



General Assembly

Substitute Bill No. 5347

February Session, 2024



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.

		Authorized	Requested
T52	School District		
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. Wish 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] and
45 specifications. The Commissioner of Education shall evaluate, if
46 appropriate, whether the project will assist the state in meeting its
47 obligations pursuant to the decision in *Sheff v. O'Neill*, 238 Conn. 1
48 (1996), or any related stipulation or order in effect, as determined by the
49 Commissioner of Education. The Commissioner of Administrative
50 Services shall consult with the Commissioner of Education in reviewing
51 grant applications submitted for purposes of subsection (a) of section
52 10-65 or section 10-76e on the basis of the educational needs of the
53 applicant. The Commissioner of Administrative Services shall review
54 each grant application for a school building project for compliance with
55 standards for school building projects pursuant to regulations, adopted
56 in accordance with section 10-287c, and, on and after July 1, 2014, the
57 school safety infrastructure criteria, described in section 10-292r.
58 Notwithstanding the provisions of this chapter, the Board of Trustees of

59 the Community-Technical Colleges on behalf of Quinebaug Valley
60 Community College and Three Rivers Community College and the
61 following entities that will operate an interdistrict magnet school that
62 will assist the state in meeting its obligations pursuant to the decision in
63 *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any related stipulation or order
64 in effect, as determined by the Commissioner of Education, may apply
65 for and shall be eligible to receive grants for school building projects
66 pursuant to section 10-264h for such a school: (A) The Board of Trustees
67 of the Community-Technical Colleges on behalf of a regional
68 community-technical college, (B) the Board of Trustees of the
69 Connecticut State University System on behalf of a state university, (C)
70 the Board of Trustees for The University of Connecticut on behalf of the
71 university, (D) the board of governors for an independent institution of
72 higher education, as defined in subsection (a) of section 10a-173, or the
73 equivalent of such a board, on behalf of the independent institution of
74 higher education, (E) cooperative arrangements pursuant to section 10-
75 158a, and (F) any other third-party not-for-profit corporation approved
76 by the Commissioner of 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 and an itemization of such
138 ineligible costs for such project. On and after July 1, 2022, each such
139 listing shall include an addendum that contains all grants approved
140 pursuant to subsection (b) of this section during the prior fiscal year. For
141 the period beginning July 1, 2006, and ending June 30, 2012, no project
142 [other than a project for a technical education and career school,] may
143 appear on the separate schedule of authorized projects which have
144 changed in cost more than twice. On and after July 1, 2012, no project,
145 other than a project for a technical education and career school, may
146 appear on the separate schedule of authorized projects which have
147 changed in cost more than once, except the Commissioner of
148 Administrative Services may allow a project to appear on such separate
149 schedule of authorized projects a second time if the town or regional
150 school district for such project can demonstrate that exigent
151 circumstances require such project to appear a second time on such
152 separate schedule of authorized projects. Notwithstanding any
153 provision of this chapter, no projects which have changed in scope or
154 cost to the degree determined by the Commissioner of Administrative
155 Services, in consultation with the Commissioner of Education, shall be
156 eligible for reimbursement under this chapter unless it appears on such
157 list. The percentage determined pursuant to section 10-285a, as
158 amended by this act, at the time a school building project on such
159 schedule was originally authorized shall be used for purposes of the
160 grant for such project. On and after July 1, 2006, a project that was not
161 previously authorized as an interdistrict magnet school shall not receive
162 a higher percentage for reimbursement than that determined pursuant

163 to section 10-285a, as amended by this act, at the time a school building
164 project on such schedule was originally authorized. The General
165 Assembly shall annually authorize the Commissioner of Administrative
166 Services to enter into grant commitments on behalf of the state in
167 accordance with the commissioner's categorized listing for such projects
168 as the General Assembly shall determine. The Commissioner of
169 Administrative Services may not enter into any such grant
170 commitments except pursuant to such legislative authorization. Any
171 regional school district which assumes the responsibility for completion
172 of a public school building project shall be eligible for a grant pursuant
173 to subdivision (5) or (6), as the case may be, of subsection (a) of section
174 10-286 when such project is completed and accepted by such regional
175 school district.

