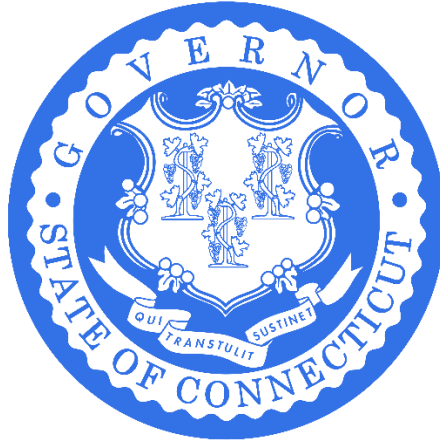


**STATE OF CONNECTICUT
DEPARTMENT OF ECONOMIC
AND COMMUNITY DEVELOPMENT**



**BIDDING, CONTRACTING &
PROCUREMENT FOR CONSTRUCTION
GUIDELINES FOR DECD PROGRAMS**

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COMMISSIONER**

⁺Updated language: Section 8 (Wage Rates); Section 9 (CHRO Requirements) & Appendix F (CHRO Contract Language); Section 10 (Other Agency Requirements); Section 15 (Bonds/Certified Checks); Section 18 (Selecting the Contractor).

TABLE OF CONTENTS

Contents	Page #
1. INTRODUCTION.....	3
2. DEFINITIONS.....	3
3. CONFLICT OF INTEREST NOTICE AND CLIENT RESPONSIBILITY	4
4. CATEGORIES OF WORK.....	4
5. CATEGORIES OF CLIENTS.....	5
6. CONSTRUCTION MANAGERS IN PLACE OF GENERAL CONTRACTORS	6
7. PLANNING/PERMITTING – CEPA COMPLIANCE	6
8. WAGE RATES (<i>Please note updated language</i>).....	7
9. CHRO REQUIREMENTS (<i>Please note updated language</i>)	9
10. OTHER STATE AGENCY PREQUALIFICATIONS/PERMITS (DAS & DEEP).....	11
11. BID PACKAGE SUBMISSION REQUIREMENTS:	12
12. BIDDING, CONTRACTING & CONSTRUCTION REQUIREMENTS FOR CERTAIN MINOR PROJECTS (\$250,000 OR LESS)	13
13. MATERIAL AND SERVICES.....	13
14. ADVERTISING YOUR PROJECT.....	14
15. BONDS/CERTIFIED CHECKS	15
16. LIQUADATED DAMAGES	16
17. INSURANCE.....	16
18. SELECTING THE CONTRACTOR	17
19. DOCUMENTS TO BE FORWARDED TO DECD AT COMPLETION OF BIDDING:.....	17
20. DOCUMENTS TO BE FORWARDED TO DECD POST CONTRACT EXECUTION.....	18
21. CONTRACTOR PAYMENT APPLICATIONS, RETAINAGE, AND CHANGE ORDERS	18
22. DOCUMENTS TO BE SUBMITTED DURING THE CONSTRUCTION PHASE OF THE PROJECT:.....	19
23. DOCUMENTS TO BE SUBMITTED AT THE COMPLETION OF THE PROJECT:.....	19
24. CONSTRUCTION MONITORING PROCEDURES.....	20
25. CONSTRUCTION OVERSIGHT AND TECHNICAL ASSISTANCE:	20
26. APPENDICES.....	21
APPENDIX A : DECD PROJECT SIGN	22
APPENDIX B: STATE SEAL AND DECD LOGO	23
APPENDIX C: CHRO NOTICE	24
APPENDIX D: MINOR PROJECT COMPLIANCE CERTIFICATION FORMS	25
APPENDIX E: CONSTRUCTION CONTRACT AND MONITORING	26
APPENDIX F: NON-DISCRIMINATION CONTRACT LANGUAGE (CHRO)	27

1. INTRODUCTION

The intent of these Bidding, Contracting and Construction Guidelines is to provide the guidance and the requirements needed to ensure a successful DECD sponsored project. It is DECD's policy to maximize the benefits derived from the use of public funds, protect these funds from inappropriate use, and ensure that all Federal, State and Local requirements are met.

To maximize the benefits of the State's public funds, DECD's requires a competitive public procurement process of all major contracts for construction. Competitive public bidding is a standard practice within the public works construction industry and provides numerous benefits such as:

- a. Cost savings to the Client and State
- b. Fair competition for construction contracts
- c. Ensuring the use of qualified contractors

The DECD has prepared these guidelines to assist our clients through the agency's requirements and policies. These guidelines reference definitions, client responsibilities, categories of work, project planning to ensure Connecticut Environmental Policy Act (CEPA) compliance and various State agencies' laws & regulations, the requirements of a publicly advertised competitive bid process for construction activities, selection and contracting for construction, DECD's progress monitoring of construction, and the required documents from bidding on through to Construction Closeout.

Any Client modification or change to the bidding or selection process must be pre-approved by DECD.

2. DEFINITIONS

- a. **Public Building** (C.G.S. section 1-1(e)): ...shall include a statehouse, courthouse, townhouse, arsenal, magazine, prison, community correctional center, almshouse, market or other building belonging to the state, or to any town, city, borough in the state, and any church, chapel, meetinghouse, or other building generally used for religious worship, and any college, academy, schoolhouse or other building generally used for literary instruction.”
- b. **Public Works Contract** (C.G.S. Sec. 46a-68b): “...means any agreement (A) for construction, rehabilitation, conversion, extension, demolition or repair of changes or improvements in real property, and (B) that is financed in whole or in part by the state, including, but not limited to, matching expenditures, grants, loans, insurance or guarantees, where such funding equals one hundred fifty thousand dollars or more,....”
- c. **Competitive Bidding** (the Architect's Handbook of Professional Practice, Vol. 2, AIA 1987): Competitive bidding seeks to find the lowest reasonable price for the project through competition for the work. The theory is that many interested contractors have access to the project and that head-to-head

competition will produce the best possible price consistent with marketplace conditions.

