



General Assembly

February Session, 2024

Raised Bill No. 5347

LCO No. 2311



Referred to Committee on EDUCATION

Introduced by:
(ED)

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

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

1 Section 1. (*Effective from passage*) The Commissioner of Administrative
2 Services, having reviewed applications for state grants for public school
3 building projects in accordance with section 10-283 of the general
4 statutes, as amended by this act, on the basis of priorities for such
5 projects and standards for school construction established by the State
6 Board of Education, and having prepared a listing of all such eligible
7 projects ranked in order of priority, as determined by said commissioner
8 together with the amount of the estimated grant with respect to each
9 eligible project, and having submitted such listing of eligible projects,
10 prior to December 15, 2023, to a committee of the General Assembly
11 established under section 10-283a of the general statutes, as amended by
12 this act, for the purpose of reviewing such listing, is hereby authorized
13 to enter into grant commitments on behalf of the state in accordance
14 with said section 10-283a, as amended by this act, with respect to the
15 priority listing of such projects and in such estimated amounts as

16 approved by said committee prior to February 1, 2024, as follows:

T1	School District	Estimated	Estimated
T2	School	Project Costs	Grant
T3	Project Number		
T4			
T5	BRISTOL		
T6	Edgewood Pre-K Academy		
T7	24DASY017090RNV0624	\$16,803,560	\$11,701,999
T8			
T9	LEARN		
T10	New Early Childhood School at 51		
T11	Daniels Avenue		
T12	24DASY245090APF0624	\$95,736,656	\$76,589,325
T13			
T14	STAMFORD		
T15	South School - Upper		
T16	24DASY135283N0624	\$85,871,466	\$51,522,880
T17			
T18	STAMFORD		
T19	South School - Lower		
T20	24DASY135284N0624	\$72,463,942	\$43,478,365
T21			
T22	BRISTOL		
T23	Bristol Central High School Culinary		
T24	Arts		
T25	24DASY017091A0624	\$1,426,955	\$993,731
T26			
T27	BRISTOL		
T28	Bristol Eastern High School Culinary		
T29	Arts		
T30	24DASY017092A0624	\$1,448,285	\$1,008,586
T31			
T32	DANBURY		
T33	Danbury High School		
T34	24DASY034154A0624	\$16,500,000	\$10,429,650
T35			
T36	HARTFORD		
T37	Montessori Magnet at Batchelder		
T38	24DASY064322RNV0624	\$102,569,302	\$97,440,837
T39			

T40	HARTFORD		
T41	S.A.N.D. Elementary School		
T42	24DASY064323RNV0624	\$82,837,086	\$78,695,232
T43			
T44	HARTFORD		
T45	Maria C. Colon Sanchez Elementary		
T46	School		
T47	24DASY064324RNV0624	\$96,945,196	\$92,097,936
T48			
T49	NEWINGTON		
T50	John Wallace Middle School		
T51	24DASY094112AB0624	\$10,717,573	\$6,277,283

17 (2) Previously Authorized Projects That Have Changed Substantially
 18 in Scope or Cost which are Seeking Reauthorization.

T52	School District	Authorized	Requested
T53	School		
T54	Project Number		
T55			
T56	HARTFORD		
T57	Betances Learning Lab Magnet School		
T58	21DASY064316RNV0621		
T59			
T60	Estimated...		
T61	Total Project Costs	\$43,709,774	\$66,825,200
T62	Total Grant	\$41,524,285	\$63,483,940
T63			
T64	HARTFORD		
T65	Fred D. Walsh Museum School		
T66	21DASY064318RNV0621		
T67			
T68	Estimated...		
T69	Total Project Costs	\$49,320,000	\$67,290,900
T70	Total Grant	\$46,854,000	\$63,926,355

19 Sec. 2. Subsection (a) of section 10-283 of the general statutes is
 20 repealed and the following is substituted in lieu thereof (*Effective July 1,*

21 2024):

22 (a) (1) Each town or regional school district shall be eligible to apply
23 for and accept grants for a school building project as provided in this
24 chapter. Any town desiring a grant for a public school building project
25 may, by vote of its legislative body, authorize the board of education of
26 such town to apply to the Commissioner of Administrative Services and
27 to accept or reject such grant for the town. Any regional school board
28 may vote to authorize the supervising agent of the regional school
29 district to apply to the Commissioner of Administrative Services for and
30 to accept or reject such grant for the district. Applications for such grants
31 under this chapter shall be made by the superintendent of schools of
32 such town or regional school district on the form provided and in the
33 manner prescribed by the Commissioner of Administrative Services.
34 The application form shall require the superintendent of schools to
35 affirm that the school district considered the maximization of natural
36 light, the use and feasibility of wireless connectivity technology and, on
37 and after July 1, 2014, the school safety infrastructure criteria, described
38 in section 10-292r, in projects for new construction and alteration or
39 renovation of a school building. The Commissioner of Administrative
40 Services shall review, in consultation with the Commissioner of
41 Education, each grant application for a school building project for
42 compliance with educational requirements, [and on the basis of
43 categories for building projects established by the Commissioner of
44 Administrative Services in accordance with this section.] The
45 Commissioner of Education shall evaluate, if appropriate, whether the
46 project will assist the state in meeting its obligations pursuant to the
47 decision in *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any related stipulation
48 or order in effect, as determined by the Commissioner of Education. The
49 Commissioner of Administrative Services shall consult with the
50 Commissioner of Education in reviewing grant applications submitted
51 for purposes of subsection (a) of section 10-65 or section 10-76e on the
52 basis of the educational needs of the applicant. The Commissioner of
53 Administrative Services shall review each grant application for a school