176 (3) (A) All final calculations completed by the Department of
177 Administrative Services for school building projects shall include a
178 computation of the state grant for the school building project amortized
179 on a straight line basis over a twenty-year period for school building
180 projects with costs equal to or greater than two million dollars and over
181 a ten-year period for school building projects with costs less than two
182 million dollars. Any town or regional school district which abandons,
183 sells, leases, demolishes or otherwise redirects the use of such a school
184 building project to other than a public school use or a public use during
185 such amortization period shall refund to the state the unamortized
186 balance of the state grant remaining as of the date the abandonment,
187 sale, lease, demolition or redirection occurs. The amortization period for
188 a project shall begin on the date the project was accepted as complete by
189 the local or regional board of education. A town or regional school
190 district required to make a refund to the state pursuant to this
191 subdivision may request forgiveness of such refund if the building is
192 redirected for public use. The Department of Administrative Services
193 shall include as an addendum to the annual school construction priority
194 list all those towns requesting forgiveness. General Assembly approval
195 of the priority list under section 10-283a, as amended by this act,
196 containing such request shall constitute approval of such request. This

197 subdivision shall not apply to projects to correct safety, health and other
198 code violations or to remedy certified school indoor air quality
199 emergencies approved pursuant to subsection (b) of this section or
200 projects subject to the provisions of section 10-285c.

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

216 (C) Any moneys refunded to the state pursuant to subparagraphs (A)
217 and (B) of this subdivision shall be deposited in the state's tax-exempt
218 proceeds fund and used not later than sixty days after repayment to pay
219 debt service on, including redemption, defeasance or purchase of,
220 outstanding bonds of the state the interest on which is not included in
221 gross income pursuant to Section 103 of the Internal Revenue Code of
222 1986, or any subsequent corresponding internal revenue code of the
223 United States, as from time to time amended.

224 Sec. 3. Subsection (d) of section 10-283 of the general statutes is
225 repealed and the following is substituted in lieu thereof (*Effective July 1,*
226 *2024*):

227 (d) No school building project shall be added to the list prepared by
228 the Commissioner of Administrative Services pursuant to subsection (a)

229 of this section, unless the applicant, prior to submitting an application,
230 has (1) secured funding authorization for the [local share of the] total
231 project costs and such authorization has become effective pursuant to
232 the general statutes and local ordinance or charter, or (2) scheduled and
233 prepared a referendum, if required, the results of which shall be
234 submitted on or before the fifteenth day of November in the year of
235 application. The reimbursement percentage for a project covered by this
236 subsection shall reflect the rates in effect during the fiscal year in which
237 such [local] total funding authorization is secured.

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

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

257 Sec. 5. Subsection (a) of section 10-284 of the general statutes is
258 repealed and the following is substituted in lieu thereof (*Effective July 1,*
259 *2024*):

260 (a) The Commissioner of Administrative Services shall have

261 authority to receive and review applications for state grants under this
262 chapter, and to approve any such application, or to disapprove any such
263 application if (1) it does not include an attestation from the local fire
264 marshal or the Commissioner of Public Health that the school building
265 project plans comply with the requirements of the State Fire Marshal or
266 the Department of Public Health, (2) it is not accompanied by a life-cycle
267 cost analysis approved by the Commissioner of Administrative
268 Services, (3) it does not comply with the provisions of sections 10-290d
269 and 10-291, as amended by this act, (4) it does not meet (A) the standards
270 or requirements established in regulations adopted in accordance with
271 section 10-287c, or (B) school building categorization requirements
272 described in section 10-283, as amended by this act, (5) the estimated
273 construction cost exceeds the per square foot cost for schools established
274 in regulations adopted by the Commissioner of Administrative Services,
275 [for the county in which the project is proposed to be located,] (6) on and
276 after July 1, 2014, the application does not comply with the school safety
277 infrastructure criteria described in section 10-292r, except the
278 Commissioner of Administrative Services may waive any of the
279 provisions of the school safety infrastructure criteria if the commissioner
280 determines that the application demonstrates that the applicant has
281 made a good faith effort to address such criteria and that compliance
282 with such criteria would be infeasible, unreasonable or excessively
283 expensive, (7) the Commissioner of Education determines that the
284 proposed educational specifications for or theme of the project for which
285 the applicant requests a state grant duplicates a program offered by a
286 technical education and career school or an interdistrict magnet school
287 in the same region, or (8) on and after July 1, 2018, a regional educational
288 service center is designated as the project manager in the application.

