consider the seriousness of the acts or omissions of the contractor,
905 bidder or proposer and any mitigating factors. The department head
906 shall send such decision to the contractor and the State Contracting
907 Standards Board by certified mail, return receipt requested. Such
908 decision shall be a final decision for purposes of sections 4-180 and 4-
909 183.

910 (b) Causes for such suspension shall include the following:

911 (1) Failure without good cause to perform in accordance with
912 specifications or within the time limits provided in the contract;

913 (2) A record of failure to perform or of unsatisfactory performance in
914 accordance with the terms of one or more contracts, provided failure to
915 perform or unsatisfactory performance caused by acts beyond the
916 control of the contractor shall not be considered to be a basis for
917 suspension;

918 (3) Any cause the complainant [state] contracting agency of the state
919 determines to be so serious and compelling as to affect the responsibility
920 of a state contractor, including suspension by another [state] contracting
921 agency of the state for cause; or

922 (4) A violation of the ethical standards set forth in section 1-84, 1-86e
923 or 1-101nn, as determined by the Citizen's Ethics Advisory Board.

924 (c) The State Contracting Standards Board may grant an exception
925 permitting a suspended contractor to participate in a particular contract

926 or subcontract upon a written determination by the board that there is
927 good cause for such exception and that such exception is in the best
928 interest of the state.

929 (d) The department head of each [state] contracting agency of the
930 state shall conduct reviews of contractors and shall file reports
931 pertaining to any of the reasons set forth in this section that may be the
932 basis for disqualification.

933 Sec. 25. Subsections (g) to (i), inclusive, of section 4e-37 of the general
934 statutes are repealed and the following is substituted in lieu thereof
935 (*Effective July 1, 2023*):

936 (g) In the event that the appeals review subcommittee or the board
937 determines that a procedural violation occurred, or that allegations of
938 an unauthorized or unwarranted, noncompetitive selection process
939 have been substantiated, the board shall direct the [state] contracting
940 agency of the state to take corrective action not later than thirty days
941 after the date of the subcommittee's or board's decision, as applicable.

942 (h) In the event such appeal is found to be frivolous by the appeals
943 review subcommittee or the full board, such frivolous appeal may serve
944 as a basis for disqualification pursuant to section 4e-34, as amended by
945 this act.

946 (i) Any three members of the board may request a full board review
947 of any contract deliberation or award process of a [state] contracting
948 agency of the state.

949 Sec. 26. Section 4e-38 of the general statutes is repealed and the
950 following is substituted in lieu thereof (*Effective July 1, 2023*):

951 The State Contracting Standards Board shall issue a decision in
952 writing or take other appropriate action on each appeal submitted
953 pursuant to section 4e-37, as amended by this act. A copy of any decision
954 shall be provided to all parties, the department head of the [state]
955 contracting agency of the state and the Chief Procurement Officer.

956 Sec. 27. Subdivision (2) of section 4e-40 of the general statutes is
957 repealed and the following is substituted in lieu thereof (*Effective July 1,*
958 *2023*):

959 (2) If the person awarded the contract acted in bad faith:

960 (A) The contract may be declared null and void; or

961 (B) The contract may be ratified and affirmed if such action is in the
962 best interests of the state, as determined by the State Contracting
963 Standards Board, in writing, without prejudice to the [state's] state
964 contracting agency's right to such damages as may be appropriate.

965 Sec. 28. Section 4e-45 of the general statutes is repealed and the
966 following is substituted in lieu thereof (*Effective July 1, 2023*):

967 With respect to infrastructure facilities, not later than June 1, 2010, the
968 State Contracting Standards Board, in consultation with the state
969 contracting agencies and the Attorney General, shall adopt regulations,
970 in accordance with the provisions of chapter 54, requiring the inclusion
971 in [state] contracts with any state contracting agency of clauses
972 providing for adjustments in prices, time of performance, remedies,
973 termination or other contract provisions necessary to protect the
974 interests of the state.

