



General Assembly
September Special Session, 2020

Bill No. 7010

LCO No. 4352



Referred to Committee on No Committee

Introduced by:

REP. ARESIMOWICZ, 30th Dist.
SEN. LOONEY, 11th Dist.
SEN. DUFF, 25th Dist.
REP. RITTER M., 1st Dist.

AN ACT CONCERNING THE AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS, THE RECOGNITION OF GOODWIN UNIVERSITY AS A LOCAL EDUCATION AGENCY FOR PURPOSES OF FEDERAL LAW, CERTAIN EXCLUSIONS TO THE CALCULATION OF A SCHOOL DISTRICT'S MINIMUM BUDGET REQUIREMENT, AND DELAYING CERTAIN REVISIONS TO THE LAW REGARDING THE PROVISION OF CONSTRUCTION MANAGEMENT SERVICES.

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 on the basis of priorities for such projects and standards for
- 5 school construction established by the State Board of Education, and
- 6 having prepared a listing of all such eligible projects ranked in order of
- 7 priority, as determined by said commissioner together with the amount
- 8 of the estimated grant with respect to each eligible project, and having

9 submitted such listing of eligible projects, prior to December 15, 2019, to
10 a committee of the General Assembly established under section 10-283a
11 of the general statutes for the purpose of reviewing such listing, is
12 hereby authorized to enter into grant commitments on behalf of the state
13 in accordance with said section 10-283 with respect to the priority listing
14 of such projects and in such estimated amounts as approved by said
15 committee prior to February 1, 2020, as follows:

16 (1) Estimated Grant Commitments:

T1	School District	Estimated	Estimated
T2	School	Project Costs	Grant
T3	Project Number		
T4			
T5	BROOKFIELD		
T6	New Elementary School		
T7	20DASY018056N0620	\$78,141,446	\$16,745,712
T8			
T9	DARIEN		
T10	Ox Ridge Elementary School		
T11	20DASY035117N0620	\$63,000,000	\$6,747,300
T12			
T13	MANSFIELD		
T14	New Mansfield Elementary School		
T15	20DASY078068N0620	\$50,512,000	\$33,014,643
T16			
T17	NEW BRITAIN		
T18	Chamberlain Elementary School		
T19	20DASY089169RNV0620	\$50,000,000	\$39,820,000
T20			
T21	NEW FAIRFIELD		
T22	New Fairfield High School		
T23	20DASY091044N0620	\$84,220,000	\$23,766,884
T24			
T25	NEW FAIRFIELD		
T26	Consolidated Early Learning Academy		
T27	20DASY091045EA0620	\$29,190,000	\$11,156,418
T28			
T29	FAIRFIELD		
T30	Mill Hill Elementary School		

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T31	20DASY051149EA0620	\$22,000,600	\$5,735,556
T32			
T33	HAMDEN		
T34	Hamden Middle School		
T35	20DASY062099EA0620	\$11,223,900	\$7,496,443
T36			
T37	MANCHESTER		
T38	Bowers Elementary School		
T39	20DASY077239RNV0620	\$32,800,000	\$21,789,040
T40			
T41	MANCHESTER		
T42	Buckley Elementary School		
T43	20DASY077240RNV0620	\$29,400,000	\$19,530,420
T44			
T45	NORWALK		
T46	Jefferson Elementary School		
T47	20DASY103251RNV0620	\$33,355,000	\$10,840,375
T48			
T49	WINCHESTER		
T50	Mary P. Hinsdale School		
T51	20DASY162043RNV0620	\$17,425,000	\$12,509,408

17 *Sec. 2. (Effective from passage)* Notwithstanding the provisions of
18 section 10-285a of the general statutes, or any regulation adopted by the
19 State Board of Education or the Department of Administrative Services
20 pursuant to said section 10-285a concerning the reimbursement
21 percentage that a local board of education may be eligible to receive for
22 a school building project, the town of New Britain may use the
23 reimbursement rate of ninety-five per cent for the renovation project at
24 Chamberlain Elementary School (Project Number
25 20DASY089169RNV0620), provided the school district for the town of
26 New Britain is an educational reform district, as defined in section 10-
27 262u of the general statutes, on the effective date of this section.