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

292 (e) If an elementary school building project for a new building or for
293 the expansion of an existing building includes space for [a school

294 readiness program] an early childhood care and education program that
295 provides services for children from birth to five years, the percentage
296 determined pursuant to this section shall be increased by [five] fifteen
297 percentage points, but shall not exceed one hundred per cent, for the
298 portion of the building used primarily for such purpose. Recipient
299 districts shall maintain such full-day [preschool enrollment] early
300 childhood care and education program for at least ten years.

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

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

316 Sec. 8. Subsection (c) of section 10-285b of the general statutes is
317 repealed and the following is substituted in lieu thereof (*Effective July 1,*
318 *2024*):

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

326 responsibility for the high school or academy, exclusive of the chairman
327 of such board, be representatives of the board or boards of education
328 designating the high school or academy as the high school for each such
329 board's town.]

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

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

350 Sec. 10. Section 10-286e of the general statutes is repealed and the
351 following is substituted in lieu thereof (*Effective July 1, 2024*):

352 (a) If the Department of Administrative Services

353 does not complete an audit of a school building project during the
354 [five-year] two-year period from the date the school district files a notice
355 of project completion with the department, the department shall
356 conduct a limited scope audit of such project. The limited scope audit

357 shall review (1) the total amount of expenditures reported, (2) any off-
358 site improvements, (3) adherence to authorized space specifications, (4)
359 interest costs on temporary notes and bonds, and (5) any other matter
360 the Commissioner of Administrative Services deems appropriate.

361 (b) The department shall not make any adjustment to a school
362 construction grant based on the result of an audit finding that a change
363 order was not publicly bid.

364 (c) Notwithstanding the provisions of this section, the Commissioner
365 of Administrative Services may waive any audit deficiencies found
366 during an audit of a school building project conducted pursuant to this
367 section if the commissioner determines that granting such waiver is in
368 the best interest of the state.

369 Sec. 11. Subsection (b) of section 10-287 of the general statutes is
370 repealed and the following is substituted in lieu thereof (*Effective July 1,*
371 *2024*):

372 (b) (1) All orders and contracts for school building construction
373 receiving state assistance under this chapter, except as provided in
374 subdivisions (2) to (4), inclusive, of this subsection, shall be awarded to
375 the lowest responsible qualified bidder only after a public invitation to
376 bid, except for (A) school building projects for which the town or
377 regional school district is using a state contract pursuant to subsection
378 (d) of section 10-292, and (B) change orders, those contracts or orders
379 costing less than ten thousand dollars and those of an emergency nature,
380 as determined by the Commissioner of Administrative Services, in
381 which cases the contractor or vendor may be selected by negotiation,
382 provided no local fiscal regulations, ordinances or charter provisions
383 conflict.

384 (2) All orders and contracts for architectural services shall be
385 awarded from a pool of [not more than the four] at least three of the
386 most responsible qualified proposers after a public selection process.
387 Such process shall, at a minimum, involve requests for qualifications,

388 followed by requests for proposals, including fees, from the proposers
389 meeting the qualifications criteria of the request for qualifications
390 process. Following the qualification process, the awarding authority
391 shall evaluate the proposals to determine [the four] at least three of the
392 most responsible qualified proposers using those criteria previously
393 listed in the requests for qualifications and requests for proposals for
394 selecting architectural services specific to the project or school district.
395 Such evaluation criteria shall include due consideration of the
396 proposer's pricing for the project, experience with work of similar size
397 and scope as required for the order or contract, organizational and team
398 structure, including any subcontractors to be utilized by the proposer,
399 for the order or contract, past performance data, including, but not
400 limited to, adherence to project schedules and project budgets and the
401 number of change orders for projects, the approach to the work required
402 for the order or contract and documented contract oversight
403 capabilities, and may include criteria specific to the project. Final
404 selection by the awarding authority is limited to the pool of [the four] at
405 least three of the most responsible qualified proposers and shall include
406 consideration of all criteria included within the request for proposals.
407 As used in this subdivision, "most responsible qualified proposer"
408 means the proposer who is qualified by the awarding authority when
409 considering price and the factors necessary for faithful performance of
410 the work based on the criteria and scope of work included in the request
411 for proposals.