975 Sec. 29. Section 4e-46 of the general statutes is repealed and the
976 following is substituted in lieu thereof (*Effective July 1, 2023*):

977 Not later than June 1, 2010, the State Contracting Standards Board
978 shall adopt regulations, in accordance with the provisions of chapter 54,
979 concerning the procedure and circumstances under which a state
980 contracting agency may allow contract modification, change order, or
981 contract price adjustment under a construction contract with [the state]
982 a state contracting agency in excess of fifty thousand dollars. Such
983 regulations shall require that every contract modification, change order
984 or contract price adjustment under a construction contract with [the
985 state] a state contracting agency in excess of fifty thousand dollars shall

986 be subject to prior written certification by the fiscal officer of the state
987 contracting agency or other agency responsible for funding the project
988 or the contract, or other official responsible for monitoring and
989 reporting upon the status of the costs of the total project budget or
990 contract budget, as to the effect of the contract modification, change
991 order, or adjustment in contract price on the total project budget or the
992 total contract budget. Such regulations shall further provide that in the
993 event the certification of the fiscal officer or other responsible official
994 discloses a resulting increase in the total project budget or the total
995 contract budget, the agency procurement officer shall not execute or
996 make such contract modification, change order, or adjustment in
997 contract price unless sufficient funds are available or the scope of the
998 project or contract is adjusted so as to permit the degree of completion
999 that is feasible within the total project budget or total contract budget as
1000 it existed prior to the contract modification, change order, or adjustment
1001 in contract price under consideration provided, with respect to the
1002 validity, as to the contractor, of any executed contract modification,
1003 change order, or adjustment in contract price which the contractor has
1004 reasonably relied upon, it shall be presumed that there has been
1005 compliance with the provisions of this section.

1006 Sec. 30. Subsection (a) of section 4e-48 of the general statutes is
1007 repealed and the following is substituted in lieu thereof (*Effective July 1,*
1008 *2023*):

1009 (a) For the purposes of this section, "nonresident bidder" means a
1010 business that is not a resident of the state that submits a bid in response
1011 to an invitation to bid by a state contracting agency, "resident bidder"
1012 means a business that submits a bid in response to an invitation to bid
1013 by a state contracting agency and that has paid unemployment taxes or
1014 income taxes in this state during the twelve calendar months
1015 immediately preceding submission of such bid, has a business address
1016 in the state and has affirmatively claimed such status in the bid
1017 submission, and "contract" [means "contract" as defined in section 4e-1
1018 and "state contracting agency" means] and "state contracting agency"
1019 have the same meanings, as [defined] provided in section 4e-1, as

1020 amended by this act.

1021 Sec. 31. Section 4e-72 of the general statutes is repealed and the
1022 following is substituted in lieu thereof (*Effective July 1, 2023*):

1023 As used in this section, "contract", "state contracting agency", "data"
1024 and "contractor" have the same meanings as provided in section 4e-1, as
1025 amended by this act. Any contract between a state contracting agency
1026 and a contractor that is entered into, renewed or amended on or after
1027 October 1, 2021, or, in the case of a state contracting agency that is a
1028 quasi-public agency, entered into, renewed or amended on or after July
1029 1, 2023, shall contain a provision authorizing the state contracting
1030 agency to access any data concerning such contract that is in the
1031 possession or control of the contractor upon demand in a format
1032 prescribed by the state contracting agency at no additional cost to such
1033 agency.

1034 Sec. 32. Section 10a-255 of the general statutes is repealed and the
1035 following is substituted in lieu thereof (*Effective July 1, 2023*):

1036 (a) To accomplish the purposes of sections 10a-250 to 10a-263,
1037 inclusive, the corporation may enter into joint ventures or shared service
1038 agreements to procure hospital facilities and to contract for services
1039 necessary or useful in connection with the procurement of hospital
1040 facilities. The corporation shall establish and adopt specific policies,
1041 rules and procedures on purchasing and contracting. Such policies,
1042 rules and procedures shall be approved by a two-thirds vote of its full
1043 board of directors. The corporation shall conduct its contracting and
1044 purchasing operations in accordance with such policies, rules and
1045 procedures. Notwithstanding any other provision of law to the contrary,
1046 the corporation may enter into joint ventures or shared service
1047 agreements and may procure hospital facilities and contract for any
1048 services necessary or useful in connection with such procurement either
1049 (1) pursuant to a process of open or competitive bidding, provided that
1050 (A) the corporation may determine the format, contents and scope of
1051 any joint venture or shared service agreement or any procurement of