3. CONFLICT OF INTEREST NOTICE AND CLIENT RESPONSIBILITY

- a. Members and relations of the governing body and/ or staff of the client shall be prohibited from receiving contracts for materials or services related to the Construction/ Renovation.
- b. DECD shall review project documents to ensure consistency with project goals, department standards and technical correctness. However, it is the responsibility of the client, their architect and attorney to ensure that the documents are technically correct, complete and, where necessary, protect the grantee and the State of Connecticut from any and all claims.
- c. The client will comply with all relevant local, state and federal regulations, and comply with all standard contracting practices to safeguard the interests of the client and the state including, but not limited to, contractor performance, security, insurance, permits, and inspections.
- d. The client shall erect a suitable sign attributing funding to State of Connecticut, Governor; Department of Economic and Community Development, and Commissioner. A sign template is attached to this document.

4. CATEGORIES OF WORK

- a. Emergency Work: Public Health and Safety Improvements. DECD must approve any exemption from the bidding process for Emergency Work
- b. Minor Construction/Renovation: Single trade tasks and/or non-complex construction with a total value of \$100,000 or less.
- c. Major Construction/Renovation: multiple-interrelated trade tasks and/or complex construction with a total value of over \$100,000.
- d. Brownfield Site: A brownfield is a real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. The physical environmental clean-up or remediation of a brownfield site is considered a change in real property therefore a construction activity.
- e. Individual physical development contracts under \$10,000 in value shall not be subject to competitive bid requirements.
- f. For projects only requiring material purchases see section 13.
- g. For projects with a total project cost of \$250,000 or less see section 12.

5. CATEGORIES OF CLIENTS

- a. The nature of the project and the organization of DECD’s client determine whether a project’s construction contracts are publicly advertised for competitive bidding. Publicly advertised competitive bidding may also be appropriate for certain clients and/or projects. A public competitive process will help the client locate qualified firms and establish a market rate for the improvements.
- b. Please refer to the table below as a guide for compliance with the contract solicitation process.

Client Category	Project Category	Public Competitive Bid	Competitive Bid
Financial assistance to for-profit corporation for non-land based projects/contracts (e.g., purchase of equipment)	Private	No	No
Financial assistance to for-profit corporation for building, site or infrastructure improvements.	Private	No	Yes
Financial assistance to not-for-profit corporation for non-land based projects/contracts (e.g., purchase of equipment)	Private	Yes	Yes
Financial assistance to not-for-profit corporation for building, site or infrastructure improvements when acting on behalf of a municipality	Public	Yes	Yes
Financial assistance to not-for-profit corporation for building, site or infrastructure improvements when acting on behalf of a non-municipality	Private	Highly Recommended	Local Procurement Process
Financial assistance to not-for-profit corporation for building, site or infrastructure improvements when acting for their own interests where state funding is less than 25% of the total project cost	Private	Highly Recommended	Yes
Financial assistance to not-for-profit corporation for building, site or infrastructure improvements when acting for their own interests where state funding is greater than 25% of the total project cost	Private	Yes	Yes
Financial assistance to municipalities for construction/improvements of public infrastructure/public land	Public	Yes	Yes

6. **CONSTRUCTION MANAGERS IN PLACE OF GENERAL CONTRACTORS**

A “construction manager” means a construction professional with primary responsibility for the day-to-day management of all construction or engineering activities for a project in accordance with a public works contract or other agreement with an awarding agency (C.G.S. Sec. 46a-68b).

The DECD grantee may employ a construction manager, but if this management method is used, each subcontract must be bid employing the same procedures outlined above with a minimum of three bids for each subcontractor, advertising for each and compliance with bonding, insurance, and minority regulations. Any specific construction trade work to be conducted by the construction manager requires DECD pre-approval.

7. **PLANNING/PERMITTING – CEPA COMPLIANCE**

- a. **CEPA** - Sections 22a-1 through 22a-1h of the C.G.S. establish an environmental policy for Connecticut and a process for evaluating the environmental impacts of State actions. The process is further defined by Sec. 22a-1a-1 through 22a-1a-12 of the Regulations of Connecticut State Agencies.
- b. **Floodplain** - The FEMA Flood Insurance Rate Map (FIRM) of the project boundary must be reviewed by the project design professional during the design phase. If the project proposes an activity within or affecting a floodplain or that impacts storm drainage facilities, the DECD must submit a Flood Management Certification to DEEP (C.G.S. 25-68b through 25-68h). The grantee’s design professional will be responsible for preparing the application and submission to DECD for review and subsequent certification to DEEP. DECD will not approve or fund any construction activities until certification has been accepted by the DEEP. Flood Management Certification must be approved prior to the completion of the bid package.
- c. **Historic Considerations** – Projects involving the renovation, rehabilitation, or additions to Historic buildings or sites will require consultation with the State Historical Preservation Commission (SHPO). There is a 30-day deadline for SHPO to reach an initial determination when reviewing the impact of state-funded projects on historic properties. If SHPO finds the project will have an adverse impact on the historic nature of the property or the surrounding environment, it will propose a mitigation plan that is in line with recognized best-practices for historic preservation. Grantees may appeal SHPO’s findings to the DECD Commissioner to recommend revisions to the mitigation plan. Documentation of such consultation and approval by SHPO will be required. Historic buildings are defined as properties listed on the State or National Register for Historic Places, or properties eligible for listing on the State or National Register for

Historic Places. Properties 50 years old or older are potentially eligible for listing. Historic sites are defined as sites that have yielded, or may be likely to yield, information important in prehistory or history. If you are unsure, please contact SHPO (860-500-2337 or at Todd.Levine@ct.gov).

- d. **Hazardous Materials** – It is the grantee’s responsibility to investigate the possible existence of hazardous materials and evaluate their impact on the proposed project. Hazardous materials include, but are not limited to, lead based paint, asbestos containing materials, PCBs etc. If hazardous materials are present on the project site or in existing buildings, appropriate mitigation, remediation must be included in the scope of work, plans and specifications.
- e. **Approvals** – The grantee shall review any factors in conflict with the use of the site or the planned project on the site to be developed or rehabilitated (e.g. building lines, zoning regulations, local ordinances, codes or other pertinent regulations or restrictions). Particular attention should be given to projects that will involve a change in use. The grantee shall obtain all necessary local, state, federal and utility companies' approvals and any special permits, variances or waivers that may be required.