28 *Sec. 3. (Effective from passage)* Notwithstanding the provisions of
29 section 10-285a of the general statutes, or any regulation adopted by the
30 State Board of Education or the Department of Administrative Services

31 pursuant to said section 10-285a concerning the reimbursement
32 percentage that a local board of education may be eligible to receive for
33 a school building project, the town of New Britain may use the
34 reimbursement rate of ninety-five per cent for the roof replacement
35 project at Pulaski Middle School, provided the school district for the
36 town of New Britain is an educational reform district, as defined in
37 section 10-262u of the general statutes, on the effective date of this
38 section.

39 Sec. 4. (*Effective from passage*) Notwithstanding the provisions of
40 section 10-285a of the general statutes, or any regulation adopted by the
41 State Board of Education or the Department of Administrative Services
42 pursuant to said section 10-285a concerning the reimbursement
43 percentage that a local board of education may be eligible to receive for
44 a school building project, the town of New Britain may use the
45 reimbursement rate of ninety-five per cent for the roof replacement
46 project at Slade Middle School, provided the school district for the town
47 of New Britain is an educational reform district, as defined in section 10-
48 262u of the general statutes, on the effective date of this section.

49 Sec. 5. (*Effective from passage*) (a) Notwithstanding the provisions of
50 section 10-283 of the general statutes or any regulation adopted by the
51 State Board of Education or the Department of Administrative Services
52 pursuant to said section 10-283 requiring a completed grant application
53 be submitted prior to June 30, 2019, the new construction project at
54 Norwalk High School in the town of Norwalk with costs not to exceed
55 one hundred eighty-nine million dollars shall be included in
56 subdivision (1) of section 1 of this act and shall subsequently be
57 considered for a grant commitment from the state, provided the town of
58 Norwalk files an application for such school building project prior to
59 December 31, 2020, and meets all other provisions of chapter 173 of the
60 general statutes or any regulation adopted by the State Board of
61 Education or the Department of Administrative Services pursuant to
62 said chapter 173 and is eligible for grant assistance pursuant to said
63 chapter 173.

64 (b) Except as otherwise provided in subsections (c) and (d) of this
65 section, notwithstanding the provisions of section 10-285a of the general
66 statutes or any regulation adopted by the State Board of Education or
67 the Department of Administrative Services pursuant to said section 10-
68 285a concerning the reimbursement percentage that a local board of
69 education may be eligible to receive for a school building project, the
70 town of Norwalk may use the reimbursement rate of eighty per cent for
71 the new construction project at Norwalk High School, provided the local
72 board of education for the town of Norwalk (1) establishes a pathways
73 in technology early college high school program at the new Norwalk
74 High School and such program enrolls students from surrounding
75 towns with priority given to students from Stamford and Bridgeport,
76 and (2) does not restrict students who are not enrolled in an arts
77 pathways program offered at Norwalk High School from joining or
78 otherwise participating in any arts or music program offered as part of
79 the regular school curriculum or any extracurricular arts or music-
80 related program.

81 (c) (1) Notwithstanding the provisions of section 10-285a of the
82 general statutes or any regulation adopted by the State Board of
83 Education or the Department of Administrative Services pursuant to
84 said section 10-285a concerning the reimbursement percentage that a
85 local board of education may be eligible to receive for a school building
86 project, the town of Norwalk may use the reimbursement rate of fifty
87 per cent for the construction of a natatorium as part of the new
88 construction project at Norwalk High School.

