
OLR Bill Analysis

sSB 1015

AN ACT CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES AND MODERNIZING REAL ESTATE AND CONSTRUCTION MANAGEMENT.

SUMMARY

This bill makes the following changes in the statutes governing the Department of Administrative Services (DAS):

1. eliminates a provision invalidating any public works contracts bid submitted without a required update bid statement or prequalification certificate, instead allowing agencies to permit bidders up to two business days post-bid to submit the missing documents (§3);
2. removes references to "update bid statement" and, where necessary, replaces them with "update statement" (§§ 1-4);
3. reduces by half the (a) amount of time a municipality has to notify DAS of its intention to acquire surplus state property and (b) maximum extension that DAS may grant on this deadline (§ 5);
4. allows DAS to grant easements to, and acquire easements from, the federal government or a subdivision of the state subject to certain approvals (§ 6); and
5. with respect to art in state buildings, (a) transfers authority over art that is integrated in the building structure from the Department of Economic and Community Development (DECD) to DAS, (b) gives DECD full authority over non-integrated art, and (c) requires the State Bond Commission to specify the maximum amount that may be spent on each type of artwork when allocating for them (§ 7).

The bill also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2021

§§ 1-4 — STATE CONTRACTING BID UPDATES

The bill authorizes public contracting agencies to allow bidders up to two business days after a bid opening to submit their prequalification certificate, if required, and an “update statement” (see below). Current law disqualifies a bid if the update bid statement or applicable prequalification certificate is missing.

The bill replaces statutory references to the term “update bid statement” with “update statement.” Current law requires the DAS commissioner to establish (1) an update statement for contractors and substantial subcontractors to use when renewing or upgrading their prequalification certificate and (2) an update bid statement that bidders on a public works contract must use to provide certain information about changes since the bidder's prequalification certificate was issued or renewed (e.g., projects currently under contract and significant changes in financial position). Under the bill, this information must be provided in the update statement, which serves both statements’ purposes.

§ 5 — SURPLUS STATE PROPERTY

The bill reduces, from 120 days to 60 days, the amount of time a municipality has to notify DAS of its intention to acquire surplus state property. It also reduces, from 60 days to 30 days, the maximum extension that DAS may grant to municipalities on this deadline.

Under current law, once a state-owned property is determined to be surplus, DAS must offer the property (via sale, lease, or other arrangement) to the municipality in which it is located. If the municipality declines or is deemed to have declined the property, DAS must comply with notice requirements and obtain the approval of the Office of Policy and Management (OPM), the State Properties Review Board (SPRB), and the Finance, Revenue and Bonding and Government Administration and Elections committees before putting

the property on the open market. (UConn is exempt from this disposition process, as is the Department of Transportation, whose process is governed by CGS § 13a-80.)

§ 6 – EASEMENTS

The bill authorizes the DAS Commissioner to grant easements to, and acquire easements from, the federal government or a political subdivision of the state (e.g., municipality) for public purposes, so long as he (1) determines that such purposes do not conflict with the public interest; (2) receives the approval of the SPRB; and (3) additionally receives approval from OPM and the agency supervising the land's care and control before granting easements.

Under existing law unchanged by the bill, DAS can grant easements on state land to public service companies, owners of district heating and cooling systems, municipal water and sewer authorities, and telecommunications companies. The easements are subject to approval by the controlling agency, OPM, and the SPRB (CGS § 4b-22a).

§ 7 – ART IN STATE BUILDINGS

The bill transfers authority from DECD to DAS over “integrated works of art” in state buildings (i.e., art that is integrated in the building structure), including artist selection and contractual agreements, and requires DAS to adopt regulations about them. It gives DECD full authority over “non-integrated works of art” (currently, DAS is responsible for contractual agreements).

The bill also requires the State Bond Commission to specify the maximum amount of the artwork bond allocation that may be spent on integrated and non-integrated art work. Existing law requires the State Bond Commission to allocate for the purchase of artwork at least 1% from the proceeds of state bonds for constructing or remodeling most state-owned or -leased buildings open to the public (excluding the cost of the land for the buildings, non-construction costs such as architect fees, and any cost increases).

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/31/2021)