1052 hospital facilities, and services in connection with such procurement,
1053 the conditions under which bidding shall take place and the schedule
1054 and stipulations for contract award, and (B) the corporation may select
1055 the contractor deemed to have submitted the most favorable bid, price
1056 and other factors considered, when, in the judgment of the corporation,
1057 such award is in the best interests of the hospital, or (2) if the
1058 corporation, in its discretion, determines that, due to the nature of the
1059 joint venture or shared service agreement or hospital facilities to be
1060 contracted for or procured, open or public bidding is either
1061 impracticable or not in the best interests of the hospital, through
1062 negotiation with such person or persons as the corporation may
1063 determine. The terms and conditions of joint ventures or shared service
1064 agreements or contracts for hospital facilities shall be determined by the
1065 corporation, as shall the fees or other compensation to be paid to such
1066 persons under such joint venture, shared service agreement or contract,
1067 provided any contract for construction by the corporation or a
1068 subsidiary of a hospital facility shall be subject to the provisions of
1069 section 31-53 and any joint venture agreement or shared service
1070 agreement of the corporation shall contain a neutrality clause signed by
1071 all parties to such joint venture agreement or shared service agreement
1072 prohibiting employer interference by such parties in union organizing
1073 and education campaigns, prohibiting discrimination in hiring based on
1074 past union activity and prohibiting harassment of employees engaged
1075 in labor organizing, all in compliance with section 31-104 and section 31-
1076 105. The joint venture, shared service agreement or contracts entered
1077 into by the corporation shall not be subject to the approval of any state
1078 department, office or agency other than as provided in this section.
1079 Copies of all contracts of the corporation shall be maintained by the
1080 corporation at its offices as public records, subject to the exemption
1081 provided in subsection (i) of section 10a-253. Nothing in this subsection
1082 shall be deemed to restrict the discretion of the corporation to utilize its
1083 own staff and workforce for the performance of any of its assigned
1084 responsibilities and functions whenever, in the discretion of the
1085 corporation, it becomes necessary, convenient or desirable to do so.

1086 (b) Subject to the restrictions of subdivision (15) of section 10a-254 the
1087 corporation may contract with the hospital to provide services for the
1088 hospital through joint ventures or shared service agreements or to
1089 provide hospital facilities for the hospital, to provide insurance for the
1090 hospital as provided in section 10a-256 and to contract for claims
1091 management services, or to otherwise make hospital facilities or services
1092 provided by joint ventures or shared service agreements available for
1093 the hospital. For the hospital to enter into any contract for such services
1094 or hospital facilities or insurance or claims management services with
1095 the corporation, to pay any reasonable fees and charges established by
1096 the corporation for such services or hospital facilities or to pledge
1097 payment from any moneys made available by the state to the hospital
1098 including, but not limited to, resources of the hospital fund established
1099 and administered pursuant to sections 10a-127 and 10a-128, other funds
1100 of the state and proceeds of financings by the state for the payment of
1101 such fees and charges, it shall have the authorization of the Board of
1102 Trustees of The University of Connecticut. Such authorization shall be
1103 given by adoption of a resolution at a regularly or specially noticed
1104 meeting of said board of trustees. Any fees and charges so established
1105 shall be deemed to be direct expenses of the hospital for which the
1106 resources of the hospital fund may be used pursuant to section 10a-127
1107 and the State Treasurer is authorized to make payments of such fees and
1108 charges upon warrants issued by the State Comptroller, upon the order
1109 of authorized officers of The University of Connecticut, pursuant to such
1110 a resolution. The provisions of section 4a-57 and any provision of law
1111 relating to contract approval other than sections 10a-250 to 10a-263,
1112 inclusive, shall not apply to such contracts between the hospital and the
1113 corporation. Any such contract or contracts shall be upon such terms
1114 and conditions as the corporation and the hospital shall determine to be
1115 reasonable including, but not limited to, the reimbursement of all costs
1116 of planning, financing, acquisition, construction, operation and
1117 maintenance, and any claims arising therefrom. All payments of fees
1118 and charges required under any contract or agreement entered into
1119 pursuant to the provisions of this section are considered expenditures
1120 for public purposes by the state. Any contract between the hospital and