54 building project for compliance with standards for school building
55 projects pursuant to regulations, adopted in accordance with section 10-
56 287c, and, on and after July 1, 2014, the school safety infrastructure
57 criteria, described in section 10-292r. Notwithstanding the provisions of
58 this chapter, the Board of Trustees of the Community-Technical
59 Colleges on behalf of Quinebaug Valley Community College and Three
60 Rivers Community College and the following entities that will operate
61 an interdistrict magnet school that will assist the state in meeting its
62 obligations pursuant to the decision in *Sheff v. O'Neill*, 238 Conn. 1
63 (1996), or any related stipulation or order in effect, as determined by the
64 Commissioner of Education, may apply for and shall be eligible to
65 receive grants for school building projects pursuant to section 10-264h
66 for such a school: (A) The Board of Trustees of the Community-
67 Technical Colleges on behalf of a regional community-technical college,
68 (B) the Board of Trustees of the Connecticut State University System on
69 behalf of a state university, (C) the Board of Trustees for The University
70 of Connecticut on behalf of the university, (D) the board of governors
71 for an independent institution of higher education, as defined in
72 subsection (a) of section 10a-173, or the equivalent of such a board, on
73 behalf of the independent institution of higher education, (E)
74 cooperative arrangements pursuant to section 10-158a, and (F) any other
75 third-party not-for-profit corporation approved by the Commissioner of
76 Education.

77 (2) [The Commissioner of Administrative Services shall assign each
78 school building project to a category on the basis of whether such project
79 is primarily required to: (A) Create new facilities or alter existing
80 facilities to provide for mandatory instructional programs pursuant to
81 this chapter, for physical education facilities in compliance with Title IX
82 of the Elementary and Secondary Education Act of 1972 where such
83 programs or such compliance cannot be provided within existing
84 facilities or for the correction of code violations which cannot be
85 reasonably addressed within existing program space; (B) create new
86 facilities or alter existing facilities to enhance mandatory instructional

87 programs pursuant to this chapter or provide comparable facilities
88 among schools to all students at the same grade level or levels within
89 the school district unless such project is otherwise explicitly included in
90 another category pursuant to this section; and (C) create new facilities
91 or alter existing facilities to provide supportive services, provided in no
92 event shall such supportive services include swimming pools,
93 auditoriums, outdoor athletic facilities, tennis courts, elementary school
94 playgrounds, site improvement or garages or storage, parking or
95 general recreation areas.] All applications submitted prior to July first
96 shall be reviewed promptly by the Commissioner of Administrative
97 Services. The Commissioner of Administrative Services shall estimate
98 the amount of the grant for which such project is eligible, in accordance
99 with the provisions of section 10-285a, as amended by this act, provided
100 an application for a school building project determined by the
101 Commissioner of Education to be a project that will assist the state in
102 meeting its obligations pursuant to the decision in Sheff v. O'Neill, 238
103 Conn. 1 (1996), or any related stipulation or order in effect, as
104 determined by the Commissioner of Education, shall have until
105 September first to submit an application for such a project and may have
106 until December first of the same year to secure and report all local and
107 state approvals required to complete the grant application. The
108 Commissioner of Administrative Services shall annually prepare a
109 listing of all such eligible school building projects [listed by category
110 together] with the amount of the estimated grants for such projects and
111 shall submit the same to the Governor, the Secretary of the Office of
112 Policy and Management and the General Assembly on or before the
113 fifteenth day of December, except as provided in section 10-283a, as
114 amended by this act, with a request for authorization to enter into grant
115 commitments. On or before December thirty-first annually, the
116 Secretary of the Office of Policy and Management may submit
117 comments and recommendations regarding each eligible project on
118 such listing of eligible school building projects to the school construction
119 committee, established pursuant to section 10-283a, as amended by this
120 act. Each such listing shall include a report on the following factors for

121 each eligible project: (i) An enrollment projection and the capacity of the
122 school, including who conducted the enrollment projection for the
123 school and the cost of conducting such enrollment projection, (ii) a
124 substantiation of the estimated total project costs, (iii) the readiness of
125 such eligible project to begin construction, (iv) efforts made by the local
126 or regional board of education to redistrict, reconfigure, merge or close
127 schools under the jurisdiction of such board prior to submitting an
128 application under this section, (v) enrollment and capacity information
129 for all of the schools under the jurisdiction of such board for the five
130 years prior to application for a school building project grant, (vi)
131 enrollment projections and capacity information for all of the schools
132 under the jurisdiction of such board for the eight years following the
133 date such application is submitted, [and] including who conducted the
134 enrollment projection for the school and the cost of conducting such
135 enrollment projection, (vii) the state's education priorities relating to
136 reducing racial and economic isolation for the school district, and (viii)
137 an estimation of the total ineligible costs for such project. On and after
138 July 1, 2022, each such listing shall include an addendum that contains
139 all grants approved pursuant to subsection (b) of this section during the
140 prior fiscal year. For the period beginning July 1, 2006, and ending June
141 30, 2012, no project, other than a project for a technical education and
142 career school, may appear on the separate schedule of authorized
143 projects which have changed in cost more than twice. On and after July
144 1, 2012, no project, other than a project for a technical education and
145 career school, may appear on the separate schedule of authorized
146 projects which have changed in cost more than once, except the
147 Commissioner of Administrative Services may allow a project to appear
148 on such separate schedule of authorized projects a second time if the
149 town or regional school district for such project can demonstrate that
150 exigent circumstances require such project to appear a second time on
151 such separate schedule of authorized projects. Notwithstanding any
152 provision of this chapter, no projects which have changed in scope or
153 cost to the degree determined by the Commissioner of Administrative
154 Services, in consultation with the Commissioner of Education, shall be