412 (3) (A) All orders and contracts for construction management services
413 shall be awarded from a pool of [not more than the four] at least three
414 of the most responsible qualified proposers after a public selection
415 process. Such process shall, at a minimum, involve requests for
416 qualifications, followed by requests for proposals, including fees, from
417 the proposers meeting the qualifications criteria of the request for
418 qualifications process. Following the qualification process, the
419 awarding authority shall evaluate the proposals to determine [the four]
420 at least three of the most responsible qualified proposers using those
421 criteria previously listed in the requests for qualifications and requests

422 for proposals for selecting construction management services specific to
423 the project or school district. Such evaluation criteria shall include due
424 consideration of the proposer's pricing for the project, experience with
425 work of similar size and scope as required for the order or contract,
426 organizational and team structure for the order or contract, past
427 performance data, including, but not limited to, adherence to project
428 schedules and project budgets and the number of change orders for
429 projects, the approach to the work required for the order or contract,
430 and documented contract oversight capabilities, and may include
431 criteria specific to the project. Final selection by the awarding authority
432 is limited to the pool of [the four] at least three of the most responsible
433 qualified proposers and shall include consideration of all criteria
434 included within the request for proposals. As used in this subdivision,
435 "most responsible qualified proposer" means the proposer who is
436 qualified by the awarding authority when considering price and the
437 factors necessary for faithful performance of the work based on the
438 criteria and scope of work included in the request for proposals.

439 (B) The construction manager's contract shall include a guaranteed
440 maximum price for the cost of construction. Such guaranteed maximum
441 price shall be determined not later than ninety days after the selection
442 of the trade subcontractor bids. A construction manager shall not be
443 entitled to any additional compensation beyond such guaranteed
444 maximum price as a result of any ineligible costs, change order or other
445 change directive issued for the school building project. Each
446 construction manager shall invite bids and give notice of opportunities
447 to bid on project elements on the State Contracting Portal. Each bid shall
448 be kept sealed until opened publicly at the time and place set forth in
449 the notice soliciting such bid. The construction manager shall, after
450 consultation and approval by the town or regional school district, award
451 any related contracts for project elements to the responsible qualified
452 contractor submitting the lowest bid in compliance with the bid
453 requirements, provided that [(i) the construction manager shall not be
454 eligible to submit a bid for any such project element, and (ii)]
455 construction shall not begin prior to the determination of the guaranteed

456 maximum price. [, except work relating to site preparation and
457 demolition may commence prior to such determination] On and after
458 July 1, 2024, the construction manager's contract shall include a
459 requirement that the construction manager shall retain all documents
460 and receipts relating to the school building project for a period of two
461 years following the date of completion of an audit conducted by the
462 Department of Administrative Services pursuant to section 10-287, as
463 amended by this act, for such project.

464 (C) The construction manager shall submit quarterly reports
465 regarding the ineligible project costs for the school building project to
466 date to the town or regional board of education and the Commissioner
467 of Administrative Services. Upon submission of the notice of project
468 completion pursuant to subsection (d) of this section, and prior to the
469 audit conducted by the commissioner, the construction manager shall
470 submit a final report on the total ineligible costs for such project to the
471 town or regional school district and the commissioner.

472 (4) All orders and contracts for any other consultant services,
473 including, but not limited to, consultant services rendered by an owner's
474 representatives, construction administrators, program managers,
475 environmental professionals, planners and financial specialists, shall
476 comply with the public selection process described in subdivision (2) of
477 this subsection. No costs associated with an order or contract for such
478 consultant services shall be eligible for state financial assistance under
479 this chapter unless such order or contract receives prior approval from
480 the Commissioner of Administrative Services in writing or through a
481 written electronic communication.

482 Sec. 12. Subsection (d) of section 10-287 of the general statutes is
483 repealed and the following is substituted in lieu thereof (*Effective July 1,*
484 *2024*):

485 (d) (1) Each town or regional school district shall submit a final grant
486 application to the Department of Administrative Services [within] not
487 later than one year from the date of completion and acceptance of the

488 school building project by the town or regional school district. If a town
489 or regional school district fails to submit a final grant application [within
490 said period of time] on or before such one-year date, the commissioner
491 may withhold ten per cent of the state reimbursement for such project.

