



STATE OF CONNECTICUT
OFFICE OF GOVERNMENTAL ACCOUNTABILITY
STATE CONTRACTING STANDARDS BOARD

Final & Approved
Minutes

Friday, March 13, 2020 Meeting of the State Contracting Standards Board
Fifth Floor Conference Room
18-20 Trinity Street, Hartford, Connecticut

Members Present:

Lawrence Fox, Chair – Via Conference Call
Thomas Ahneman – Via Conference Call
Alfred Bertoline – Via Conference Call
Bruce Buff – Via Conference Call
Charles Casella, Jr. – Via Conference Call
Albert Ilg. – Via Conference Call
Donna Karnes – Via Conference Call
Stuart Mahler – Via Conference Call
Robert Rinker
Robert Sember – Via Conference Call
Brenda Sisco – Via Conference Call

David L. Guay, Executive Director - ex-officio board member
Lauren Gauthier, UConn Graduate Intern

1. Call to order

Meeting called to order by Chair Lawrence Fox at 10:05 A.M.

Due to the number of members on the conference phone, Executive Director Guay recommended and conducted a roll call to determine members present.

2. Approve the Minutes of the February 14, 2020 Meeting

Motion made by Robert Rinker and seconded by Alfred Bertoline to approve the minutes of the February 14, 2020 Board meeting. All voted in favor.

3. Report from the Sec. 4e-36 Contested Solicitations and Awards Subcommittee

Subcommittee Chair Robert Rinker reported that on February 13, 2020, the Board received a contest from Conduent State Healthcare, LLC (Conduent) regarding the Department of Social Services' (DSS) Request for Proposal (RFP) HBPO RFP 07022019. The RFP was for healthcare business processing for DSS.

Conduent's contest is based upon its belief that there were objective errors in the scoring of its response to the RFP. Conduent believes these scoring errors are procedural errors as described in C.G.S. Section 4e-36. Conduent in its contest requested that the proposals be rescored and the award be reconsidered in light of these errors.

On February 17, 2020, David transmitted Conduent's contest to DSS. David followed up with DSS for a written response.

On March 3, 2020, DSS responded to the contest by letter to David. DSS stated, in part, "While Conduent has asserted several elements as the basis for their appeal and contest, the validation of the flaw in the scoring of references is enough for the Department to reconsider the results of the HBPO RFP evaluation." DSS further stated in its letter to Mr. Guay, "In this particular case, we have decided that it is in the best interests of the state and all of the respondents to this RFP, to reconstitute a new evaluation team and to re-evaluate and score each of the proposals." Their response served as the basis to engage Conduent in further communication to seek a mutually agreeable resolution.

On March 4, 2020, a mutually agreeable resolution was reached which then served as the basis for a decision to be issued by the 4e-36 Contested Solicitation and Awards Subcommittee.

On March 5, 2020, the subcommittee met and voted that the Department of Social Services shall rescore the Request for Proposal HBPO RFP 07022019 with the appropriate evaluators and that the respondents to the RFP may update their references.

I would like to thank David for his great work in reaching a resolution in this contest, and the time and effort the subcommittee members Stu Mahler and Bruce Buff put into this case. I also appreciated that DSS and Conduent were open to resolving the issue related to the scoring issues. I also appreciate that DSS is going to look into its evaluation procedures to hopefully avoid such a situation from occurring in future RFPs.

4. Work Group Reports

a. Report from Audit Work Group

Audit Work Group Chair Thomas Ahneman reported that the Audit Work Group met this morning.

Mr. Ahneman forwarded the Audit Work Group request for the Board to communicate to agencies the need to complete a Cost-Benefit-Analysis or Cost-Effectiveness-Evaluations on Department of Administrative Services Master Contracts as it relates to the Agency.

Mr. Ahneman reported that the Audit Work Group reviewed five-draft compliance report and voted three to be forwarded to the Board for acceptance. Two draft compliance reports were tabled for further information.

The Work Group members selected FY 19 agencies for their review.