155 eligible for reimbursement under this chapter unless it appears on such
156 list. The percentage determined pursuant to section 10-285a, as
157 amended by this act, at the time a school building project on such
158 schedule was originally authorized shall be used for purposes of the
159 grant for such project. On and after July 1, 2006, a project that was not
160 previously authorized as an interdistrict magnet school shall not receive
161 a higher percentage for reimbursement than that determined pursuant
162 to section 10-285a, as amended by this act, at the time a school building
163 project on such schedule was originally authorized. The General
164 Assembly shall annually authorize the Commissioner of Administrative
165 Services to enter into grant commitments on behalf of the state in
166 accordance with the commissioner's categorized listing for such projects
167 as the General Assembly shall determine. The Commissioner of
168 Administrative Services may not enter into any such grant
169 commitments except pursuant to such legislative authorization. Any
170 regional school district which assumes the responsibility for completion
171 of a public school building project shall be eligible for a grant pursuant
172 to subdivision (5) or (6), as the case may be, of subsection (a) of section
173 10-286 when such project is completed and accepted by such regional
174 school district.

175 (3) (A) All final calculations completed by the Department of
176 Administrative Services for school building projects shall include a
177 computation of the state grant for the school building project amortized
178 on a straight line basis over a twenty-year period for school building
179 projects with costs equal to or greater than two million dollars and over
180 a ten-year period for school building projects with costs less than two
181 million dollars. Any town or regional school district which abandons,
182 sells, leases, demolishes or otherwise redirects the use of such a school
183 building project to other than a public school use or a municipal use
184 during such amortization period shall refund to the state the
185 unamortized balance of the state grant remaining as of the date the
186 abandonment, sale, lease, demolition or redirection occurs. The
187 amortization period for a project shall begin on the date the project was

188 accepted as complete by the local or regional board of education. A town
189 or regional school district required to make a refund to the state
190 pursuant to this subdivision may request forgiveness of such refund if
191 the building is redirected for public use. The Department of
192 Administrative Services shall include as an addendum to the annual
193 school construction priority list all those towns requesting forgiveness.
194 General Assembly approval of the priority list under section 10-283a, as
195 amended by this act, containing such request shall constitute approval
196 of such request. This subdivision shall not apply to projects to correct
197 safety, health and other code violations or to remedy certified school
198 indoor air quality emergencies approved pursuant to subsection (b) of
199 this section or projects subject to the provisions of section 10-285c.

200 (B) If the board of governors for an independent institution of higher
201 education, as defined in subsection (a) of section 10a-173, or the
202 equivalent of such a board, on behalf of the independent institution of
203 higher education, that operates an interdistrict magnet school makes
204 private use of any portion of a school building in which such operator
205 received a school building project grant pursuant to this chapter, such
206 operator shall annually submit a report to the Commissioner of
207 Education that demonstrates that such operator provides an equal to or
208 greater than in-kind or supplemental benefit of such institution's
209 facilities to students enrolled in such interdistrict magnet school that
210 outweighs the private use of such school building. If the commissioner
211 finds that the private use of such school building exceeds the in-kind or
212 supplemental benefit to magnet school students, the commissioner may
213 require such institution to refund to the state the unamortized balance
214 of the state grant.

215 (C) Any moneys refunded to the state pursuant to subparagraphs (A)
216 and (B) of this subdivision shall be deposited in the state's tax-exempt
217 proceeds fund and used not later than sixty days after repayment to pay
218 debt service on, including redemption, defeasance or purchase of,
219 outstanding bonds of the state the interest on which is not included in
220 gross income pursuant to Section 103 of the Internal Revenue Code of

221 1986, or any subsequent corresponding internal revenue code of the
222 United States, as from time to time amended.

223 Sec. 3. Subsection (d) of section 10-283 of the general statutes is
224 repealed and the following is substituted in lieu thereof (*Effective July 1,*
225 *2024*):

226 (d) No school building project shall be added to the list prepared by
227 the Commissioner of Administrative Services pursuant to subsection (a)
228 of this section, unless the applicant, prior to submitting an application,
229 has (1) secured funding authorization for the [local share of the] total
230 project costs and such authorization has become effective pursuant to
231 the general statutes and local ordinance or charter, or (2) scheduled and
232 prepared a referendum, if required, the results of which shall be
233 submitted on or before the fifteenth day of November in the year of
234 application. The reimbursement percentage for a project covered by this
235 subsection shall reflect the rates in effect during the fiscal year in which
236 such [local] total funding authorization is secured.

237 Sec. 4. Section 10-283a of the general statutes is repealed and the
238 following is substituted in lieu thereof (*Effective July 1, 2024*):

239 The listing of eligible school building projects submitted pursuant to
240 section 10-283, as amended by this act, shall be reviewed by a committee
241 consisting of the chairpersons and ranking members of the joint
242 standing committees of the General Assembly having cognizance of
243 matters relating to appropriations and the budget of state agencies,
244 finance, revenue and bonding and education. The listing of eligible
245 projects [by category] shall be submitted to said committee prior to
246 December fifteenth annually to determine if said listing is in compliance
247 with [the categories described in] the provisions of subsection (a) of
248 section 10-283, as amended by this act, and standards established in
249 regulations adopted pursuant to section 10-287c. The committee may
250 modify the listing. Such modified listing shall be in compliance with the
251 provisions of subsection (a) of section 10-283, as amended by this act,

252 and such standards. [and categories.] On or after January first annually,
253 and prior to February first annually, the committee shall submit the
254 approved or modified listing of projects to the Governor and the
255 General Assembly.