89 (2) Notwithstanding the provisions of subdivision (3) of subsection
90 (a) of section 10-286 of the general statutes or any regulation adopted by
91 the State Board of Education or the Department of Administrative
92 Services limiting reimbursement to one-half of the eligible percentage of
93 the net eligible cost of construction to a town for construction, the town
94 of Norwalk shall receive full reimbursement of the reimbursement
95 percentage described in subdivision (1) of this subsection of the net
96 eligible cost of the new construction project at Norwalk High School.

97 (d) Notwithstanding the provisions of section 10-285a of the general
98 statutes or any regulation adopted by the State Board of Education or
99 the Department of Administrative Services pursuant to said section 10-
100 285a concerning the reimbursement percentage that a local board of
101 education may be eligible to receive for a school building project, the
102 town of Norwalk may use the reimbursement rate of fifty per cent for
103 site acquisition costs associated with the purchase of any parcels of land
104 adjacent to the site of the new construction project at Norwalk High
105 School.

106 Sec. 6. (*Effective from passage*) (a) Notwithstanding the provisions of
107 section 10-283 of the general statutes or any regulation adopted by the
108 State Board of Education or the Department of Administrative Services
109 pursuant to said section 10-283 requiring a completed grant application
110 be submitted prior to June 30, 2019, a high school project in the town of
111 Danbury, approved under the pilot program described in subsection (c)
112 of this section, with costs not to exceed ninety-three million dollars shall
113 be included in subdivision (1) of section 1 of this act and shall
114 subsequently be considered for a grant commitment from the state,
115 provided the town of Danbury files an application for such project prior
116 to October 1, 2021, and meets all other provisions of chapter 173 of the
117 general statutes or any regulation adopted by the State Board of
118 Education or the Department of Administrative Services pursuant to
119 said chapter 173 and is eligible for grant assistance pursuant to said
120 chapter 173.

121 (b) Notwithstanding the provisions of section 10-285a of the general
122 statutes, subdivision (10) of subsection (a) of section 10-286 of the
123 general statutes or any regulation adopted by the State Board of
124 Education or the Department of Administrative Services pursuant to
125 said sections 10-285a and 10-286 concerning the reimbursement
126 percentage that a local board of education may be eligible to receive for
127 a school building project and the computation of the reimbursement
128 percentage for a grant for a project involving a purchase for a facility to
129 be used as a high school, the town of Danbury may use the

130 reimbursement rate of eighty per cent for a project approved pursuant
131 to subsection (a) of this section.

132 (c) Notwithstanding any provision of chapter 173 of the general
133 statutes or any regulation pursuant to said chapter, the Department of
134 Administrative Services, Office of School Construction Grants and
135 Review, shall establish a pilot program that approves the use of
136 commercial space to be renovated as new for a project authorized
137 pursuant to subsection (a) of this section.

138 (d) Notwithstanding section 10-287 of the general statutes any
139 regulation adopted by the State Board of Education or the Department
140 of Administrative Services pursuant to said section 10-287, the design-
141 build renovate as new method may be used for converting commercial
142 space into a school under the pilot program in accordance with this
143 section, and the provisions of said section 10-287 related to bidding all
144 orders and contracts for school building construction shall not apply to
145 such project.

146 (e) Representatives of the Danbury school district shall consult with
147 the Department of Administrative Services, Office of School
148 Construction Grants and Review, prior to executing a design-build
149 construction contract under this section, and such office shall provide
150 such school district with all code checklists and review materials which
151 the district shall use as a basis for obtaining plan approval by local
152 officials having jurisdiction over such matters. Each design phase of
153 projects under this pilot program shall be reviewed and approved for
154 compliance with all applicable codes by local authorities having
155 jurisdiction over such codes. It shall be the responsibility of such school
156 district to ensure compliance with all applicable codes.

157 Sec. 7. (*Effective from passage*) Notwithstanding the provisions of
158 sections 10-285a and 10-287i of the general statutes or any regulation
159 adopted by the State Board of Education or the Department of
160 Administrative Services pursuant to said sections 10-285a and 10-287i,

161 concerning the reimbursement percentage or payments that a local
162 board of education may be eligible to receive for a school building
163 project, the town of Tolland may use the reimbursement rate of one-
164 hundred per cent for the code violation project at Birch Grove Primary
165 School (Project Number 142-0085).