8. WAGE RATES (Please note updated language)

- a. As per C.G.S. Sec. 31-53, municipal grantees shall pay prevailing wages rates on a Public Works Contract including contracts for off-site custom fabrication for any such public works projects. Under current law, the state or political subdivision must award the construction contract and be a party to the construction contract and not a mere grantor of funds for the project to require prevailing wage rates.
- b. The provisions of C.G.S. Sec. 31-53 do not apply when the total project cost of all work to be performed by all contractors and subcontractors in connection with new construction of any public works project is less than \$1,000,000 or where the total cost of all work to be performed by all contractors and subcontractors in connection with any remodeling, refinishing, refurbishing, rehabilitation, alteration or repair of any public works project is less than \$100,000.
- c. The DECD prevailing wage statute (C.G.S. § 31-53c) applies to construction contracts for projects of for-profit entities and municipalities that receive at least \$1 million in financial assistance from DECD, and to construction contracts for projects of non-profit entities with a 501(c)(3) or 501(c)(6) federal tax status that receive at least \$1 million in financing from DECD and have a total project cost over \$10 million. (C.G.S. § 31-53c(a)(1)).

Financial assistance: any and all forms of loans, cash payments (or grants), extensions of credit, guarantees, equity investments, tax abatements, or any

other form of financing totaling one million dollars or more. (C.G.S. § 31-53c(a)(2)).

Project: any construction, remodeling, refinishing, refurbishing, rehabilitation, alteration or repair of any property owned by a business organization. (C.G.S. § 31-53c(a)(3)).

- d. As per C.G.S. Sec. 31-53c, any business organizations that receives DECD financial assistance totaling one million dollars or more, shall pay prevailing wages rates for any construction, remodeling, refinishing, refurbishing, rehabilitation, alteration or repair of any property owned by a business organization.

Construction contracts for projects that include leasehold improvements to a structure that is NOT owned by the business organization is not required to pay prevailing wage rates (C.G.S. § 31-53c(a)(3)).

Business organization: any sole proprietorship, partnership, corporation, LLC, association, firm or other form of business, municipality, regional council of governments, Connecticut brownfield land bank or economic development agency, as defined in section 32-760, or other legal entity, but excludes any organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986 or that is a chamber of commerce under Section 501(c)(6) of said Internal Revenue Code, or any subsequent corresponding internal revenue code of the United States, as amended from time to time, and that (A) accepts financial assistance for a project as defined in this section, and (B) such project is valued at not more than ten million dollars and is not for the purposes described in subsection (f) of this section. (C.G.S. § 31-53c(a)(1))

- e. C.G.S. § 31-53c applies to construction contracts for the entire project, including the part(s) not funded by DECD, except when DECD provides financial assistance for the purpose of remediation, demolition or abatement of pollution in buildings, soil or groundwater separately from any DECD financial assistance for redevelopment activities on the site, then only the construction contracts for those portions of the project are subject to prevailing wage. (C.G.S. § 31-53c(f)).
- f. When the DECD prevailing wage statute applies for projects, general contractors, subcontractors, and/or construction managers will be required to submit monthly certified payroll records to the DECD Funding Recipient (for-profit or non-profit clients) that contain among other items, a signed statement from the employer that (a) the records are correct, (b) the employer met the prevailing wage law's requirements, and (c) the employer understands the penalties for knowingly filing false payroll records. The DECD Funding Recipient shall keep records satisfactory to DECD and hold DECD harmless in any disputes regarding Conn. Gen. Stat. Sec. 31-53c (C.G.S. § 31-53(f)).

Please refer to <http://www.ctdol.state.ct.us/wgwkstnd/prevailwage.htm> for further guidance.

- g. When Prevailing Wage Rates are required, the construction contract shall contain the following provision:

"The wages paid on an hourly basis to any person performing the work of any mechanic, laborer or worker on the work herein contracted to be done and the amount of payment or contribution paid or payable on behalf of each such person to any employee welfare fund, as defined in subsection (i) of section 31-53, shall be at a rate equal to the rate customary or prevailing for the same work in the same trade or occupation in the town in which such construction, remodeling, refinishing, refurbishing, rehabilitation, alteration or repair project is being undertaken. Any contractor who is not obligated by agreement to make payment or contribution on behalf of such persons to any such employee welfare fund shall pay to each mechanic, laborer or worker as part of such person's wages the amount of payment or contribution for such person's classification on each pay day."

- h. Each contractor for a construction contract subject to prevailing wage under C.G.S. § 31-53c shall annually contact the Department of Labor for updated prevailing wage rates to be effective each July first for the duration of the contract. (C.G.S. § 31-55a).
- i. The State Department of Labor's Wage and Workplace Standards Division (860-263-6454 or at mary.toner@ct.gov) can be contacted for assistance in determining the prevailing wage rate.
- j. Where federal funds are involved, Davis-Bacon Act rates may apply. Consult the funding source agency for confirmation.

9. **CHRO REQUIREMENTS (Please note updated language)**

- a. The grantees and their contractors will need to comply with Sections 4a-60, 4a-60g, 46a-68b to 46a-68f of the Connecticut General Statutes (C.G.S.) and Sections 46a-68j-21 through 43 of the Regulations of Connecticut State Agencies, as applicable. Consult your Project Manager for assistance and the following for related required documents: [Contract Compliance Forms and Reports](#).
- b. Effective October 1, 2025 Good Faith Efforts (GFE) Plans (long or short form) have replaced Set-Aside and Affirmative Action Plans. The thresholds have also changed (please see details below). In addition, Spending Allocation Goals (SAGs) replace set-aside percentages. An overview of the changes has been provided in **Appendix C**.

Additional changes are expected July 1, 2026 – please visit the CHRO Contract Compliance Program Website for current information:

<https://portal.ct.gov/chro/contract-compliance/contract-compliance/contract-compliance-forms-and-reports>

- c. For municipal public works projects (*valued over \$50,000 if contract executed before October 1, 2025 **or** valued over \$150,000 if executed ON or AFTER October 1, 2025*) State law requires a minimum Spending Allocation Goal (SAG) of twenty-five (25%) percent of the state-funded portion of the contract for award to subcontractors holding current certification as Small Business Enterprises (“SBE”) from the Connecticut Department of Administrative Services (“DAS”). A minimum SAG of 6.25% of the state-funded portion for subcontractors holding current DAS certification as Minority-, Women-, and/or Disabled-owned businesses (“M/W/DisBE”). The contractor must demonstrate good faith effort to meet the 25% SAG. The contractor, general contractor, construction manager at risk must make good faith efforts to employ minority business enterprises as subcontractors and suppliers of materials on such projects.