1121 the corporation that provides for the procurement by the corporation of
1122 hospital facilities or services as authorized by sections 10a-250 to 10a-
1123 263, inclusive, shall provide that the hospital shall be required to pay,
1124 through service, lease, rental or installment sale payments for such
1125 hospital facilities or services, all project costs of such hospital facilities
1126 or services at such times and in such amounts as determined by the
1127 corporation and the hospital. Any such contract between the hospital
1128 and the corporation may contain provisions as to: (1) Pledging or
1129 assigning any part of moneys and revenues, including reimbursement
1130 allowances, derived by the hospital or the corporation, to secure
1131 payments required by such contract; (2) setting aside reserves and
1132 creating special funds and the disposition thereof; (3) defining the acts
1133 or omissions to act which shall constitute a default in the obligations and
1134 duties of the hospital or the corporation and providing for the rights and
1135 remedies of the hospital and the corporation in the event of such default;
1136 (4) any other matters which may be deemed necessary or desirable by
1137 the corporation to properly carry out its corporate purposes.

1138 (c) Any joint venture, shared service agreement or contract entered
1139 into by the corporation, or any of its subsidiaries under this section, shall
1140 comply with the applicable provisions of section 4e-16, as amended by
1141 this act, and shall be subject to the jurisdiction of the State Contracting
1142 Standards Board to the same extent as a constituent unit of higher
1143 education.

1144 Sec. 33. Subdivision (15) of subsection (a) of section 15-31b of the
1145 general statutes is repealed and the following is substituted in lieu
1146 thereof (*Effective July 1, 2023*):

1147 (15) Invest in, acquire, lease, purchase, own, manage, hold and
1148 dispose of real property and lease, convey or deal in or enter into
1149 agreements with respect to such property on any terms necessary or
1150 incidental to carrying out the purposes of sections 15-31a to 15-31i,
1151 inclusive, provided such transactions shall not be subject to approval,
1152 review or regulation by any state agency pursuant to title 4b or any other
1153 provision of the general statutes, except (A) the authority shall not

1154 convey fee simple ownership in any property associated with the ports
1155 or harbors under its jurisdiction and control without the approval of the
1156 State Properties Review Board and the Attorney General, and (B) as
1157 provided in [subsection (c) of this section] chapter 62; and

1158 Sec. 34. Subsections (b) and (c) of section 15-31b of the general statutes
1159 are repealed and the following is substituted in lieu thereof (*Effective July*
1160 *1, 2023*):

1161 (b) The authority shall continue as long as it has bonds or other
1162 obligations outstanding and until its existence is terminated by law,
1163 provided no such termination shall affect any outstanding contractual
1164 obligation of the authority and the state shall succeed to the obligations
1165 of the authority under any contract. Upon the termination of the
1166 existence of the authority, all its rights and properties shall pass to and
1167 be vested in the state of Connecticut.

1168 [(c) On and after June 23, 2021, until July 1, 2026, the authority shall
1169 be a state contracting agency for the purposes of chapter 62, except for
1170 the provisions of section 4e-16, and shall be subject to the authority of
1171 the State Contracting Standards Board established under section 4e-2.]