166 Sec. 8. (NEW) (*Effective from passage*) (a) All state laws and regulations
167 applicable to the operation of public schools, including provisions for
168 eligibility for state aid and grants, shall apply to any interdistrict magnet
169 school operator that is (1) the board of governors for an independent
170 institution of higher education, as defined in subsection (a) of section
171 10a-173 of the general statutes, or the equivalent of such a board, on
172 behalf of the independent institution of higher education, or (2) any
173 other third-party not-for-profit corporation approved by the
174 commissioner. Such interdistrict magnet operators shall receive, in
175 accordance with federal law and regulations, any federal funds
176 available for the education of any pupils attending public schools.

177 (b) Any interdistrict magnet school operator that is (1) the board of
178 governors for an independent institution of higher education, as defined
179 in subsection (a) of section 10a-173 of the general statutes, or the
180 equivalent of such a board, on behalf of the independent institution of
181 higher education, or (2) any other third-party not-for-profit corporation
182 approved by the commissioner, shall to the extent authorized under
183 federal law be recognized as and considered a local educational agency,
184 as defined in 20 USC 7801, as amended from time to time, for purposes
185 of title 10 of the general statutes and federal law.

186 Sec. 9. Section 10-262j of the 2020 supplement to the general statutes
187 is repealed and the following is substituted in lieu thereof (*Effective from*
188 *passage*):

189 (a) Except as otherwise provided under the provisions of subsections
190 (c) to [(g)] (h), inclusive, of this section, for the fiscal year ending June
191 30, 2020, the budgeted appropriation for education shall be not less than

192 the budgeted appropriation for education for the fiscal year ending June
193 30, 2019, plus any aid increase described in subsection (d) of section 10-
194 262i, except that a town may reduce its budgeted appropriation for
195 education for the fiscal year ending June 30, 2020, by one or more of the
196 following:

197 (1) If a town experiences an aid reduction, as described in subsection
198 (d) of section 10-262i, such town may reduce its budgeted appropriation
199 for education in an amount equal to the aid reduction;

200 (2) If a district experiences a net reduction in its resident student
201 count during a period that may include any of the five fiscal years
202 immediately prior to the fiscal year for which the budgeted
203 appropriation for education is calculated, such district may reduce its
204 budgeted appropriation for education in an amount equal to the
205 number of such net reduction multiplied by fifty per cent of the net
206 current expenditures per resident student of such district, provided no
207 district may use the resident student count for any fiscal year that was
208 previously used to reduce its budgeted appropriation for education in
209 any calculation of a net reduction of resident students for purposes of
210 reducing its budgeted appropriation for education pursuant to this
211 subdivision for any subsequent fiscal year;

212 (3) Any district (A) that does not maintain a high school and pays
213 tuition to another school district pursuant to section 10-33 for resident
214 students to attend high school in another district, and (B) in which the
215 number of resident students attending high school for such district for
216 October 1, 2018, using the data of record as of January 31, 2019, is lower
217 than such district's number of resident students attending high school
218 for October 1, 2017, using the data of record as of January 31, 2019, may
219 reduce such district's budgeted appropriation for education by the
220 difference in the number of resident students attending high school for
221 such years multiplied by the amount of tuition paid per student
222 pursuant to section 10-33; or