DECD funding recipients must notify CHRO of project SAGs (on behalf of DECD) before bids are released on behalf of the DECD as a mandatory requirement. **All award notifications and requests to execute are to be sent to:**

CHRO.AwardNotification@ct.gov.

Good Faith Efforts Short Form Plan & Good Faith Efforts Long Form Plan can be found under the ***Forms and Reports for Construction Contractor*** Section at the following websites: <https://portal.ct.gov/chro/contract-compliance/contract-compliance/contract-compliance-forms-and-reports>

The following is a breakdown of Good Faith Effort (GFE) Plan requirements:

For contracts executed BEFORE October 1, 2025:

- General Contractor:
 - Only the General Contractor is required to submit the GFE plan
 - If the total state funding is less than \$50K, no plan is required.
 - If the total state funding is \$50K-\$999,999, the GFE Short Form Plan is required.
 - If the total state funding is \$1M or more, the GFE Long Form Plan is required.
- Construction Manager:
 - The Construction Manager is required to submit the GFE Long Form Plan.
 - In addition, the following applies to the prime contractor for each bid package:
 - If the total state funding is less than \$50K no plan is required.

- If the total state funding is \$50K or more, the GFE Short Form Plan is required.

For contracts executed ON or AFTER October 1, 2025:

- General Contractor:
 - Only the General Contractor is required to submit the plan
 - If the total state funding is less than \$150K, no plan is required.
 - If the total state funding is \$150K-\$999,999, use the GFE Short Form Plan.
 - If the total state funding is \$1M or more, use the GFE Long Form Plan.

- Construction Manager
 - The Construction Manager is required to submit the GFE Long Form Plan.
 - In addition, the following applies to the prime contractor for each bid package:
 - If the total state funding is less than \$150K (for the particular bid package) no plan is required.
 - If the total state funding is \$150K or more (for the particular bid package), the GFE Short Form Plan is required.

Failure to file plans, meet deadlines, or make good faith efforts will be subject to enforcement that may lead to:

- Withholding of contract payments
 - Disqualification from future bidding
 - Civil penalties and legal action by CHRO
- d. Please see language that **must** be included in bid notifications/documents under Section 14, Advertising Your Project.
- e. Please see language that **must** be included in the contract with the selected bidder in **Appendix F**.
- f. Federal Financing (EDA, UD, CDBG, etc.) carries its own Minority/Women's contracting requirements. The DECD grantee must comply. The granting sources will provide instructions.

10. OTHER STATE AGENCY PREQUALIFICATIONS/PERMITS (DAS & DEEP)

- a. DAS: Municipal contracts for the construction or renovation of a public works project, where the estimated value is \$1,000,000 or greater, will need to comply with C.G.S. Sec. 4b-91. In such cases the contractors

must be pre-qualified by the State of Connecticut Department of Administrative Services (DAS). When applicable, this requirement will need to be included in the Invitation to Bid as a prerequisite for selecting the Lowest Responsible and Qualified Bidder.

- "Prequalification" means prequalification issued by DAS to bid on a contract or perform work pursuant to a contract for the
 - demolition of any public building or any other public work by the state or a municipality.

 - It is permissible to use AIA form A305, Contractor's Qualification
 - i. Statement, as a prerequisite to bidding, provided prequalification
 - ii. Does not prevent minority/women owned firms from bidding.
 - iii. Consult your architect.
- b. DEEP (To Undertake Remediation Contract Work Funded by DECD):
- Effective October 23, 2025, all contractors and contractor entities working on ground remediation work or projects funded by DECD must be registered under [DEEP's General Permit For Registered Existing Release Response Contractors](#) prior to beginning any remediation work.
 - To register – please complete the [Registration Form](#). Follow the [instructions](#). DEEP typically issues an Approval of Registration within 30 days of receiving a complete application and fee.
 - Please note that this registration under the General Permit pertains only to existing (historical) releases and does **not** authorize emergency spill response work, cleanup of PCB contamination over 10 parts per million (or subject to TASCAs), or remediation of releases to surface water or groundwater. For more info on the General Permit, please see the [Fact Sheet](#).
 - Each registration is valid for a period of two (2) years. Renewals must be submitted 60 days before expiration. A fee of \$1,000 applies to initial registration and renewals.
 - For further details, see [DEEP's Permit Webpage](#).

11. **BID PACKAGE SUBMISSION REQUIREMENTS:**

- a. All construction plans, specifications, and instructions to bidders must be prepared by a licensed professional engineer or architect.

- b. A draft bid package, including plans and specifications must be submitted to the Department of Economic and Community Development (DECD) for review not less than two weeks prior to advertisement. The project design professional should submit a project cost estimate as part of the package.

- c. Where applicable, CONNDOT Form 816 (Specifications for Roads, Bridges, and Incidental Construction) is a suitable substitute for construction and materials specifications.
- d. The Bid Package should clearly state the terms and conditions for bidding the project.

12. BIDDING, CONTRACTING & CONSTRUCTION REQUIREMENTS FOR CERTAIN MINOR PROJECTS (\$250,000 OR LESS)

- a. If notified by the DECD Project Manager, for certain projects with a total project cost of \$250,000 or less, the grantee may be requested to self monitor the implementation of a project including the procurement of the contractors. In such cases the grantee will be required to certify that the project is in compliance with DECD design, bidding, contracting and construction monitoring requirements. Unless specifically waived by DECD, the grantee's design professional must have the proper professional credentials, i.e. professional engineer or registered architect. It will be the responsibility of the grantee to certify and submit the appropriate documentation during the pre-bid phase, construction phase and close-out phase of the project. The grantee will be required to provide the DECD with the following signed certification documents before the Assistance Agreement Contract between the DECD and the grantee is executed:
 - b. Construction Bid Package, Drawings, and Specifications Compliance Certification (**Appendix D**)
 - c. Construction Monitoring & Close-out Compliance Certification (**Appendix E**)

13. MATERIAL AND SERVICES

- a. Many State Department of Administrative Services (DAS) service contracts are available to municipalities and 501(c) Non-Profits for use at the following site:
 - [CTsource Contract Board](#)
- b. If this method is utilized, the DECD grantee must provide the DECD with the DAS Contract number and the latest pricing within the service contract demonstrating that they select the lowest priced contractor. If the lowest priced contractor is unavailable, then the next lowest priced contracted should be contacted.
- c. In cases where the total estimated material cost is below \$25,000, fax, email or letter solicitation for prices is acceptable. However, the DECD grantee must solicit at least three quotations for material.