492 (2) (A) On and after July 1, [2022] 2024, each town or regional school
493 district shall submit a notice of project completion [within three years]
494 not later than one year from the date of the issuance of a certificate of
495 occupancy for the school building project by the town or regional school
496 district. If a town or regional school district fails to submit such notice
497 of project completion [within said period of time] on or before such one-
498 year date, the commissioner shall deem such project completed and
499 conduct an audit of such project in accordance with the provisions of
500 this chapter.

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

506 Sec. 13. Section 10-287i of the general statutes is repealed and the
507 following is substituted in lieu thereof (*Effective July 1, 2024*):

508 A grant under this chapter for any school building project authorized
509 by the General Assembly on or after July 1, 1996, or for any project for
510 which application is made pursuant to subsection (b) of section 10-283,
511 on or after July 1, 1997, shall be paid as follows: Applicants shall request
512 progress payments for the state share of eligible project costs calculated
513 pursuant to sections 10-65, 10-76e and 10-286, as amended by this act, at
514 such time and in such manner as the Commissioner of Administrative
515 Services shall prescribe provided no payments shall commence until the
516 applicant has filed a notice of authorization of funding for the local share
517 of project costs, and provided further no payments other than those for
518 architectural planning and site acquisition shall be made prior to
519 approval of the final architectural plans pursuant to section 10-292. For

520 any project authorized on or after July 1, 2024, the Department of
521 Administrative Services shall withhold five per cent of a grant if the
522 commissioner determines that the applicant has failed to comply with
523 the provisions of subdivision (3) of subsection (b) of section 4a-60g
524 relating to minority business enterprises. The Department of
525 Administrative Services shall withhold [five] eleven per cent of a grant
526 pending completion of an audit pursuant to section 10-287, as amended
527 by this act, provided, if the department is unable to complete the
528 required audit within six months of the date a request for final payment
529 is filed, the applicant may have an independent audit performed and
530 include the cost of such audit in the eligible project costs.

531 Sec. 14. Subsection (b) of section 10-291 of the general statutes is
532 repealed and the following is substituted in lieu thereof (*Effective July 1,*
533 *2024*):

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

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

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

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

558 (4) In the case of a new construction, extension, renovation or
559 replacement, the plans do not provide that the building maintenance
560 staff responsible for such facility are trained in or are receiving training
561 in, or that the applicant plans to provide training in, the appropriate
562 areas of plant operations including, but not limited to, heating,
563 ventilation and air conditioning systems pursuant to section 10-231e,
564 with specific training relative to indoor air quality;

565 (5) In the case of a project for new construction, extension, major
566 alteration, renovation or replacement involving a school entrance for
567 inclusion on any listing submitted to the General Assembly in
568 accordance with section 10-283, as amended by this act, on or after July
569 1, 2008, the plans do not provide for a security infrastructure for such
570 entrance;

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

579 (7) In the case of a project for new construction of a school building
580 on any listing submitted to the General Assembly in accordance with
581 section 10-283, as amended by this act, on or after July 1, 2023, the plans
582 do not provide for the installation of level two electric vehicle charging
583 stations, as defined in section 4b-77, in at least twenty per cent of the

584 designated parking spaces for cars or light duty trucks at the school
585 building; or

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

590 Sec. 15. Section 10-292v of the general statutes is repealed and the
591 following is substituted in lieu thereof (*Effective July 1, 2024*):

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

598 Sec. 16. Subsection (a) of section 10-506 of the 2024 supplement to the
599 general statutes is repealed and the following is substituted in lieu
600 thereof (*Effective July 1, 2024*):

601 (a) For the fiscal year ending June 30, 2015, and each fiscal year
602 thereafter, the Office of Early Childhood, in consultation with the
603 Department of Education, shall design and administer the Connecticut
604 Smart Start competitive grant program to provide grants to local and
605 regional boards of education for capital and operating expenses related
606 to establishing or expanding a preschool program under the jurisdiction
607 of the board of education for the town. A local or regional board of
608 education may submit an application to the office, in accordance with
609 the provisions of subsection (b) of this section, and [may] shall, upon
610 approval of such application, receive (1) a grant for capital expenses in
611 an amount not to exceed seventy-five thousand dollars per classroom
612 for costs related to the renovation of an existing public school to
613 accommodate the establishment or expansion of a preschool program,
614 and (2) an annual grant for operating expenses (A) in an amount not to

615 exceed five thousand dollars per child served by such grant, or (B) in an
616 amount not to exceed seventy-five thousand dollars for each preschool
617 classroom, provided no town shall receive a total annual grant for
618 operating expenses greater than three hundred thousand dollars. Each
619 local or regional board of education that establishes or expands a
620 preschool program under this section shall [be eligible to] receive an
621 annual grant for operating expenses for a period of five years, provided
622 such preschool program meets standards established by the
623 Commissioner of Early Childhood. Such local or regional board of
624 education may submit an application for renewal of such grant to the
625 office.