256 Sec. 5. Subsection (a) of section 10-284 of the general statutes is
257 repealed and the following is substituted in lieu thereof (*Effective July 1,*
258 *2024*):

259 (a) The Commissioner of Administrative Services shall have
260 authority to receive and review applications for state grants under this
261 chapter, and to approve any such application, or to disapprove any such
262 application if (1) it does not include an attestation from the State Fire
263 Marshal or the Commissioner of Public Health that the school building
264 project plans comply with the requirements of the State Fire Marshal or
265 the Department of Public Health, (2) it is not accompanied by a life-cycle
266 cost analysis approved by the Commissioner of Administrative
267 Services, (3) it does not comply with the provisions of sections 10-290d
268 and 10-291, as amended by this act, (4) it does not meet (A) the standards
269 or requirements established in regulations adopted in accordance with
270 section 10-287c, or (B) school building categorization requirements
271 described in section 10-283, as amended by this act, (5) the estimated
272 construction cost exceeds the per square foot cost for schools established
273 in regulations adopted by the Commissioner of Administrative Services
274 for the county in which the project is proposed to be located, (6) on and
275 after July 1, 2014, the application does not comply with the school safety
276 infrastructure criteria described in section 10-292r, except the
277 Commissioner of Administrative Services may waive any of the
278 provisions of the school safety infrastructure criteria if the commissioner
279 determines that the application demonstrates that the applicant has
280 made a good faith effort to address such criteria and that compliance
281 with such criteria would be infeasible, unreasonable or excessively
282 expensive, (7) the Commissioner of Education determines that the
283 proposed educational specifications for or theme of the project for which
284 the applicant requests a state grant duplicates a program offered by a

285 technical education and career school or an interdistrict magnet school
286 in the same region, or (8) on and after July 1, 2018, a regional educational
287 service center is designated as the project manager in the application.

288 Sec. 6. Subsection (e) of section 10-285a of the 2024 supplement to the
289 general statutes is repealed and the following is substituted in lieu
290 thereof (*Effective July 1, 2024*):

291 (e) If an elementary school building project for a new building or for
292 the expansion of an existing building includes space for [a school
293 readiness program] an early childhood care and education program that
294 provides services for children from birth to five years, the percentage
295 determined pursuant to this section shall be increased by [five] fifteen
296 percentage points, but shall not exceed one hundred per cent, for the
297 portion of the building used primarily for such purpose. Recipient
298 districts shall maintain such full-day [preschool enrollment] early
299 childhood care and education program for at least ten years.

300 Sec. 7. Subsection (h) of section 10-285a of the 2024 supplement to the
301 general statutes is repealed and the following is substituted in lieu
302 thereof (*Effective July 1, 2024*):

303 (h) Subject to the provisions of section 10-285d, if an elementary
304 school building project for a school in a priority school district or for a
305 priority school is necessary in order to offer a full-day kindergarten
306 program or a full-day preschool program or to reduce class size
307 pursuant to section 10-265f, the percentage determined pursuant to this
308 section shall be increased by [ten] fifteen percentage points, but shall not
309 exceed one hundred per cent, for the portion of the building used
310 primarily for such full-day kindergarten program, full-day preschool
311 program or such reduced size classes. Recipient districts that receive an
312 increase pursuant to this subsection in support of a full-day preschool
313 program, shall maintain full-day preschool enrollment for at least ten
314 years.

315 Sec. 8. Subsection (c) of section 10-285b of the general statutes is

316 repealed and the following is substituted in lieu thereof (*Effective July 1,*
317 *2024*):

318 (c) In order for an incorporated or endowed high school or academy
319 to be eligible for a grant commitment pursuant to this section such high
320 school or academy shall [(1)] provide educational services to the town
321 or towns designating it as the high school for such town or towns for a
322 period of not less than ten years after completion of grant payments
323 under this section. [, and (2) provide that at least half of the governing
324 board which exercises final educational, financial and legal
325 responsibility for the high school or academy, exclusive of the chairman
326 of such board, be representatives of the board or boards of education
327 designating the high school or academy as the high school for each such
328 board's town.]

329 Sec. 9. Subsection (d) of section 10-286 of the 2024 supplement to the
330 general statutes is repealed and the following is substituted in lieu
331 thereof (*Effective July 1, 2024*):

332 (d) For any school building project receiving state grant assistance
333 under this chapter, all change orders or other change directives issued
334 for such project [(1) on or after July 1, 2008, until June 30, 2011, shall be
335 submitted, not later than six months after the date of such issuance, to
336 the Commissioner of Education, and (2) on or after July 1, 2011,] shall be
337 submitted, not later than six months after the date of such issuance, to
338 the Commissioner of Administrative Services, in a manner prescribed
339 by the Commissioner of Administrative Services. Only change orders or
340 other change directives submitted to the Commissioner of Education or
341 Commissioner of Administrative Services, as applicable, in accordance
342 with this subsection shall be eligible for state grant assistance. A
343 construction manager or construction administrator shall not be entitled
344 to any additional compensation beyond the guaranteed maximum price
345 for the cost of construction, as included in the contract pursuant to
346 subparagraph (B) of subdivision (3) of subsection (b) of section 10-287,
347 as amended by this act, as a result of any change order or other change

348 directive issued for such project.

349 Sec. 10. Subsection (b) of section 10-287 of the general statutes is
350 repealed and the following is substituted in lieu thereof (*Effective July 1,*
351 *2024*):

352 (b) (1) All orders and contracts for school building construction
353 receiving state assistance under this chapter, except as provided in
354 subdivisions (2) to (4), inclusive, of this subsection, shall be awarded to
355 the lowest responsible qualified bidder only after a public invitation to
356 bid, except for (A) school building projects for which the town or
357 regional school district is using a state contract pursuant to subsection
358 (d) of section 10-292, and (B) change orders, those contracts or orders
359 costing less than ten thousand dollars and those of an emergency nature,
360 as determined by the Commissioner of Administrative Services, in
361 which cases the contractor or vendor may be selected by negotiation,
362 provided no local fiscal regulations, ordinances or charter provisions
363 conflict.