- d. Individual physical development contracts under \$10,000 in value shall not be subject to competitive bid requirements.

14. **ADVERTISING YOUR PROJECT**

The DECD grantee is responsible for notifying the DECD of the Bid Opening date, time, and location as soon as it is determined.

In cases where the total project cost is below \$150,000, bids may be solicited by letter, fax or email. However, the DECD grantee must solicit at least three quotations for such project.

Public Works Projects (on behalf of Municipalities)

- a. Grantees of municipal public works contracts, where state-funding is \$150,000 or more, are required to post the Invitation to Bidders on the State Contracting Portal for a minimum of five (5) business days. The DAS Contracting Portal, where grantees can post an Invitation to Bidders, is located at <http://das.ct.gov/Portal>
- b. These grantees can also run a notice in the Public Notices section of one newspaper with broad circulation such as the Hartford Courant, Waterbury Republican, Bridgeport Post, New Haven Register, Norwich Bulletin, The News-Times or the Stamford Advocate. This notice must run for at least two (2) days.
- c. Below is standard language to include in bid notifications for applicable public works project contracts:

For DAS Contracting Portal (CTSource):

This contract is subject to state contract compliance requirements, including nondiscrimination statutes and spending allocation goals. State law requires a minimum spending allocation goal of twenty-five (25%) percent of the state-funded portion of the contract for award to subcontractors holding current certification as Small Business Enterprises (“SBE”) from the Connecticut Department of Administrative Services (“DAS”). A minimum spending allocation goal of 6.25% of the state-funded portion for subcontractors holding current DAS certification as Minority-, Women-, and/or Disabled-owned businesses (“M/W/DisBE”). The contractor must demonstrate good faith effort to meet the 25% spending allocation goals.

[If you encounter word limit issues]:

This contract is subject to state contract compliance requirements, including spending allocation goals (25% SBE and 6.25% M/W/DisBE) and non-discrimination requirements enforced by the CHRO.

For print media:

This contract is subject to state spending allocation goals and contract compliance requirements.

For bid documents [ITB/IFB/RFP/RFO and specifications]:

The contractor who is selected to perform this State project must comply with CONN. GEN. STAT. §§ 4a-60, 4a-60g, and 46a-68b through 46a-68f.

State law requires a minimum spending allocation goal of twenty-five (25%) percent of the state-funded portion of the contract for award to subcontractors holding current certification from the Connecticut Department of Administrative Services (“DAS”) under the provisions of CONN. GEN. STAT. § 4a-60g. (25% of the total state-funded value with DAS-certified Small Businesses and 6.25% of the total state-funded value with DAS-certified Minority-, Women-, and/or Disabled-owned Businesses.) The contractor must demonstrate good faith effort to meet the spending allocation goals.

- d. The Invitation to Bidders must end with the following statement:

“An Affirmative Action/Equal Opportunity Employer. Minority/Women's Business Enterprises are encouraged to apply. This contract is subject to state spending allocation goals and contract compliance requirements.”

Private Non-Profit Projects

- a. 501(c) Non-Profits are required to run a notice in the Public Notices section of one newspaper with broad circulation such as the Hartford Courant, Waterbury Republican, Bridgeport Post, New Haven Register, Norwich Bulletin, or the Stamford Advocate. This notice must run for at least two (2) days. The ad must end with the following statement:

“An Affirmative Action/Equal Opportunity Employer. Minority/Women's Business Enterprises are encouraged to apply.”

- b. DECD recommends but does not require the applicant also run a notice in the Public Notices section of a local newspaper. Trade media may also be used for placing project notices. Examples of such media are below.
- c. F.W. Dodge Reports (1-800-393-6343); or www.dodge.construction.com
- d. New England Construction News/CDC News (888-281-5593), or www.cdcnews.com
- e. The Blue Book www.thebluebook.com

15. BONDS/CERTIFIED CHECKS

Bonds can either be in the form of sureties, certified checks, or other forms of bonds generally accepted by the construction industry (e.g., default insurance).

- a. DECD Grantees shall require bid bonds (5% minimum) for contracts or subcontracts exceeding \$100,000 (C.G.S. § 49-41(a)).
- b. DECD Grantees shall require a Performance Bond for contracts exceeding \$25,000 or a subcontract exceeding \$50,000 (C.G.S. § 49-41(b)).
- c. DECD Grantees shall require a Labor & Material Payment Bond (for contracts and sub-contracts exceeding \$100,000 (C.G.S. § 49-41)).

16. LIQUADATED DAMAGES

- a. For Major Construction/Renovation Projects, the DECD Grantee shall provide an anticipated construction duration period (of days) within the project manual that will be used in the bid package.
- b. As a prerequisite to executing a construction contract with the “Lowest Responsible and Qualified Bidder”, the Contractor shall agree on the substantial completion date in accordance with the plans, project manual, and other contract documents, taking into consideration average weather conditions, availability of labor delivery of materials and equipment.
- c. If the Contractor neglects, fails or refuses to achieve substantial completion of work by the substantial completion date in the executed construction contract, and such delay is not otherwise excused under this contract, then the Contractor shall agree to pay the Owner a liquidated damage for breach of contract for each and every calendar day that the Contractor shall be in default of the project work.
- d. Damages due to Contractor’s delay are difficult to determine and accurately specify so the Owner shall determine the most accurate amount of liquated damages for the project subject to DECD concurrence prior to bidding.

17. INSURANCE

- a. The project’s Assistance Agreement between the DECD and the Grantee should be followed for insurance requirements.
- b. Contractor's Certificate of Insurance shall be required. The grantee is responsible for insuring that the levels are adequate.
- c. State of Connecticut shall be listed as additionally insured under the following coverages:
 - 1. Commercial General Liability - \$1M per occurrence
 - 2. General Aggregate - \$2M
 - 3. Umbrella Liability – If it is provided to the grantee.
- d. Builder’s Risk Insurance, when applicable, should be obtained either through the general contractor or construction manager. A copy of the

Builder's Risk Certificate should be provided to DECD with the State of Connecticut listed as A.T.I.M.A.

- e. The "Hold Harmless" Indemnification endorsement of the insurance shall include the interest of the municipality and the State of Connecticut. The Contractor and Subcontractors and other interests shall be so named.