626 Sec. 17. Section 10-265r of the 2024 supplement to the general statutes
627 is repealed and the following is substituted in lieu thereof (*Effective July*
628 *1, 2024*):

629 (a) For the fiscal year ending June 30, 2023, and each fiscal year
630 thereafter, the Department of Administrative Services shall administer
631 a heating, ventilation and air conditioning system grant program to
632 reimburse local and regional boards of education, regional educational
633 service centers, incorporated or endowed high schools or academies
634 approved by the State Board of Education, pursuant to section 10-34,
635 and state charter schools for costs associated with projects for the
636 installation, replacement or upgrading of heating, ventilation and air
637 conditioning systems or other improvements to indoor air quality in
638 school buildings.

639 (b) (1) A local or regional board of education, [or a] regional
640 educational service center, incorporated or endowed high school or
641 academy or state charter school may apply, at such time and in such
642 manner as the Commissioner of Administrative Services prescribes, for
643 a grant for a project involving the installation, replacement or upgrading
644 of heating, ventilation and air conditioning systems or other
645 improvements to indoor air quality in school buildings. A local or
646 regional board of education may submit an application for any such
647 project that (A) was commenced on or after March 1, 2020, and

648 completed before July 1, 2022, or (B) is commenced on or after July 1,
649 2022.

650 (2) The commissioner shall develop eligibility criteria for the
651 awarding of grants under the program. Such criteria shall include, but
652 need not be limited to, (A) the age and condition of the current heating,
653 ventilation and air conditioning system or equipment being replaced or
654 upgraded in the school, (B) current air quality issues at the school, (C)
655 the age and condition of the overall school building, (D) the school
656 district's master plan, (E) the availability of maintenance records, (F) a
657 contract or plans for the routine maintenance and cleaning of the
658 heating, ventilation and air conditioning system, and (G) the [local or
659 regional board of education's or regional educational service center's]
660 ability of the local or regional board of education, regional educational
661 service center, incorporated or endowed high school or academy or state
662 charter school to finance the remainder of the costs for such project after
663 receiving a grant under the program. The commissioner shall utilize
664 such eligibility criteria when determining whether to award a grant to
665 an applicant under the program.

666 (3) The commissioner [shall not award a grant under the program to
667 any applicant that, on or after July 1, 2024, has not certified compliance
668 with] may award a grant under the program to an applicant for the
669 performance of the uniform inspection and evaluation of an existing
670 heating, ventilation and air conditioning system pursuant to subsection
671 (d) of section 10-220, except that the commissioner shall not award a
672 grant under the program to any applicant for any other purpose
673 authorized under this section that has not certified compliance with the
674 uniform inspection and evaluation of an existing heating, ventilation
675 and air conditioning system pursuant to subsection (d) of section 10-220.

676 (c) (1) Except as otherwise provided in subdivision [(4)] (5) of this
677 subsection, a local board of education may receive a grant equal to a
678 percentage of its eligible expenses. The percentage shall be determined
679 by its ranking. Such ranking shall be determined as follows: (A) Each
680 town shall be ranked in descending order from one to one hundred

681 sixty-nine according to the adjusted equalized net grand list per capita,
682 as defined in section 10-261, of the town two, three and four years prior
683 to the fiscal year in which application is made, (B) based upon such
684 ranking, a percentage of not less than twenty or more than eighty shall
685 be assigned to each town on a continuous scale, and (C) the town ranked
686 first shall be assigned a percentage of twenty and the town ranked last
687 shall be assigned a percentage of eighty.

688 (2) A regional board of education may receive a grant equal to a
689 percentage of its eligible expenses. The percentage shall be determined
690 by its ranking. Such ranking shall be determined as follows: (A)
691 Multiplying the total population, as defined in section 10-261, of each
692 town in the district by such town's ranking, as determined in
693 subdivision (1) of this subsection, (B) adding together the figures
694 determined under subparagraph (A) of this subdivision, and (C)
695 dividing the total computed under subparagraph (B) of this subdivision
696 by the total population of all towns in the district. The ranking of each
697 regional board of education shall be rounded to the next higher whole
698 number and each such board shall receive the same reimbursement
699 percentage as would a town with the same rank plus ten per cent, except
700 that no such percentage shall exceed eighty-five per cent.