364 (2) All orders and contracts for architectural services shall be
365 awarded from a pool of [not more than the four] at least three of the
366 most responsible qualified proposers after a public selection process.
367 Such process shall, at a minimum, involve requests for qualifications,
368 followed by requests for proposals, including fees, from the proposers
369 meeting the qualifications criteria of the request for qualifications
370 process. Following the qualification process, the awarding authority
371 shall evaluate the proposals to determine [the four] at least three of the
372 most responsible qualified proposers using those criteria previously
373 listed in the requests for qualifications and requests for proposals for
374 selecting architectural services specific to the project or school district.
375 Such evaluation criteria shall include due consideration of the
376 proposer's pricing for the project, experience with work of similar size
377 and scope as required for the order or contract, organizational and team
378 structure, including any subcontractors to be utilized by the proposer,
379 for the order or contract, past performance data, including, but not

380 limited to, adherence to project schedules and project budgets and the
381 number of change orders for projects, the approach to the work required
382 for the order or contract and documented contract oversight
383 capabilities, and may include criteria specific to the project. Final
384 selection by the awarding authority is limited to the pool of [the four] at
385 least three of the most responsible qualified proposers and shall include
386 consideration of all criteria included within the request for proposals.
387 As used in this subdivision, "most responsible qualified proposer"
388 means the proposer who is qualified by the awarding authority when
389 considering price and the factors necessary for faithful performance of
390 the work based on the criteria and scope of work included in the request
391 for proposals.

392 (3) (A) All orders and contracts for construction management services
393 shall be awarded from a pool of [not more than the four] at least three
394 of the most responsible qualified proposers after a public selection
395 process. Such process shall, at a minimum, involve requests for
396 qualifications, followed by requests for proposals, including fees, from
397 the proposers meeting the qualifications criteria of the request for
398 qualifications process. Following the qualification process, the
399 awarding authority shall evaluate the proposals to determine [the four]
400 at least three of the most responsible qualified proposers using those
401 criteria previously listed in the requests for qualifications and requests
402 for proposals for selecting construction management services specific to
403 the project or school district. Such evaluation criteria shall include due
404 consideration of the proposer's pricing for the project, experience with
405 work of similar size and scope as required for the order or contract,
406 organizational and team structure for the order or contract, past
407 performance data, including, but not limited to, adherence to project
408 schedules and project budgets and the number of change orders for
409 projects, the approach to the work required for the order or contract,
410 and documented contract oversight capabilities, and may include
411 criteria specific to the project. Final selection by the awarding authority
412 is limited to the pool of [the four] at least three of the most responsible

413 qualified proposers and shall include consideration of all criteria
414 included within the request for proposals. As used in this subdivision,
415 "most responsible qualified proposer" means the proposer who is
416 qualified by the awarding authority when considering price and the
417 factors necessary for faithful performance of the work based on the
418 criteria and scope of work included in the request for proposals.

419 (B) The construction manager's contract shall include a guaranteed
420 maximum price for the cost of construction. Such guaranteed maximum
421 price shall be determined not later than ninety days after the selection
422 of the trade subcontractor bids. A construction manager shall not be
423 entitled to any additional compensation beyond such guaranteed
424 maximum price as a result of any change order or other change directive
425 issued for the school building project. Each construction manager shall
426 invite bids and give notice of opportunities to bid on project elements
427 on the State Contracting Portal. Each bid shall be kept sealed until
428 opened publicly at the time and place set forth in the notice soliciting
429 such bid. The construction manager shall, after consultation and
430 approval by the town or regional school district, award any related
431 contracts for project elements to the responsible qualified contractor
432 submitting the lowest bid in compliance with the bid requirements,
433 provided that (i) the construction manager shall not be eligible to submit
434 a bid for any such project element, and (ii) construction shall not begin
435 prior to the determination of the guaranteed maximum price, except
436 work relating to site preparation and demolition may commence prior
437 to such determination. On and after July 1, 2024, the construction
438 manager's contract shall include a requirement that the construction
439 manager shall retain all documents and receipts relating to the school
440 building project for a period of two years following the date of
441 completion of an audit conducted by the Department of Administrative
442 Services pursuant to section 10-287, as amended by this act, for such
443 project.

444 (C) The construction manager shall submit quarterly reports
445 regarding the ineligible project costs for the school building project to

446 date to the town or regional board of education and the Commissioner
447 of Administrative Services. Upon submission of the notice of project
448 completion pursuant to subsection (d) of this section, and prior to the
449 audit conducted by the commissioner, the construction manager shall
450 submit a final report on the total ineligible costs for such project to the
451 town or regional school district and the commissioner.

452 (4) All orders and contracts for any other consultant services,
453 including, but not limited to, consultant services rendered by an owner's
454 representatives, construction administrators, program managers,
455 environmental professionals, planners and financial specialists, shall
456 comply with the public selection process described in subdivision (2) of
457 this subsection. No costs associated with an order or contract for such
458 consultant services shall be eligible for state financial assistance under
459 this chapter unless such order or contract receives prior approval from
460 the Commissioner of Administrative Services.

461 Sec. 11. Subsection (d) of section 10-287 of the general statutes is
462 repealed and the following is substituted in lieu thereof (*Effective July 1,*
463 *2024*):

464 (d) (1) Each town or regional school district shall submit a final grant
465 application to the Department of Administrative Services [within not
466 later than one year from the date of completion and acceptance of the
467 school building project by the town or regional school district. If a town
468 or regional school district fails to submit a final grant application [within
469 said period of time] on or before such one-year date, the commissioner
470 may withhold ten per cent of the state reimbursement for such project.