18. SELECTING THE CONTRACTOR

- a. Lowest Responsible and Qualified Bidder: As used in this section, "lowest responsible and qualified bidder" means the bidder whose bid is the lowest of those bidders possessing the skill, ability and integrity necessary to faithfully perform the work based on objective criteria considering past performance and information. Invitation to Bid language should include the following: "Bidders will be reviewed and assessed to ensure that they possess the skill, ability and integrity necessary to faithfully perform the work and the bidder that is 'lowest, responsible and qualified' will be selected to do the work." Should the grantee reject the lowest bidder as not responsible and/or not qualified, the grantee shall immediately notify DECD of the reasons for the rejection and request DECD concurrence. The Commissioner of DECD shall at his/her discretion either approve or deny the grantee's rejection. The grantee agrees to hold DECD harmless from any and all claims by rejected bidders.
- b. Competitive Bidding - Contracts greater than \$100,000 for DECD-sponsored projects: The grantee will give full opportunity for free, open and competitive bidding for each contract calling for installation, construction, reconstruction, demolition, removal, site improvement work or other similar work. The grantee will ensure the advertisement or call for bids for each such contract and will provide adequate competition. The award of such contract, when made, will be made by the grantee as soon as practicable to the lowest responsible and qualified bidder.
- c. In the event that the grantee does not believe the lowest bidder, as defined in "a" above, to be responsible and qualified, the grantee will notify DECD requesting their concurrence in its choice before executing the general contract. In the event that there are less than three bidders, the grantee shall inform the department and request instructions.
- d. The grantee must notify DECD before the contract is executed.

19. DOCUMENTS TO BE FORWARDED TO DECD AT COMPLETION OF BIDDING:

- a. Completed bid tabulation and a complete copy of the three lowest responsive bids.

- b. Copies of the bid bonds/certified checks from the three lowest responsive bidders.
- c. A copy of advertisements via the DAS Contracting Portal or Public Notice soliciting bids and/or publisher's affidavit from newspapers.
- d. A final copy of bid addendums (if any).
- e. Project design professional's letter of recommendation and grantee's letter of award for acceptance of the lowest responsible bidder.

20. DOCUMENTS TO BE FORWARDED TO DECD POST CONTRACT EXECUTION

- a. One copy of executed contract and grantee's authority to execute (Board Resolution, etc.)
- b. Notice to Proceed
- c. Copy of Performance Bond/Certified Check, Labor and Material Payment Bond/Certified Check, and Power of Attorney for Surety.
- d. Certificate of Insurance from general contractor covering liability and workers' compensation and builder's risk.

Note: Please copy the DECD PM when sending the Long Form or Short Form Good Faith Efforts Plan to CHRO (see Clause #9).

21. CONTRACTOR PAYMENT APPLICATIONS, RETAINAGE, AND CHANGE ORDERS

- a. Change Orders: DECD does not approve or disapprove change orders. The department reserves the right to review each change order, and advise the grantee as to its appropriateness. If the change order is within the scope of the work approved by the Bond Commission, and funding is available (DECD will not request additional funds) the grantee may approve change orders. DECD reserves the right to determine the state funding eligibility of each change order. The contractor must contact CHRO to determine if additional reporting to CHRO is required in connection with the change orders (e.g.: if there is a change in subcontractor(s), if there is an increase or decrease to the contract value).
- b. Vendor Payments: DECD does not approve or disapprove payments to Contractors. Copies of each approved Payment Application shall be sent to the department.
- c. Retainage: No construction contract may provide for any retainage in an amount that exceeds five percent (5%) of the estimated amount of a progress payment for the life of the construction project. If the contractor has

provided Contractor's Affidavit of Release of Liens (AIA form G706A) and lien waivers from major subcontractors and suppliers, a contractor may request the balance of retainage. If these documents are not provided, retainage cannot be paid until 91 days after the date on the Certificate of Substantial Completion.

22. DOCUMENTS TO BE SUBMITTED DURING THE CONSTRUCTION PHASE OF THE PROJECT:

1. Copy of the contractor's approved schedule of values.
2. Copy of the contractor's construction schedule. Any adjustments to the schedule throughout construction must be submitted to DECD.
3. Approved monthly requisitions. Back up materials may be requested.
4. Job meeting minutes.
5. Approved change orders. Back up materials may be requested.
6. Copies of correspondence between Owner, Architect and/or Contractor.

23. DOCUMENTS TO BE SUBMITTED AT THE COMPLETION OF THE PROJECT:

1. Certificate of occupancy (where applicable)
2. Record documents (As Built Drawings in PDF Format)
3. Certificate of Substantial Completion (AIA form G704)
4. Contractor's Affidavit of Payment of Debts and Claims (AIA form G706)
5. Contractor's Affidavit of Release of Liens (AIA form G706A)
6. Subcontractors and Suppliers Release or Waiver of Liens.
7. Consent of Surety Company to Final Payment (AIA G707)
8. All of the Contractor's Application and Certificate for Payments (AIA form G702, and continuation sheet G703).
9. Proof of completion of remediation (as applicable, and decided by the DECD PM)
 - DEEP Verification Report;
 - Environmental Land Use Restriction (ELUR);
 - DEEP Audit;
 - Remedial Action Report;
 - EPA Report;

- Abatement Report (Manifests, clearance reports, monitoring reports, etc);
- Demolition Report;
- Any other relevant assessment/investigation report; and/or,
- Other DECD approved report.

24. CONSTRUCTION MONITORING PROCEDURES

Construction Monitoring covers the development phases of projects from pre-bid activities through construction contract administration to final construction closeout. Functions include oversight of bidding, bid tabulation and recommendation of the lowest responsible bidder, coordination with pre and post bid meetings, review of construction contract documents, review of payment requisitions, change orders, shop drawings as well as construction inspection.

The DECD Construction Specialist is the department's technical support regarding the management and administration of construction projects funded by the State of Connecticut. It will be the responsibility of the grantee to submit the documents listed below, when applicable, to DECD. Electronic submissions are preferred. In addition to electronic submissions, hard copies of certain documents may also be requested.

DECD will determine the extent of state monitoring, oversight and technical assistance for sponsored projects based on factors including estimated total project cost, project complexity and capacity of the applicant. DECD will notify the applicant of monitoring requirements prior to the closing of the state assistance agreement.