1172 Sec. 35. Subsection (c) of section 10-357b of the general statutes is
1173 repealed and the following is substituted in lieu thereof (*Effective July 1,*
1174 *2023*):

1175 (c) The State Education Resource Center shall be subject to (1) rules,
1176 regulations and restrictions on purchasing, procurement, personal
1177 service agreements and the disposition of assets generally applicable to
1178 Connecticut state agencies, including those contained in titles 4, 4a and
1179 4b and [section 4e-19] chapter 62, and (2) audit by the Auditors of Public
1180 Accounts under chapter 12 and section 2-90.

1181 Sec. 36. Section 10a-196 of the general statutes is repealed and the
1182 following is substituted in lieu thereof (*Effective July 1, 2023*):

1183 Sections 10a-176 to 10a-195, inclusive, shall be deemed to provide a

1184 complete, additional and alternative method for the doing of the things
1185 authorized thereby, and shall be regarded as supplemental and
1186 additional to powers conferred by other laws; provided the issuance of
1187 bonds and refunding bonds under the provisions of this chapter need
1188 not comply with the requirements of any other law applicable to the
1189 issuance of bonds including, particularly, title 42a; and provided in the
1190 construction and acquisition of a project pursuant hereto the authority
1191 need not comply with the requirements of chapter 50. Except as
1192 otherwise expressly provided in this chapter and the provisions of
1193 chapter 62 concerning state contracting agencies, none of the powers
1194 granted to the authority under the provisions of this chapter shall be
1195 subject to the supervision or regulation or require the approval or
1196 consent of any municipality or political subdivision or any commission,
1197 board, body, bureau, official or agency thereof or of the state.

1198 Sec. 37. Subsection (s) of section 10a-204b of the general statutes is
1199 repealed and the following is substituted in lieu thereof (*Effective July 1,*
1200 *2023*):

1201 (s) The provisions of this section shall be deemed to provide a
1202 complete, additional and alternative method for the actions and the
1203 things authorized thereby and shall be regarded as supplemental and
1204 additional to powers granted by other laws; the issuance of bonds, notes
1205 or other obligations under the provisions of this section need not comply
1206 with the requirements of any law applicable to the issuance of bonds,
1207 notes or other obligations. This section, being necessary for the welfare
1208 of the state and its inhabitants, shall be liberally construed to affect its
1209 purpose. None of the powers granted to the corporation or to any
1210 subsidiary created pursuant to subdivision (5) of section 10a-204 under
1211 the provisions of this section shall be subject to the supervision or
1212 regulation or require the approval or consent of any municipality or
1213 political subdivision or any department, division, commission, board,
1214 body, bureau, official or agency thereof or of the state, and the exercise
1215 thereof shall not cause the corporation or any such subsidiary to be
1216 construed to be an agency within the scope of chapter 54 or a
1217 department, institution or agency of the state, except that the

1218 corporation or any such subsidiary shall comply with the provisions of
1219 chapter 62 concerning state contracting agencies.

1220 Sec. 38. Section 10a-243 of the general statutes is repealed and the
1221 following is substituted in lieu thereof (*Effective July 1, 2023*):

1222 The provisions of this chapter shall be deemed to provide a complete,
1223 additional and alternative method for the actions of the things
1224 authorized thereby and shall be regarded as supplemental and
1225 additional to powers granted by other laws; the issuance of revenue
1226 bonds or notes and revenue refunding bonds or notes under the
1227 provisions of this chapter need not comply with the requirements of any
1228 other law applicable to the issuance of bonds or notes. This chapter,
1229 being necessary for the welfare of the state and its inhabitants, shall be
1230 liberally construed to effect its purpose. Except as otherwise expressly
1231 provided in this chapter or the provisions of chapter 62 concerning state
1232 contracting agencies, none of the powers granted to the authority under
1233 the provisions of this chapter shall be subject to the supervision or
1234 regulation or require the approval or consent of any municipality or
1235 political subdivision or any department, division, commission, board,
1236 body, bureau, official or agency thereof or of the state. The authority
1237 shall not be construed to be an agency within the scope of chapter 54 or
1238 a department, institution or agency of the state.