701 (3) A regional educational service center may receive a grant equal to
702 a percentage of its eligible expenses. The percentage shall be determined
703 by its ranking. Such ranking shall be determined by (A) multiplying the
704 population of each member town in the regional educational service
705 center by such town's ranking, as determined in subdivision (1) of this
706 subsection, (B) adding together the figures for each town determined
707 under subparagraph (A) of this subdivision, and (C) dividing the total
708 computed under subparagraph (B) of this subdivision by the total
709 population of all member towns in the regional educational service
710 center. The ranking of each regional educational service center shall be
711 rounded to the next higher whole number and each such center shall
712 receive the same reimbursement percentage as would a town with the
713 same rank.

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

720 ~~[(4)]~~ (5) The local board of education for (A) any town with a total
721 population of eighty thousand or greater shall receive a grant equal to a
722 percentage of its eligible expenses that is the greater of the percentage
723 calculated pursuant to subdivision (1) of this subsection or sixty per
724 cent, and (B) the town of Cheshire shall receive a grant equal to a
725 percentage of its eligible expenses that is the greater of the percentage
726 calculated pursuant to subdivision (1) of this subsection or fifty per cent.

727 (d) If there are not sufficient funds to provide grants to all local and
728 regional boards of education and regional educational service centers,
729 based on the percentage determined pursuant to subsection (c) of this
730 section, the commissioner shall give priority to applicants on behalf of
731 schools with the greatest need for heating, ventilation and air
732 conditioning systems or other improvements to indoor air quality in
733 school buildings, as determined by the commissioner based on the
734 eligibility criteria developed pursuant to subdivision (2) of subsection
735 (b) of this section.

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

742 (f) A local or regional board of education or a regional educational
743 service center may use any federal funds received by such board or
744 center to finance a project for the installation, replacement or upgrading
745 of heating, ventilation and air conditioning systems or other

746 improvements to indoor air quality in school buildings for which a grant
747 is received under this section, and such federal funds shall be deemed
748 to be part or all of the town's local share for such project.

749 (g) Any project for the installation, replacement or upgrading of
750 heating, ventilation and air conditioning systems or other
751 improvements to indoor air quality in school buildings for which a grant
752 is awarded under this section shall be completed by the end of the next
753 calendar year, unless the duration of such project is extended by the
754 commissioner upon a showing of good cause by the local or regional
755 board of education or regional educational service center.

756 (h) Any local or regional board of education or regional educational
757 service center that receives a grant under this section shall (1) be
758 responsible for the routine maintenance and cleaning of the heating,
759 ventilation and air conditioning system, and (2) provide training to
760 school personnel and building maintenance staff concerning the proper
761 use and maintenance of the heating, ventilation and air conditioning
762 system.

763 (i) For the fiscal years ending June 30, 2025, and June 30, 2026, the
764 commissioner shall reconsider any application for a grant under this
765 section that was submitted by a local or regional board of education or
766 regional educational service center prior to July 1, 2024, and which the
767 commissioner had denied. Such board or center shall not be required to
768 submit a new application for such reconsideration, unless the reason for
769 such denial was that such application was incomplete or the
770 commissioner determines that additional information or revision to
771 such application is necessary to be able to award a grant. The
772 commissioner shall provide technical assistance during such
773 reconsideration period to such boards and centers in order to assist such
774 boards in being able to be awarded a grant under this section.

<p>This act shall take effect as follows and shall amend the following sections:</p>
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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>	10-286e
Sec. 11	<i>July 1, 2024</i>	10-287(b)
Sec. 12	<i>July 1, 2024</i>	10-287(d)
Sec. 13	<i>July 1, 2024</i>	10-287i
Sec. 14	<i>July 1, 2024</i>	10-291(b)
Sec. 15	<i>July 1, 2024</i>	10-292v
Sec. 16	<i>July 1, 2024</i>	10-506(a)
Sec. 17	<i>July 1, 2024</i>	10-265r

ED

Joint Favorable Subst. C/R

FIN