471 (2) (A) On and after July 1, [~~2022~~] 2024, each town or regional school
472 district shall submit a notice of project completion [within three years]
473 not later than one year from the date of the issuance of a certificate of
474 occupancy for the school building project by the town or regional school
475 district. If a town or regional school district fails to submit such notice
476 of project completion [within said period of time] on or before such one-

477 year date, the commissioner shall deem such project completed and
478 conduct an audit of such project in accordance with the provisions of
479 this chapter.

480 (B) For any school building project authorized by the General
481 Assembly prior to July 1, 2022, the commissioner shall deem as complete
482 any such project in which a certificate of occupancy has been granted,
483 but for which a notice of project completion has not been submitted by
484 the town or regional school district on or before July 1, 2025.

485 Sec. 12. Section 10-287i of the general statutes is repealed and the
486 following is substituted in lieu thereof (*Effective July 1, 2024*):

487 A grant under this chapter for any school building project authorized
488 by the General Assembly on or after July 1, 1996, or for any project for
489 which application is made pursuant to subsection (b) of section 10-283,
490 on or after July 1, 1997, shall be paid as follows: Applicants shall request
491 progress payments for the state share of eligible project costs calculated
492 pursuant to sections 10-65, 10-76e and 10-286, as amended by this act, at
493 such time and in such manner as the Commissioner of Administrative
494 Services shall prescribe provided no payments shall commence until the
495 applicant has filed a notice of authorization of funding for the local share
496 of project costs, and provided further no payments other than those for
497 architectural planning and site acquisition shall be made prior to
498 approval of the final architectural plans pursuant to section 10-292. For
499 any project authorized on or after July 1, 2024, the Department of
500 Administrative Services shall withhold five per cent of a grant if the
501 commissioner determines that the applicant has failed to comply with
502 the provisions of subdivision (3) of subsection (b) of section 4a-60g
503 relating to minority business enterprises. The Department of
504 Administrative Services shall withhold [~~five~~] eleven per cent of a grant
505 pending completion of an audit pursuant to section 10-287, as amended
506 by this act, provided, if the department is unable to complete the
507 required audit within six months of the date a request for final payment
508 is filed, the applicant may have an independent audit performed and

509 include the cost of such audit in the eligible project costs.

510 Sec. 13. Subsection (b) of section 10-291 of the general statutes is
511 repealed and the following is substituted in lieu thereof (*Effective July 1,*
512 *2024*):

513 (b) The Department of Administrative Services shall not approve a
514 school building project plan or site, as applicable, if:

515 (1) The site is in an area of moderate or high radon potential, as
516 indicated in the Department of Energy and Environmental Protection's
517 Radon Potential Map, or similar subsequent publications, except where
518 the school building project plan incorporates construction techniques to
519 mitigate radon levels in the air of the facility;

520 (2) The plans incorporate new roof construction or total replacement
521 of an existing roof and do not provide for the following: (A) A minimum
522 roof pitch that conforms with the requirements of the State Building
523 Code, (B) a minimum twenty-year unlimited manufacturer's guarantee
524 for water tightness covering material and workmanship on the entire
525 roofing system, (C) the inclusion of vapor retarders, insulation, bitumen,
526 felts, membranes, flashings, metals, decks and any other feature
527 required by the roof design, and (D) that all manufacturer's materials to
528 be used in the roofing system are specified to meet the latest standards
529 for individual components of the roofing systems of the American
530 Society for Testing and Materials;

531 (3) In the case of a major alteration, renovation or extension of a
532 building to be used for public school purposes, the plans do not
533 incorporate the guidelines set forth in the Sheet Metal and Air
534 Conditioning Contractors National Association's publication entitled
535 "Indoor Air Quality Guidelines for Occupied Buildings Under
536 Construction" or similar subsequent publications;

537 (4) In the case of a new construction, extension, renovation or
538 replacement, the plans do not provide that the building maintenance

539 staff responsible for such facility are trained in or are receiving training
540 in, or that the applicant plans to provide training in, the appropriate
541 areas of plant operations including, but not limited to, heating,
542 ventilation and air conditioning systems pursuant to section 10-231e,
543 with specific training relative to indoor air quality;

544 (5) In the case of a project for new construction, extension, major
545 alteration, renovation or replacement involving a school entrance for
546 inclusion on any listing submitted to the General Assembly in
547 accordance with section 10-283, as amended by this act, on or after July
548 1, 2008, the plans do not provide for a security infrastructure for such
549 entrance;

550 (6) In the case of a project for new construction, extension, major
551 alteration, renovation or replacement on any listing submitted to the
552 General Assembly in accordance with section 10-283, as amended by
553 this act, on or after July 1, 2022, the plans do not provide for the
554 installation of at least one water bottle filling station (A) per one
555 hundred students of the projected enrollment for the school building,
556 (B) on each new floor or wing of the school building, and (C) in any food
557 service area of the school building; [or]

558 (7) In the case of a project for new construction of a school building
559 on any listing submitted to the General Assembly in accordance with
560 section 10-283, as amended by this act, on or after July 1, 2023, the plans
561 do not provide for the installation of level two electric vehicle charging
562 stations, as defined in section 4b-77, in at least twenty per cent of the
563 designated parking spaces for cars or light duty trucks at the school
564 building; or

565 (8) In the case of a project for new construction of a school building
566 on any listing submitted to the General Assembly in accordance with
567 section 10-283, as amended by this act, on or after July 1, 2025, the plans
568 do not provide for an all-gender bathroom.