1239 Sec. 39. Subdivision (16) of subsection (b) of section 12-806 of the
1240 general statutes is repealed and the following is substituted in lieu
1241 thereof (*Effective July 1, 2023*):

1242 (16) To invest in, acquire, lease, purchase, own, manage, hold and
1243 dispose of real property and lease, convey or deal in or enter into
1244 agreements with respect to such property on any terms necessary or
1245 incidental to carrying out the purposes of sections 12-563a, 12-800 to 12-
1246 818, inclusive, and sections 12-853 and 12-854, provided such
1247 transactions shall not be subject to approval, review or regulation
1248 pursuant to title 4b or any other statute by any state agency, except that
1249 real property transactions shall be subject to review by the State

1250 Properties Review Board and contracts shall be subject to the provisions
1251 of chapter 62 concerning state contracting agencies;

1252 Sec. 40. Section 12-815 of the general statutes is repealed and the
1253 following is substituted in lieu thereof (*Effective July 1, 2023*):

1254 (a) The corporation shall establish and adopt specific policies, rules
1255 and procedures on purchasing and contracting. Such policies, rules and
1256 procedures or amendments thereto shall be approved by a two-thirds
1257 vote of the entire board. Notwithstanding any other provision of law to
1258 the contrary, the corporation may enter into management, consulting
1259 and other agreements for the provision of goods, services and
1260 professional advisors necessary or useful in connection with the
1261 operation and management of the lottery (1) pursuant to a process of
1262 open or competitive bidding, provided (A) the corporation shall first
1263 determine the format, content and scope of any agreement for any
1264 procurement of goods or services, the conditions under which bidding
1265 will take place and the schedule and stipulations for contract award, and
1266 (B) the corporation may select the contractor deemed to have submitted
1267 the most favorable bid, considering price and other factors, when, in the
1268 judgment of the corporation, such award is in the best interests of the
1269 corporation, or (2) if the corporation, in its discretion, determines that,
1270 due to the nature of the agreement to be contracted for or procured,
1271 open or public bidding is either impracticable or not in the best interests
1272 of the corporation, by negotiation with such prospective providers as
1273 the corporation may determine. The terms and conditions of agreements
1274 and the fees or other compensation to be paid to such persons shall be
1275 determined by the corporation. The agreements entered into by the
1276 corporation in accordance with the provisions of this section shall not
1277 be subject to the approval of any state department, office or agency,
1278 except as provided in the provisions of chapter 62 concerning state
1279 contracting agencies or regulations adopted by the Department of
1280 Consumer Protection. Nothing in this section shall be deemed to restrict
1281 the discretion of the corporation to utilize its own staff and workforce
1282 for the performance of any of its assigned responsibilities and functions
1283 whenever, in the discretion of the corporation, it becomes necessary,

1284 convenient or desirable to do so. Copies of all agreements of the
1285 corporation shall be maintained by the corporation at its offices as public
1286 records, subject to said exemption.

1287 (b) [The] Except as provided in chapter 62, the corporation shall not
1288 be subject to rules, regulations or restrictions on purchasing or
1289 procurement or the disposition of assets generally applicable to
1290 Connecticut state agencies, including those contained in titles 4a and 4b
1291 and the corresponding rules and regulations. The board shall adopt
1292 rules and procedures on purchasing, procurement and the disposition
1293 of assets applicable to the corporation. The adoption of such rules or
1294 procedures shall not be subject to chapter 54. Any such rules or
1295 procedures shall be a public record, as defined in section 1-200.

