



STATE OF CONNECTICUT
OFFICE OF GOVERNMENTAL ACCOUNTABILITY
STATE CONTRACTING STANDARDS BOARD

Final & Approved
Minutes

Friday, January 12, 2018 Meeting of the State Contracting Standards Board
5th Floor Conference Room
18-20 Trinity Street, Hartford, Connecticut

Members Present:

Thomas Ahneman, Acting Chair
Alfred Bertoline
Bruce Buff
Charles Casella, Jr.
Lawrence Fox – via conference telephone
Donna Karnes
Albert Ilg
Robert Rinker
Brenda Sisco – via conference telephone

David L. Guay, Executive Director - ex-officio board member

1. Call to order

Meeting called to order by acting Chair Ahneman at 10:07 A.M.

2. Approve the Minutes of the December 8, 2017 Meeting

Motion made by Albert Ilg and seconded by Brenda Sisco to approve the minutes of the December 8, 2017 Board meeting. All voted in favor, with Lawrence Fox abstaining.

3. Report from Privatization Contract Committee

Acting Chair Ahneman asked Executive Director Guay to make the report for the Privatization Contract Committee. Executive Director Guay explained that the last thing the committee needs to do concerning the review of the Department of Transportation (DOT) is draft and issue a recommendation from the committee to the full Board. Executive Director Guay's understanding is that the committee at its last meeting reached consensus to approve the DOT's full plan.

4. Report of the Contested Solicitations and Awards Subcommittee

Subcommittee Chair Robert Rinker reported that the subcommittee has no matters before it.

5. Work Group Reports

a. Report from Data Analysis Work Group

Chair Alfred Bertoline reported that today's scheduled meeting of the Data Analysis Work Group will be the first meeting since issuing the Study of Competitive Bidding Practices Findings and Recommendations. The primary focus of the upcoming meeting will be where we go from here, in terms of the report but also what is next on the work group's agenda.

Mr. Bertoline would like the Board to approve the Study of Competitive Bidding Practices Findings and Recommendations and for the Work Group to use its resources to go out and talk to as many people as we can about the Study.

Motion made by Alfred Bertoline and seconded by Albert Ilg to approve the Study of Competitive Bidding Practices Findings and Recommendations.

Chair Alfred Bertoline and Bruce Buff of the Data Analysis Work Group presented the work group's report, a Study of Competitive Bidding Practices Findings and Recommendations.

Acting Chair Ahneman led a discussion on refinements to the report. Brenda Sisco offered that the refinements include what was and what was not in the report and a clarification of the Department of Administrative Services recommendation (DAS). Robert Rinker discussed the scope of the report and used the example of the University of Connecticut not being within the scope of the report and used a further example of the DAS master contracts not being within the scope. Mr. Rinker further offered that the next area of study for the Data Analysis Work Group should be an analysis of DAS master contracts.

Mr. Rinker answered Mr. Bertoline's question on who the audience is for the report, suggested the leadership of the Appropriations Committee and the commission on fiscal stability. Mr. Rinker suggested that the scope should be refined to note that it does not include the University of the Connecticut, Judicial, Legislative and the DAS master contracts.

Mr. Bertoline agreed to amend the scope by providing the examples suggested by Mr. Rinker.

Mr. Bertoline suggested the removal of the DAS recommendation in section B of Recommendations.

Mr. Ahneman suggested that Mr. Bertoline will make the changes discussed and email out the changes with a request for further comment with an anticipated vote for approval at the February 9, 2018 meeting and bring a list of groups to speak with. Mr. Rinker suggested that while we are re-drafting Mr. Bertoline and Mr. Buff should begin to set up the appointments to meet with executive and legislative leadership.

Mr. Bertoline summarized that the work group will make changes to the report and send to members for further comment and at the same time begin to meet with executive and legislative leadership.

Motion made by David Guay and seconded by Bruce Buff to table the previous motion to approve the report. All voted in favor.

b. Report from Audit Work Group

Audit Chair Thomas Ahneman reported the Audits Work Group continues its audit of twelve agencies.

The work group agreed to the following elements to be part of the compliance report and the work group hopes to review draft compliance reports at the February meeting and finished compliance reports for the full Board to review in March.

Process and Procedures reviewed

Are the number of contracts reported correct and can be reconciled?

Competitively bid

Sole sourced

Single sourced

Are all contracts placed on the Portal?

Have appropriate CEE's completed?

Are contracts competitively bid, more than 66% and are waivers appropriate?

Number of Sole Source

Number of Single Source

Has a cost-benefit-analysis been completed for a new privatization contract?

Is BizNet used to advertise contracts?

Corrective measures

Interviews

Formal Training

Check lists

Adequate staffing

Quality Assurance - Quality Control – Risk Assessment duties or position

Work Group Chair Ahneman noted that from the work groups interviews with representatives of the Department of Administrative Services (DAS) and the State Department of Education (SDE) it has become clear that the agreement between the Connecticut Technical High Schools and the Pita Group was not a legitimate state contract and the funds paid to the Pita Group should be recouped by the State. The Audit Work Group recommends to the Board that the Board should write to the Attorney General and ask his office to recover the funds paid to the Pita Group.

Motion made by Robert Rinker and seconded by Alfred Bertoline to ask the Attorney General recover funds paid to the Pita Group.

Brenda Sisco asked for a quick summary of the reason the Pita Contract is an illegal contract. Mr. Rinker responded that this is what they were essentially told by representatives of the State Department of Education. Executive Director Guay added the so called contract did not meet the conditions of the master contract, it was a separate side agreement made with Pita, the agreement was written on Pita stationary and authored by Pita.

Hearing no further discussion Acting Chair Ahneman asked for a vote on the motion made by Robert Rinker and seconded by Alfred Bertoline to ask the Attorney General to recover funds paid to the Pita Group. All voted in favor.

6. Other business

Charles Casella asked if any Board members had suggestions for the next privatization contract to be reviewed by the Privatization Contract Committee. Lawrence Fox wondered if the Audit Work Group had any suggestions from the work it has done so far. Mr. Rinker suggested Information Technology contracts would be appropriate for review. Audit Work Group Chair Ahneman indicated he did not believe from the information collected on the twelve audited agencies that the Work Group could make a recommendation.

7. Public Comment

Travis Woodward, employee of the Department of Transportation attending on his own time addressed the Board. Mr. Woodward addressed Mr. Casella's question and suggested the Privatization Contract Committee should look into DOT construction inspection and design contracts.

8. Adjournment

Motion made by Alfred Bertoline and seconded by Bruce Buff to adjourn. All voted in favor, the motion passed and the meeting was adjourned at 10:58 A.M.

Respectfully submitted: David Guay