569 Sec. 14. Section 10-292v of the general statutes is repealed and the

570 following is substituted in lieu thereof (*Effective July 1, 2024*):

571 Any school building committee established by a town or regional
572 school district to undertake a school building project, as defined in
573 section 10-282, shall include (1) at least one member who has experience
574 in the construction industry, and (2) the chairperson of the local or
575 regional board of education, or the chairperson's designee, for the school
576 district of such school building project.

577 Sec. 15. Subsection (a) of section 10-506 of the 2024 supplement to the
578 general statutes is repealed and the following is substituted in lieu
579 thereof (*Effective July 1, 2024*):

580 (a) For the fiscal year ending June 30, 2015, and each fiscal year
581 thereafter, the Office of Early Childhood, in consultation with the
582 Department of Education, shall design and administer the Connecticut
583 Smart Start competitive grant program to provide grants to local and
584 regional boards of education for capital and operating expenses related
585 to establishing or expanding a preschool program under the jurisdiction
586 of the board of education for the town. A local or regional board of
587 education may submit an application to the office, in accordance with
588 the provisions of subsection (b) of this section, and [may] shall receive
589 (1) a grant for capital expenses in an amount not to exceed seventy-five
590 thousand dollars per classroom for costs related to the renovation of an
591 existing public school to accommodate the establishment or expansion
592 of a preschool program, and (2) an annual grant for operating expenses
593 (A) in an amount not to exceed five thousand dollars per child served
594 by such grant, or (B) in an amount not to exceed seventy-five thousand
595 dollars for each preschool classroom, provided no town shall receive a
596 total annual grant for operating expenses greater than three hundred
597 thousand dollars. Each local or regional board of education that
598 establishes or expands a preschool program under this section shall [be
599 eligible to] receive an annual grant for operating expenses for a period
600 of five years, provided such preschool program meets standards
601 established by the Commissioner of Early Childhood. Such local or

602 regional board of education may submit an application for renewal of
603 such grant to the office.

604 Sec. 16. Section 10-265r of the 2024 supplement to the general statutes
605 is repealed and the following is substituted in lieu thereof (*Effective July*
606 *1, 2024*):

607 (a) For the fiscal year ending June 30, 2023, and each fiscal year
608 thereafter, the Department of Administrative Services shall administer
609 a heating, ventilation and air conditioning system grant program to
610 reimburse local and regional boards of education, regional educational
611 service centers, incorporated or endowed high schools or academies
612 approved by the State Board of Education, pursuant to section 10-34,
613 and state charter schools for costs associated with projects for the
614 installation, replacement or upgrading of heating, ventilation and air
615 conditioning systems or other improvements to indoor air quality in
616 school buildings.

617 (b) (1) A local or regional board of education, [or a] regional
618 educational service center, incorporated or endowed high school or
619 academy or state charter school may apply, at such time and in such
620 manner as the Commissioner of Administrative Services prescribes, for
621 a grant for a project involving the installation, replacement or upgrading
622 of heating, ventilation and air conditioning systems or other
623 improvements to indoor air quality in school buildings. A local or
624 regional board of education may submit an application for any such
625 project that (A) was commenced on or after March 1, 2020, and
626 completed before July 1, 2022, or (B) is commenced on or after July 1,
627 2022.

628 (2) The commissioner shall develop eligibility criteria for the
629 awarding of grants under the program. Such criteria shall include, but
630 need not be limited to, (A) the age and condition of the current heating,
631 ventilation and air conditioning system or equipment being replaced or
632 upgraded in the school, (B) current air quality issues at the school, (C)

633 the age and condition of the overall school building, (D) the school
634 district's master plan, (E) the availability of maintenance records, (F) a
635 contract or plans for the routine maintenance and cleaning of the
636 heating, ventilation and air conditioning system, and (G) the [local or
637 regional board of education's or regional educational service center's]
638 ability of the local or regional board of education, regional educational
639 service center, incorporated or endowed high school or academy or state
640 charter school to finance the remainder of the costs for such project after
641 receiving a grant under the program. The commissioner shall utilize
642 such eligibility criteria when determining whether to award a grant to
643 an applicant under the program.

644 (3) The commissioner [shall not award a grant under the program to
645 any applicant that, on or after July 1, 2024, has not certified compliance
646 with] may award a grant under the program to an applicant for the
647 performance of the uniform inspection and evaluation of an existing
648 heating, ventilation and air conditioning system pursuant to subsection
649 (d) of section 10-220, except that the commissioner shall not award a
650 grant under the program to any applicant for any other purpose
651 authorized under this section that has not certified compliance with the
652 uniform inspection and evaluation of an existing heating, ventilation
653 and air conditioning system pursuant to subsection (d) of section 10-220.

654 (c) (1) Except as otherwise provided in subdivision [(4)] (5) of this
655 subsection, a local board of education may receive a grant equal to a
656 percentage of its eligible expenses. The percentage shall be determined
657 by its ranking. Such ranking shall be determined as follows: (A) Each
658 town shall be ranked in descending order from one to one hundred
659 sixty-nine according to the adjusted equalized net grand list per capita,
660 as defined in section 10-261, of the town two, three and four years prior
661 to the fiscal year in which application is made, (B) based upon such
662 ranking, a percentage of not less than twenty or more than eighty shall
663 be assigned to each town on a continuous scale, and (C) the town ranked
664 first shall be assigned a percentage of twenty and the town ranked last
665 shall be assigned a percentage of eighty.