223 (4) Any district that realizes new and documentable savings through
224 (A) increased district efficiencies approved by the Commissioner of
225 Education, including, but not limited to, (i) reductions in costs
226 associated with transportation services, school district administration or
227 contracts that are not the result of collective bargaining or other labor
228 agreements, (ii) an agreement to provide medical or health care benefits
229 pursuant to section 7-464b, (iii) a cooperative agreement relating to the
230 performance of administrative and central office functions, such as
231 business manager functions, for the municipality and the school district
232 pursuant to section 10-241b, (iv) reductions in costs associated with the
233 purchasing or joint purchasing of property insurance, casualty
234 insurance and workers' compensation insurance, following the
235 consultation with the legislative body of the municipality of such district
236 pursuant to section 10-241c, (v) reductions in costs associated with the
237 purchasing of payroll processing or accounts payable software systems,
238 following the consultation with the legislative body of the municipality
239 of such district to determine whether such systems may be purchased
240 or shared on a regional basis pursuant to section 10-241e, (vi)
241 consolidation of information technology services, and (vii) reductions in
242 costs associated with the care and maintenance of athletic fields, or (B)
243 regional collaboration or cooperative arrangements pursuant to section
244 10-158a may reduce such district's budgeted appropriation for
245 education in an amount equal to half of the amount of savings
246 experienced as a result of such district efficiencies, regional
247 collaboration or cooperative arrangement, provided such reduction
248 shall not exceed one-half of one per cent of the district's budgeted
249 appropriation for education for the fiscal year ending June 30, 2019.

250 (b) Except as otherwise provided under the provisions of subsections
251 (c) to [(g)] (h), inclusive, of this section, for the fiscal year ending June
252 30, 2021, a town's budgeted appropriation for education shall be not less
253 than the budgeted appropriation for education for the fiscal year ending
254 June 30, 2020, plus any aid increase received pursuant to subsection (d)
255 of section 10-262i, except that a town may reduce its budgeted

256 appropriation for education for the fiscal year ending June 30, 2021, by
257 one or more of the following:

258 (1) If a town experiences an aid reduction, as described in subsection
259 (d) of section 10-262i, such town may reduce its budgeted appropriation
260 for education in an amount equal to the aid reduction;

261 (2) If a district experiences a net reduction in its resident student
262 count during a period that may include any of the five fiscal years
263 immediately prior to the fiscal year for which the budgeted
264 appropriation for education is calculated, such district may reduce its
265 budgeted appropriation for education in an amount equal to the
266 number of such net reduction multiplied by fifty per cent of the net
267 current expenditures per resident student of such district, provided no
268 district may use the resident student count for any fiscal year that was
269 previously used to reduce its budgeted appropriation for education in
270 any calculation of a net reduction of resident students for purposes of
271 reducing its budgeted appropriation for education pursuant to this
272 subdivision for any subsequent fiscal year;

273 (3) Any district (A) that does not maintain a high school and pays
274 tuition to another school district pursuant to section 10-33 for resident
275 students to attend high school in another district, and (B) in which the
276 number of resident students attending high school for such district for
277 October 1, 2019, using the data of record as of January 31, 2020, is lower
278 than such district's number of resident students attending high school
279 for October 1, 2018, using the data of record as of January 31, 2020, may
280 reduce such district's budgeted appropriation for education by the
281 difference in the number of resident students attending high school for
282 such years multiplied by the amount of tuition paid per student
283 pursuant to section 10-33; or

284 (4) Any district that realizes new and documentable savings through
285 (A) increased district efficiencies approved by the Commissioner of
286 Education, including, but not limited to, (i) reductions in costs

287 associated with transportation services, school district administration or
288 contracts that are not the result of collective bargaining or other labor
289 agreements, (ii) an agreement to provide medical or health care benefits
290 pursuant to section 7-464b, (iii) a cooperative agreement relating to the
291 performance of administrative and central office functions, such as
292 business manager functions, for the municipality and the school district
293 pursuant to section 10-241b, (iv) reductions in costs associated with the
294 purchasing or joint purchasing of property insurance, casualty
295 insurance and workers' compensation insurance, following the
296 consultation with the legislative body of the municipality of such district
297 pursuant to section 10-241c, (v) reductions in costs associated with the
298 purchasing of payroll processing or accounts payable software systems,
299 following the consultation with the legislative body of the municipality
300 of such district to determine whether such systems may be purchased
301 or shared on a regional basis pursuant to section 10-241e, (vi)
302 consolidation of information technology services, and (vii) reductions in
303 costs associated with the care and maintenance of athletic fields, or (B)
304 regional collaboration or cooperative arrangements pursuant to section
305 10-158a, may reduce such district's budgeted appropriation for
306 education in an amount equal to half of the amount of savings
307 experienced as a result of such district efficiencies, regional
308 collaboration or cooperative arrangement, provided such reduction
309 shall not exceed one-half of one per cent of the district's budgeted
310 appropriation for education for the fiscal year ending June 30, 2020.

