



STATE OF CONNECTICUT
OFFICE OF GOVERNMENTAL ACCOUNTABILITY
STATE CONTRACTING STANDARDS BOARD

Draft
Minutes

Friday, September 10, 2021 - 10:00 A.M. Meeting of the State Contracting Standards Board
Via Microsoft Teams

Members Present:

Lawrence Fox, Chair
Thomas Ahneman
Alfred Bertoline
Bruce Buff
Lauren Gauthier
Albert Ilg
Donna Karnes
Stuart Mahler
Salvatore Luciano
Robert Rinker
Daniel Rovero

David L. Guay, Executive Director - ex-officio Board member
Ryan Chester, Staff – 2021-2022 UConn Graduate Intern

1. Call to order

Chair Lawrence Fox called the meeting to order at 10:00 A.M.

2. Approve the Minutes of the August 13, 2021 Meeting

Alfred Bertoline moved to accept the minutes, seconded by Stuart Mahler. All voted in favor.

3. Board Funding

David Guay had nothing new to report.

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

Subcommittee Chair Robert Rinker reported a contest was filed by Anthem concerning the Teacher's Retirement Board's RFP for retiree health insurance. Chair Rinker further reported on a previous contest concerning allegations of collusion and bid rigging. The subcommittee informed the Attorney General of this contest. Bid rigging is a criminal offense. Executive Director David Guay and Robert Rinker went to the Office of the Chief State's Attorney to be interviewed.

5. Privatization Contract Committee Report

- a. C.G.S. Sec. 4e-16 Petition for review of Aflac Insurance to serve as claims administrator for the Connecticut Paid Leave Authority by Council 4 AFSCME

Executive Director David Guay reported the Board lacks jurisdiction for privatization contracts at Quasi-Public agencies, which the Connecticut Paid Leave Authority is.

Chair Fox proposed under **Sec. 4e-2. (g)(2)(D)** that the Board review and monitor the procurement processes of the Connecticut Paid Leave Authority.

- b. Bridge Safety Inspection Program Update

Chair Lawrence Fox reported that because of technical difficulties, the Committee was unable to meet to discuss the Bridge Safety Program at the Department of Transportation. Executive Director Guay forwarded to the Board a message from the Transportation Commissioner to the Board. Chair Lawrence Fox reported the Committee will follow up with the Department of Transportation concerning the hiring for the Bridge Safety Inspection Program. Robert Rinker expressed interest in receiving a report from the Privatization Committee that includes the number of net hires that occurred and how many teams did they have in 2017 and how many bridge inspections teams do they have today.

Thomas Ahneman commented that the Commissioner's response is accurate because the techniques used today are far more efficient and safer than they were a few years ago.

6. Work Group Reports

- a. Audit Work Group

Chair Thomas Ahneman reported that Work Group is starting the FY 2020 audits. There are 21 agencies that remain to be audited. Chair Ahneman asked for two more volunteers to join the audit work group. Donna Karnes volunteered to join. Chair Thomas Ahneman reported that an

updated questionnaire was approved this morning. Chair Thomas Ahneman also asked the Board to take a moment to honor the loved ones who didn't come home on September 11th.

b. Data Analysis Work Group

Chair Alfred Bertoline reported that the Data Analysis Work Group met this week to move forward the study of MOAs and MOUs. The Work Group plans to send a request to each state agency to see if they use these agreements, how many do they have, and the details of each of those agreements.

7. Update from Connecticut Port Authority Review

a. Consideration of referral to the Attorney General under C.G.S. Sec. 4e-31 of the contracts between the Connecticut Port Authority and Dealy Mahler Strategies

Executive Director David Guay reported that the work group met on Wednesday; September 8, 2021 and reviewed the publicly available material Board member Lauren Gauthier collected. Executive Director Guay provided a synopsis of his discussion with our AAG. Essentially the Office of the Attorney General did not provide an answer on what the Board should do, which is appropriate. They would not speak about an ongoing investigation as is appropriate, but they are aware of what is publicly available.

The work group decided that action under C.G.S. Sec. 4e-31 does not require a vote, and to assist the Office of the Attorney General, even if it is duplicative, directed Executive Director Guay to transmit the relevant facts to the Attorney General.

The work group decided to inquire of the Port Authority for copies of all current contracts relating to the State Pier, all current Memorandums of Understanding (MOA) and Requests for Proposals (RFP), an unredacted copy of the Gateway contract responses, and copies of past and present procurement procedures. The work group is also requesting communications from CPA board and staff covering the pre-RFP phase through the award phase regarding the State Pier.

8. Update on Initial Review of the Mystic Oral School Complaint

Executive Director David Guay, Board member Lauren Gauthier, and Staff Graduate Intern Ryan Chester reported on the Mystic Education Center Complaint. Executive Director David Guay reported that the Board may consider the disqualification of Mr. Respler under C.G.S. Sec. 4e-34 due to Mr. Respler's guilty plea of conspiracy and bribery in the State of New York. Robert Rinker commented that if we go down the road of 4e-34 disqualification, there will be a need for a subcommittee, and we need to know for sure whether we have jurisdiction over this

issue. Executive Director David Guay will need to confirm the Board's jurisdiction over this issue.

9. Other Business

No other business reported

10. Public Comment

Erin Choquette, General Counsel for CT Paid Leave Authority addressed the Board.

Rosanne Kotowski addressed the Board.

Genevieve Cerf addressed the Board.

Scott Westervelt addressed the Board

Edward Moukawsher Addressed the Board.

Kevin Blacker addressed the Board

Travis Woodward addressed the Board.

11. Adjournment

Motion made by Robert Rinker and seconded by Alfred Bertoline to adjourn. All voted in favor, the meeting adjourned at 11:26 A.M.

Respectfully submitted: Ryan Chester