25. CONSTRUCTION OVERSIGHT AND TECHNICAL ASSISTANCE:

Construction monitoring and oversight by Project Managers may include:

- Provide technical assistance involving various projects and programs with other offices within DECD.
- Work with Local, State and/or Federal officials during the development phase of a project.
- Conduct site investigations for feasibility of development.
- Review budgets and cost estimates as they relate to construction costs.
- Review plans and specifications for conformance to Agency requirements prior to bidding.
- Assist Developer/Sponsor during the bidding period.
- Review bid documents, bid advertisements, bid instructions and bidding requirements
- Attend and oversee pre-bid inspections, bid openings, construction contract briefings, and construction contract execution meetings.
- Review construction bids, bid bonds, and contractor selection.
- Compliance review of executed construction contract documents received; review contracts, bonds, schedule of values and insurance certificates between Sponsor and General Contractor

- Construction Oversight and Technical Assistance: Monitor progress of work during construction for compliance with agency, state & federal requirements and procedures, (labor and safety standards, wage standards, etc.)
- Conduct periodic inspections of the project construction activities.
- Review the following: construction meeting minutes, proposal requests, change orders; costs, review requisitions and construction periodical payments for work completed; architect's supplemental instructions and directives; and correspondence.
- Review and process payment applications for disbursement of state funds.
- Review materials and products being used in the construction.
- Participate in the final inspection of the construction contract to ensure that the completed work is satisfactory. Review construction contract certificate of completion.
- Review construction closeout procedures with sponsor prior to acceptance of a project.
- Review construction closeout documentation prior to acceptance of a project, including certificates of occupancy and record documents. Certificates of substantial completion, affidavits of payments of debts, releases of liens, lien waivers, final applications and certificates for payment must also be reviewed.

26. APPENDICES

State Sign Template (page 22)

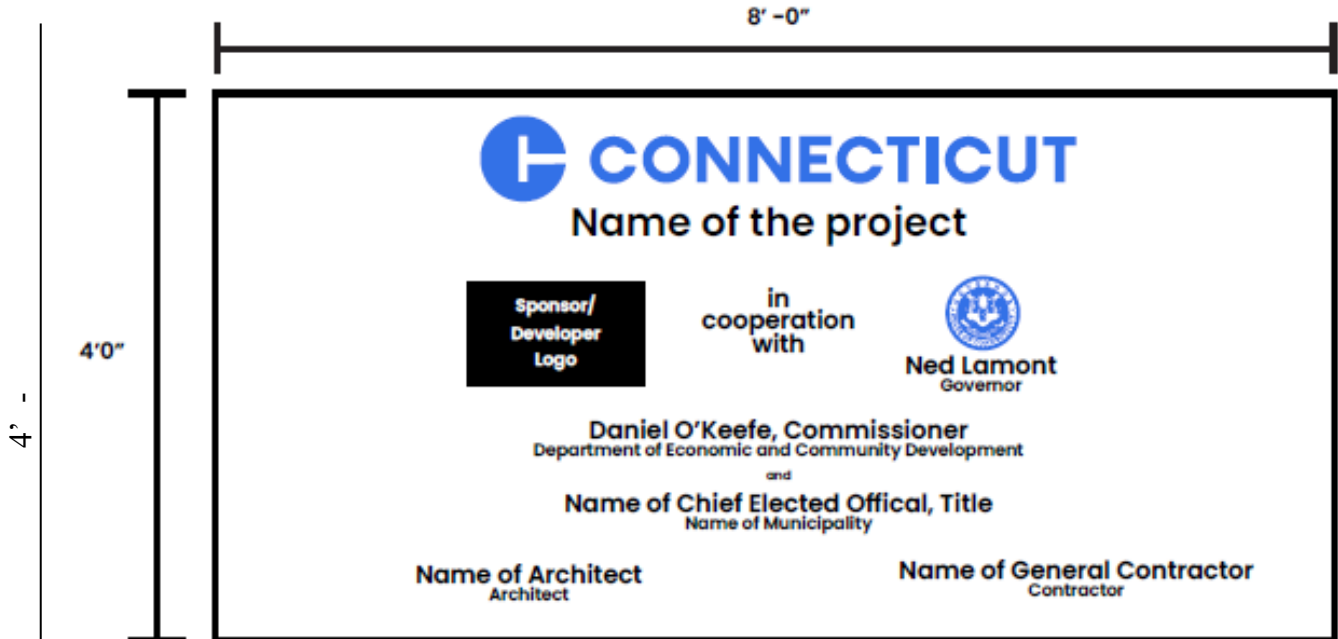
State Seal & DECD Logo (page 23)

CHRO Notice (pages 24)

Construction Compliance Certification Forms (25-26)

CHRO Non-Discrimination Contract Language (27)

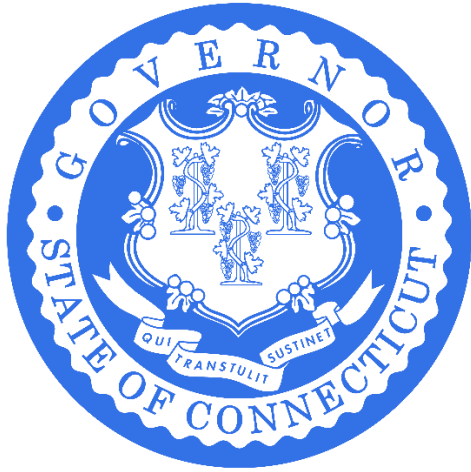
APPENDIX A : DECD PROJECT SIGN



- Sign Panel** ¾" MDO-EXT-APA PLYWOOD SUPPORTED WITH (2) 4X4 TREATED WOOD COLUMNS AND SECURED 4' INTO GRADE. TOP OF SIGN AT 8'-0" ABOVE GRADE
- Colors** ALL LETTERS AND SYMBOLS ARE TO BE BLACK. THE BACKGROUND WILL BE WHITE ENAMEL BACK OF PLYWOOD AND SUPPORT STRUCTURE SHALL BE PAINTED MATTE BLACK
- Typeface** POPPINS SEMI-BOLD. NAME OF PROJECT IS TO BE BIGGER THAN ANY NAMES. TITLES OF LEADERS IS TO BE SMALLER THAN THEIR NAMES. FONT IS ATTACHED.
- Colors** ALL LETTERS AND SYMBOLS ARE TO BE BLACK. THE BACKGROUND WILL BE WHITE ENAMEL BACK OF PLYWOOD AND SUPPORT STRUCTURE SHALL BE PAINTED MATTE BLACK
- Location** SIGN MUST BE LOCATED WHERE IT IS CLEARLY VISIBLE TO THE PUBLIC
- Timing** INSTALL AT THE START OF CONSTRUCTION AND REMOVE AT CONSTRUCTION COMPLETION
- State & Governor Logo** ATTACHED

APPENDIX B: STATE SEAL AND DECD LOGO

STATE SEAL



DECD LOGO



APPENDIX C: CHRO NOTICE

Visit <https://portal.ct.gov/chro/contract-compliance/contract-compliance/contract-compliance-forms-and-reports> for more information.