311 (c) For the fiscal years ending June 30, 2020, and June 30, 2021, the
312 Commissioner of Education may permit a town to reduce its budgeted
313 appropriation for education in an amount determined by the
314 commissioner if the school district in such town has permanently ceased
315 operations and closed one or more schools in the school district due to
316 declining enrollment at such closed school or schools in the fiscal years
317 ending June 30, 2013, to June 30, 2020, inclusive.

318 (d) [For] Except as otherwise provided under the provisions of
319 subsection (h) of this section, for the fiscal years ending June 30, 2020,

320 and June 30, 2021, a town designated as an alliance district, as defined
321 in section 10-262u, shall not reduce its budgeted appropriation for
322 education pursuant to this section.

323 (e) For the fiscal years ending June 30, 2020, and June 30, 2021, the
324 provisions of this section shall not apply to any district that is in the top
325 ten per cent of school districts based on the accountability index, as
326 defined in section 10-223e.

327 (f) For the fiscal years ending June 30, 2020, and June 30, 2021, the
328 provisions of this section shall not apply to the member towns of a
329 regional school district during the first full fiscal year following the
330 establishment of the regional school district, provided the budgeted
331 appropriation for education for member towns of such regional school
332 district for each subsequent fiscal year shall be determined in
333 accordance with this section.

334 (g) For the fiscal years ending June 30, 2020, and June 30, 2021, any
335 district that has (1) elected to act as a self-insurer, pursuant to section 10-
336 236, (2) experienced a loss incurred as a result of one or more
337 catastrophic events, as declared by a nationally recognized catastrophe
338 loss index provider, during the prior fiscal year, and (3) increased its
339 budgeted appropriation for education during said prior fiscal year as a
340 result of such loss, shall not be required to include the amount of such
341 increase in the calculation of such district's budgeted appropriation for
342 education for the subsequent fiscal year.

343 (h) For the fiscal years ending June 30, 2020, and June 30, 2021, any
344 district that has received (1) a supplemental appropriation from the
345 board of finance for a town having a board of finance, the board of
346 selectmen for a town having no board of finance or the authority making
347 appropriations for the school district, for the purpose of covering costs
348 associated with COVID-19 expenditures because the budgeted
349 appropriation for education for the district was insufficient to cover
350 such costs, or (2) federal funds pursuant to the Coronavirus Aid, Relief,

351 and Economic Security Act, P.L. 116-136, as amended from time to time,
352 shall not be required to include the amount of such supplemental
353 appropriation or federal funds in the calculation of such district's
354 budgeted appropriation for education for the subsequent fiscal year. As
355 used in this subsection, "COVID-19" means the respiratory disease
356 designated by the World Health Organization on February 11, 2020, as
357 coronavirus 2019, and any related mutation thereof recognized by the
358 World Health Organization as a communicable respiratory disease.

