
OLR Bill Analysis

sSB 1076 (File 494, as amended by Senate "A")*

AN ACT CONCERNING PUBLIC-PRIVATE PARTNERSHIPS AND PRIVATIZATION OF STATE SERVICES AT THE UNIVERSITY OF CONNECTICUT HEALTH CENTER.

SUMMARY

This bill makes several changes to the statutes governing the Department of Administrative Services (DAS) as follows:

1. eliminates a provision that invalidates any bid on public works contracts submitted without a required update bid statement or prequalification certificate and instead allows agencies to permit bidders up to two business days post-bid to submit the missing documentation (§ 3);
2. removes references to "update bid statement" and, where necessary, replaces them with "update statement" (§§ 1-4); and
3. allows DAS to grant easements to, and acquire easements from, the federal government or a subdivision of the state, subject to certain approvals (§ 5).

The bill also makes technical and conforming changes.

*Senate Amendment "A" replaces the original bill, which required the UConn Health Center to obtain the legislature's approval before soliciting bids or issuing a request for proposals (RFP) for any proposed privatization contract or public-private partnership estimated to cost more than \$1 million annually.

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 (which the bill renames from “update bid statement”). Current law disqualifies a bid if the update bid statement or applicable prequalification certificate is missing.

The bill also 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 regarding 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 — 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 provided he (1) determines that these purposes do not conflict with the public interest and (2) receives approval from the State Properties Review Board (SPRB). He must also receive approval from the Office of Policy and Management (OPM) and the agency supervising the land’s care and control before granting an easement.

Under existing law unchanged by the bill, DAS may 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 SPRB. He may also acquire easements in connection with a department project, subject to SPRB’s approval.

BACKGROUND

Related Bill

sSB 1015 (File 518), reported favorably by the Government Administration and Elections Committee, contains the same provisions as the amended bill.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 18 Nay 0 (03/29/2021)