



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 with respect to the priority listing of such projects and  
15 in such estimated amounts as approved by said committee prior to  
16 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
T71			
T72	HARTFORD		
T73	E. B. Kennelly School		
T74	21DASY064317RNV0621		
T75			
T76	Estimated...		
T77	Total Project Costs	\$51,416,225	\$88,130,000
T78	Total Grant	\$48,845,414	\$83,723,500

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] specifications.  
45 The Commissioner of Education shall evaluate, if appropriate, whether  
46 the 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 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 does not complete  
353 an audit of a school building project during the [five-year] two-year  
354 period from the date the school district files a notice of project

355 completion with the department, the department shall conduct a limited  
356 scope audit of such project. The limited scope audit shall review (1) the  
357 total amount of expenditures reported, (2) any off-site improvements,  
358 (3) adherence to authorized space specifications, (4) interest costs on  
359 temporary notes and bonds, and (5) any other matter the Commissioner  
360 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 retain all documents and  
460 receipts relating to the school building project for a period of two years  
461 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.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

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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  
**FIN**      *Joint Favorable Subst.*