666 (2) A regional board of education may receive a grant equal to a
667 percentage of its eligible expenses. The percentage shall be determined
668 by its ranking. Such ranking shall be determined as follows: (A)
669 Multiplying the total population, as defined in section 10-261, of each
670 town in the district by such town's ranking, as determined in
671 subdivision (1) of this subsection, (B) adding together the figures
672 determined under subparagraph (A) of this subdivision, and (C)
673 dividing the total computed under subparagraph (B) of this subdivision
674 by the total population of all towns in the district. The ranking of each
675 regional board of education shall be rounded to the next higher whole
676 number and each such board shall receive the same reimbursement
677 percentage as would a town with the same rank plus ten per cent, except
678 that no such percentage shall exceed eighty-five per cent.

679 (3) A regional educational service center may receive a grant equal to
680 a percentage of its eligible expenses. The percentage shall be determined
681 by its ranking. Such ranking shall be determined by (A) multiplying the
682 population of each member town in the regional educational service
683 center by such town's ranking, as determined in subdivision (1) of this
684 subsection, (B) adding together the figures for each town determined
685 under subparagraph (A) of this subdivision, and (C) dividing the total
686 computed under subparagraph (B) of this subdivision by the total
687 population of all member towns in the regional educational service
688 center. The ranking of each regional educational service center shall be
689 rounded to the next higher whole number and each such center shall
690 receive the same reimbursement percentage as would a town with the
691 same rank.

692 (4) An incorporated or endowed high school or academy approved
693 by the State Board of Education, pursuant to section 10-34, may receive
694 a grant equal to a percentage of its eligible expenses. The percentage
695 shall be determined by its ranking. Such ranking shall be determined in
696 accordance with the provisions of subsection (b) of section 10-285b, as
697 amended by this act.

698 [(4)] (5) The local board of education for (A) any town with a total
699 population of eighty thousand or greater shall receive a grant equal to a
700 percentage of its eligible expenses that is the greater of the percentage
701 calculated pursuant to subdivision (1) of this subsection or sixty per
702 cent, and (B) the town of Cheshire shall receive a grant equal to a
703 percentage of its eligible expenses that is the greater of the percentage
704 calculated pursuant to subdivision (1) of this subsection or fifty per cent.

705 (d) If there are not sufficient funds to provide grants to all local and
706 regional boards of education and regional educational service centers,
707 based on the percentage determined pursuant to subsection (c) of this
708 section, the commissioner shall give priority to applicants on behalf of
709 schools with the greatest need for heating, ventilation and air
710 conditioning systems or other improvements to indoor air quality in
711 school buildings, as determined by the commissioner based on the
712 eligibility criteria developed pursuant to subdivision (2) of subsection
713 (b) of this section.

714 (e) The following expenses shall not be eligible for reimbursement
715 under this section: (1) Routine maintenance and cleaning of the heating,
716 ventilation and air conditioning system, (2) work that is otherwise
717 eligible for a school building project grant under chapter 173, and (3)
718 work performed at or on a public school administrative or service
719 facility that is not located or housed within a public school building.

720 (f) A local or regional board of education or a regional educational
721 service center may use any federal funds received by such board or
722 center to finance a project for the installation, replacement or upgrading
723 of heating, ventilation and air conditioning systems or other
724 improvements to indoor air quality in school buildings for which a grant
725 is received under this section, and such federal funds shall be deemed
726 to be part or all of the town's local share for such project.

727 (g) Any project for the installation, replacement or upgrading of
728 heating, ventilation and air conditioning systems or other

729 improvements to indoor air quality in school buildings for which a grant
 730 is awarded under this section shall be completed by the end of the next
 731 calendar year, unless the duration of such project is extended by the
 732 commissioner upon a showing of good cause by the local or regional
 733 board of education or regional educational service center.

734 (h) Any local or regional board of education or regional educational
 735 service center that receives a grant under this section shall (1) be
 736 responsible for the routine maintenance and cleaning of the heating,
 737 ventilation and air conditioning system, and (2) provide training to
 738 school personnel and building maintenance staff concerning the proper
 739 use and maintenance of the heating, ventilation and air conditioning
 740 system.

741 (i) For the fiscal years ending June 30, 2025, and June 30, 2026, the
 742 commissioner shall reconsider any application for a grant under this
 743 section that was submitted by a local or regional board of education or
 744 regional educational service center prior to July 1, 2024, and which the
 745 commissioner had denied. Such board or center shall not be required to
 746 submit a new application for such reconsideration, unless the reason for
 747 such denial was that such application was incomplete or the
 748 commissioner determines that additional information or revision to
 749 such application is necessary to be able to award a grant. The
 750 commissioner shall provide technical assistance during such
 751 reconsideration period to such boards and centers in order to assist such
 752 boards in being able to be awarded a grant under this section.

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, 2024</i>	10-283(a)
Sec. 3	<i>July 1, 2024</i>	10-283(d)
Sec. 4	<i>July 1, 2024</i>	10-283a
Sec. 5	<i>July 1, 2024</i>	10-284(a)
Sec. 6	<i>July 1, 2024</i>	10-285a(e)

Sec. 7	<i>July 1, 2024</i>	10-285a(h)
Sec. 8	<i>July 1, 2024</i>	10-285b(c)
Sec. 9	<i>July 1, 2024</i>	10-286(d)
Sec. 10	<i>July 1, 2024</i>	10-287(b)
Sec. 11	<i>July 1, 2024</i>	10-287(d)
Sec. 12	<i>July 1, 2024</i>	10-287i
Sec. 13	<i>July 1, 2024</i>	10-291(b)
Sec. 14	<i>July 1, 2024</i>	10-292v
Sec. 15	<i>July 1, 2024</i>	10-506(a)
Sec. 16	<i>July 1, 2024</i>	10-265r

Statement of Purpose:

To authorize state grant commitments for school building projects and make revisions to the school building project statutes.

[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.]