359 Sec. 10. Subsection (b) of section 10-287 of the 2020 supplement to the
360 general statutes, as amended by section 6 of public act 19-1 of the July
361 special session, is repealed and the following is substituted in lieu
362 thereof (*Effective from passage*):

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

376 (2) All orders and contracts for architectural services shall be
377 awarded from a pool of not more than the four most responsible
378 qualified proposers after a public selection process. Such process shall,
379 at a minimum, involve requests for qualifications, followed by requests
380 for proposals, including fees, from the proposers meeting the
381 qualifications criteria of the request for qualifications process. Public
382 advertisements shall be required in a newspaper having circulation in

383 the town in which construction is to take place, except for school
384 building projects for which the town or regional school district is using
385 a state contract pursuant to subsection (d) of section 10-292. Following
386 the qualification process, the awarding authority shall evaluate the
387 proposals to determine the four most responsible qualified proposers
388 using those criteria previously listed in the requests for qualifications
389 and requests for proposals for selecting architectural services specific to
390 the project or school district. Such evaluation criteria shall include due
391 consideration of the proposer's pricing for the project, experience with
392 work of similar size and scope as required for the order or contract,
393 organizational and team structure, including any subcontractors to be
394 utilized by the proposer, for the order or contract, past performance
395 data, including, but not limited to, adherence to project schedules and
396 project budgets and the number of change orders for projects, the
397 approach to the work required for the order or contract and documented
398 contract oversight capabilities, and may include criteria specific to the
399 project. Final selection by the awarding authority is limited to the pool
400 of the four most responsible qualified proposers and shall include
401 consideration of all criteria included within the request for proposals.
402 As used in this subdivision, "most responsible qualified proposer"
403 means the proposer who is qualified by the awarding authority when
404 considering price and the factors necessary for faithful performance of
405 the work based on the criteria and scope of work included in the request
406 for proposals.

407 (3) (A) All orders and contracts for construction management services
408 shall be awarded from a pool of not more than the four most responsible
409 qualified proposers after a public selection process. Such process shall,
410 at a minimum, involve requests for qualifications, followed by requests
411 for proposals, including fees, from the proposers meeting the
412 qualifications criteria of the request for qualifications process. Public
413 advertisements shall be required in a newspaper having circulation in
414 the town in which construction is to take place, except for school
415 building projects for which the town or regional school district is using

416 a state contract pursuant to subsection (d) of section 10-292. Following
417 the qualification process, the awarding authority shall evaluate the
418 proposals to determine the four most responsible qualified proposers
419 using those criteria previously listed in the requests for qualifications
420 and requests for proposals for selecting construction management
421 services specific to the project or school district. Such evaluation criteria
422 shall include due consideration of the proposer's pricing for the project,
423 experience with work of similar size and scope as required for the order
424 or contract, organizational and team structure for the order or contract,
425 past performance data, including, but not limited to, adherence to
426 project schedules and project budgets and the number of change orders
427 for projects, the approach to the work required for the order or contract,
428 including on and after July 1, 2021, whether the proposer intends to self-
429 perform any project element and the benefit to the awarding authority
430 that will result from such self-performance, and documented contract
431 oversight capabilities, and may include criteria specific to the project.
432 Final selection by the awarding authority is limited to the pool of the
433 four most responsible qualified proposers and shall include
434 consideration of all criteria included within the request for proposals.
435 As used in this subdivision, "most responsible qualified proposer"
436 means the proposer who is qualified by the awarding authority when
437 considering price and the factors necessary for faithful performance of
438 the work based on the criteria and scope of work included in the request
439 for proposals.

440 (B) ~~[Upon]~~ On and after July 1, 2021, upon the written approval of the
441 Commissioner of Administrative Services, an awarding authority may
442 permit a construction manager to self-perform a portion of the
443 construction work if the awarding authority and the commissioner
444 determine that the construction manager can self-perform the work
445 more cost-effectively than a subcontractor. All work not performed by
446 the construction manager shall be performed by trade subcontractors
447 selected by a process approved by the awarding authority and the
448 commissioner. The construction manager's contract shall include a

449 guaranteed maximum price for the cost of construction. Such
450 guaranteed maximum price shall be determined not later than ninety
451 days after the selection of the trade subcontractors. Construction shall
452 not begin prior to the determination of the guaranteed maximum price,
453 except work relating to site preparation and demolition may commence
454 prior to such determination.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	10-262j
Sec. 10	<i>from passage</i>	10-287(b)