1296 Sec. 41. Section 22a-268 of the general statutes is repealed and the
1297 following is substituted in lieu thereof (*Effective July 1, 2023*):

1298 The authority shall utilize private industry, by contract, to carry out
1299 the business, design, operating, management, marketing, planning and
1300 research and development functions of the authority, unless the
1301 authority determines that it is in the public interest to adopt another
1302 course of action. The authority is hereby empowered to enter into long-
1303 term contracts with private persons for the performance of any such
1304 functions of the authority which, in the opinion of the authority, can
1305 desirably and conveniently be carried out by a private person under
1306 contract provided any such contract shall contain such terms and
1307 conditions as will enable the authority to retain overall supervision and
1308 control of the business, design, operating, management, transportation,
1309 marketing, planning and research and development functions to be
1310 carried out or to be performed by such private persons pursuant to such
1311 contract. Such contracts shall be entered into either on a competitive
1312 negotiation or competitive bidding basis, and the authority in its
1313 discretion may select the type of contract it deems most prudent to
1314 utilize, pursuant to the contracting procedures adopted under section
1315 22a-268a and considering the scope of work, the management
1316 complexities associated therewith, the extent of current and future

1317 technological development requirements and the best interests of the
1318 state. Whenever a long-term contract is entered into on other than a
1319 competitive bidding basis, the criteria and procedures therefor shall
1320 conform to applicable provisions of subdivision (16) of subsection (a)
1321 and subsections (b) and (c) of section 22a-266, provided however, that
1322 any contract for a period of over five years in duration, or any contract
1323 for which the annual consideration is greater than fifty thousand dollars
1324 shall be approved by a two-thirds vote of the authority's full board of
1325 directors. The terms and conditions of such contracts shall be
1326 determined by the authority, as shall the fees or other similar
1327 compensation to be paid to such persons for such contracts. The
1328 contracts entered into by the authority shall not be subject to the
1329 approval of any other state department, office or agency, except as
1330 provided in the provisions concerning state contracting agencies in
1331 chapter 62. However, copies of all contracts of the authority shall be
1332 maintained by the authority as public records, subject to the proprietary
1333 rights of any party to the contract. Nothing of the aforesaid shall be
1334 deemed to restrict the discretion of the authority to utilize its own staff
1335 and work force for the performance of any of its assigned
1336 responsibilities and functions whenever, in the discretion of the
1337 authority, it becomes necessary, convenient or desirable to do so. Any
1338 litigation with respect to any terms, conditions or provisions of any
1339 contract of the authority, or the performance or nonperformance of same
1340 by either party, shall be tried before a judge of the Superior Court of
1341 Connecticut.

1342 Sec. 42. Subdivision (14) of section 31-49h of the general statutes is
1343 repealed and the following is substituted in lieu thereof (*Effective July 1,*
1344 *2023*):

1345 (14) Make and enter into any contract or agreement necessary or
1346 incidental to the performance of its duties and execution of its powers.
1347 [The] Except as provided in chapter 62, the contracts and agreements
1348 entered into by the authority shall not be subject to the approval of any
1349 other state department, office or agency, provided copies of all such
1350 contracts shall be maintained by the authority as public records, subject

1351 to the proprietary rights of any party to such contracts. No contract shall
1352 contain any provision in which any contractor derives any direct or
1353 indirect economic benefit from denying or otherwise influencing the
1354 outcome of any claim for benefits. The standard criteria for the
1355 evaluation of proposals relating to claims processing, web site
1356 development, database development, marketing and advertising, in the
1357 event the authority seeks the services of an outside contractor for such
1358 tasks, and for the evaluation of proposals relating to all other contracts
1359 in amounts equal to or exceeding two hundred fifty thousand dollars
1360 shall include, but need not be limited to: (A) Transparency, (B) cost, (C)
1361 efficiency of operations, (D) quality of work related to the contracts
1362 issued, (E) user experience, (F) accountability, and (G) a cost-benefit
1363 analysis documenting the direct and indirect costs of such contracts,
1364 including qualitative and quantitative benefits that will result from the
1365 implementation of such contracts. The establishment of additional
1366 standard criteria shall be approved by a two-thirds vote of the board
1367 after such criteria have been posted on a public Internet web site
1368 maintained by the authority for notice and comment for at least one
1369 week prior to such vote.