1. Thomas Ahneman - Connecticut Agricultural Experiment Station
2. Thomas Ahneman - Department of Administrative Services Bureau of Enterprise Systems and Technology
3. Stuart Mahler - Department of Emergency Services and Public Protection
4. Thomas Ahneman - Department of Energy and Environmental Protection
5. Robert Rinker - Office of Health Strategy
6. Alfred Bertoline - Office of Policy and Management
7. Robert Sember - Department of Public Health
8. Jean Morningstar - Department of Insurance
9. Jean Morningstar - Department of Labor
10. Robert Rinker - Division of Criminal Justice
11. Robert Sember - Department of Rehabilitation Services
12. Alfred Bertoline - Department of Revenue Services
13. Robert Rinker - Workers' Compensation Commission

b. Data Analysis Work Group

Chair Fox congratulated Bob Sember on his volunteering and appointment to the Data Analysis Work Group.

Data Analysis Work Group Chair Alfred Bertoline reported that he had Executive Director Guay communicate with Kim Kennison as a follow-up to our January 20, 2020 meeting with OPM requesting:

1. Waiver approvals
 - a. Present the postings and changes to the State Contracting Portal for all waivers approved
 - b. Copy of the report due January 15, 2020 listing waiver requests received and justification therefor in accordance with section 11-4a
2. A copy Agencies 3-year procurement plans indicating all services and programs to be contracted including whether such procurements shall be based on competitive negotiation.

Ms. Kennison responded back with the website link for the Waiver reports. Ms. Kennison responded that the procurement plans, as discussed at the last meeting on January 20th, that OPM is delayed in reviewing procurement plans due to a staff vacancy. She reminded that her top priority is to manage the daily requisition process and to fill the position.

As they make progress on posting the procurement plans, they will be sure to keep the Board updated.

Chair Bertoline will hold a Data Analysis Work Group meeting after the Board meeting on May 8, 2020.

5. Report of Special Committee on Dillon Stadium contracts

Executive Director Guay reported the Committee last met in the afternoon of January 10, 2020 with AAG Gary Hawes. A list of questions appropriate for legal counsel was provided to AAG Hawes for his review. A teleconference call is scheduled for Tuesday, March 17, 2020 at 10:00 A.M.

6. Review of March 2, 2020 Appropriations Committee Testimony

Executive Director Guay reported on the Testimony provided to the Appropriations Committee General Government Subcommittee on March 2, 2020. Mr. Guay thanked all the Board

members who attended; Alfred Bertoline, Bruce Buff, Albert Ilg, Robert Rinker, Bob Sember and UConn Graduate Intern Lauren Gauthier.

The Appropriations Subcommittee was provided responses to the questions raised from Chair Fox's testimony of February 13, 2020. (See attached)

7. Other Business

Executive Director Guay raised with the Board the petition letter just received from Travis Woodward, PE and President of the CSEA SEIU Local 2001 P-4 Council, a bargaining unit of which includes engineers, scientists, and information technology professionals. Mr. Woodward's letter alerts to a possible violation of the provisions of C.G.S. Sec. 4e-16 by the Department of Transportation and petitions the Board for review.

Motion made Robert Rinker and seconded by Alfred Bertoline to refer the petition to the Section 4e-16 Privatization Contract Committee for review.

Voting in favor:

Lawrence Fox, Chair
Alfred Bertoline
Bruce Buff
Charles Casella, Jr.
Albert Ilg
Donna Karnes
Stuart Mahler
Robert Rinker
Robert Sember
Brenda Sisco

Voting no:

Thomas Ahneman

No abstentions

Motioned passed 10-1 with no abstentions.

Stuart Mahler asked Chair Fox about the Governor's appointment to the remaining empty position. Chair Fox had no update.

Executive Director Guay along with Albert Ilg informed the Board of upcoming interviews for the next University of Connecticut Graduate Intern.

All agreed that the current intern Lauren Gauthier could not leave.

8. Public Comment

Alyssa Peterson addressed the Board.
Travis Woodward addressed the Board

9. Adjournment

Motion made by Robert Rinker and seconded by Donna Karnes to adjourn. All voted in favor, the motion passed and the meeting adjourned at 11:01 A.M.

Respectfully submitted: David Guay