1370 Sec. 43. Subdivision (13) of section 38a-1083 of the general statutes is
1371 repealed and the following is substituted in lieu thereof (*Effective October*
1372 *1, 2023*):

1373 (13) Make and enter into any contract or agreement necessary or
1374 incidental to the performance of its duties and execution of its powers,
1375 including, but not limited to, an agreement with the Office of Health
1376 Strategy to use funds collected under this section for the operation of
1377 the all-payer claims database established under section 19a-755a and to
1378 receive data from such database. The contracts entered into by the
1379 exchange shall not be subject to the approval of any other state
1380 department, office or agency, provided copies of all contracts of the
1381 exchange shall be maintained by the exchange as public records, subject
1382 to the proprietary rights of any party to the contract, except (A) as
1383 provided in chapter 62, and (B) any agreement with the Office of Health
1384 Strategy shall be subject to approval by said office and the Office of

1385 Policy and Management and no portion of such agreement shall be
 1386 considered proprietary;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>July 1, 2023</i>	4e-1
Sec. 3	<i>July 1, 2023</i>	4e-2(g) and (h)
Sec. 4	<i>July 1, 2023</i>	4e-3(a)(2)
Sec. 5	<i>July 1, 2023</i>	4e-4
Sec. 6	<i>July 1, 2023</i>	4e-5(a) to (c)
Sec. 7	<i>July 1, 2023</i>	4e-7(a)
Sec. 8	<i>July 1, 2023</i>	4e-8
Sec. 9	<i>July 1, 2023</i>	4e-10(a)
Sec. 10	<i>July 1, 2023</i>	4e-14
Sec. 11	<i>July 1, 2023</i>	4e-16(c) and (d)
Sec. 12	<i>July 1, 2023</i>	4e-16(l)(2) to (4)
Sec. 13	<i>July 1, 2023</i>	4e-16(n)
Sec. 14	<i>July 1, 2023</i>	4e-17
Sec. 15	<i>July 1, 2023</i>	4e-18
Sec. 16	<i>July 1, 2023</i>	4e-21(c)
Sec. 17	<i>July 1, 2023</i>	4e-24
Sec. 18	<i>July 1, 2023</i>	4b-51(d)
Sec. 19	<i>July 1, 2023</i>	4b-57(a)
Sec. 20	<i>July 1, 2023</i>	4b-91(g)
Sec. 21	<i>July 1, 2023</i>	4e-27
Sec. 22	<i>July 1, 2023</i>	4e-31
Sec. 23	<i>July 1, 2023</i>	4e-34
Sec. 24	<i>July 1, 2023</i>	4e-35
Sec. 25	<i>July 1, 2023</i>	4e-37(g) to (i)
Sec. 26	<i>July 1, 2023</i>	4e-38
Sec. 27	<i>July 1, 2023</i>	4e-40(2)
Sec. 28	<i>July 1, 2023</i>	4e-45
Sec. 29	<i>July 1, 2023</i>	4e-46
Sec. 30	<i>July 1, 2023</i>	4e-48(a)
Sec. 31	<i>July 1, 2023</i>	4e-72
Sec. 32	<i>July 1, 2023</i>	10a-255
Sec. 33	<i>July 1, 2023</i>	15-31b(a)(15)
Sec. 34	<i>July 1, 2023</i>	15-31b(b) and (c)
Sec. 35	<i>July 1, 2023</i>	10-357b(c)

Sec. 36	<i>July 1, 2023</i>	10a-196
Sec. 37	<i>July 1, 2023</i>	10a-204b(s)
Sec. 38	<i>July 1, 2023</i>	10a-243
Sec. 39	<i>July 1, 2023</i>	12-806(b)(16)
Sec. 40	<i>July 1, 2023</i>	12-815
Sec. 41	<i>July 1, 2023</i>	22a-268
Sec. 42	<i>July 1, 2023</i>	31-49h(14)
Sec. 43	<i>October 1, 2023</i>	38a-1083(13)

Statement of Purpose:

To make revisions to provisions concerning the State Contracting Standards Board, including by giving the board authority over quasi-public agency procurement, requiring the hiring of full-time staff for the board, prohibiting the Governor from reducing allotments to the board and limiting the selection of contractors from a list without a competitive process to emergency procurements.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]