State of Connecticut COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

Contract Compliance Unit– 450 Columbus Boulevard, Suite 2, Hartford, CT 06103

Promoting Equality and Justice for all People

IMPORTANT UPDATES TO STATE CONTRACT COMPLIANCE REQUIREMENTS

Effective October 1, 2025, Connecticut law has been updated to strengthen requirements for public works projects. Contractors and awarding agencies should review the changes below to ensure timely compliance.

Key Statutory Changes

- For public works contracts entered into after October 1st, plans will only need to be submitted when the state-funding is \$150,000 or more.
- Good Faith Efforts (GFE) Plans replace Set-Aside Plans and Affirmative Action Plans.
- Spending Allocation Goals (SAGs) replace prior set-aside percentages.
 - Until further changes go into effect July 1, 2026, goals will remain 25% of the state-funded contract value for SBEs and 6.25% of the state-funded contract value for MBEs.
 - Awarding agencies must notify CHRO of project SAGs when bids are released.

AT A GLANCE:

- Threshold for public works contracts raised to \$150,000
- Reduced Plan Requirements
- Monthly Monitoring Forms Eliminated

Plan Format:

- Plans will no longer require policy statements or internal/external communications be submitted.
- The sections on monitoring forms have been revised.
- For the most recent version of the plan template, please go to our [website](#).

Monthly Reports:

- Effective October 1, 2025, Monthly Reports will no longer be required for all projects, including those started prior to the effective date.

Compliance at Close-Out:

- Within 45 days of substantial completion, contractors must submit: subcontractor payment documentation, lien waivers, and any outstanding subcontract notifications.

Prompt Payment:

- General contractors must pay subcontractors within 15 days of the due date, unless there is a bona fide dispute.

Enforcement and Penalties:

- Failure to file plans, meet deadlines, or make good faith efforts will be subject to enforcement that may lead to:
 - Withholding of contract payments
 - Disqualification from future bidding
 - Civil penalties and legal action by CHRO

What's Next

- New forms and documentation requirements will be made available ahead of the July 1, 2026 implementation of project-specific goals.

Main (860) 541-3400 ~ Fax (860) 246-5265
www.ct.gov/chro ~ Toll Free in Connecticut (800) 477-5737 ~ TDD (860) 541-3459

Affirmative Action/Equal Opportunity Employer

**APPENDIX D: MINOR PROJECT COMPLIANCE
CERTIFICATION FORMS
(\$250K AND LESS – AS APPLICABLE)**

BID PACKAGE, DRAWINGS AND SPECIFICATIONS

GRANTEE: _____

PROJECT NAME AND MUNICIPALITY: _____

I, _____, as the responsible grantee do hereby certify that the construction documents (Bid Package, Drawings & Specifications) shall be completed by a licensed professional engineer or architect for the above project and certify the following:

1. A complete copy of the Bid Package and Invitation to Bid shall be submitted to or reviewed by the Department of Economic & Community Development (DECD).
2. The Drawings and or Specifications for the above Project shall cover the scope of work, as identified in the DECD Financial Assistance Proposal.
3. The DECD Bidding, Contracting and Construction Guidelines for State Programs have been thoroughly reviewed by the grantee and/or qualified design professional.
4. The Bid Package shall be technically correct and complete and shall clearly show that all of the DECD terms and conditions for bidding the project shall be met.

Signed _____

Title: _____

Address _____

Telephone _____ Date _____

**APPENDIX E: CONSTRUCTION CONTRACT AND
MONITORING**

GRANTEE: _____

PROJECT NAME AND MUNICIPALITY: _____

I, _____, and as the responsible grantee do hereby certify that the bid results shall be reviewed by a licensed professional engineer or architect for the above project and certify the following:

1. The qualified design professional shall assess and tabulate all of the bids and shall make a recommendation to award the bid to the lowest responsible bidder whose bid shall be the lowest of those bidders possessing the skill, ability and integrity necessary to faithfully perform the work.
2. The required bid result documentation shall be submitted to DECD at the completion of bidding before the grantee moves forward with executing the construction contract.
3. The lowest responsible bidders executed contract, grantee's authority to execute, and all other documentation required by the DECD once the general contract is executed shall be forwarded to the DECD before construction commences.
4. It shall be the responsibility of the grantee to provide construction oversight and inspection on the project by following all of the procedures and submitting all of the documentation indicated in the Construction Monitoring Procedures.

Signed _____

Title: _____

Address _____

Telephone _____ Date _____

APPENDIX F: NON-DISCRIMINATION CONTRACT LANGUAGE (CHRO)

Pursuant to Connecticut General Statutes Section 4a-60 and except as provided in section 10a-151i of the General Statutes, every contract to which a state agency or political subdivision of the state, including a municipality or quasi-public agency, is a party to shall contain the following provisions:

(1) The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation, gender identity or expression, status as a veteran, status as a victim of domestic violence, status as a victim of sexual assault or status as a victim of trafficking in persons, intellectual disability, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the state of Connecticut; and the contractor further agrees to take affirmative action to ensure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, sexual orientation, status as a veteran, status as a victim of domestic violence, status as a victim of sexual assault or status as a victim of trafficking in persons, intellectual disability, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved;

(2) The contractor agrees, in all solicitations or advertisements for employees placed by or on behalf of the contractor, to state that it is an “affirmative action-equal opportunity employer” in accordance with regulations adopted by the Commission on Human Rights and Opportunities;

(3) The contractor agrees to provide each labor union or representative of workers with which such contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such contractor has a contract or understanding, a notice to be provided by the Commission on Human Rights and Opportunities advising the labor union or workers' representative of the contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment;

(4) The contractor agrees to comply with each provision of this section and sections 46a-68e and 46a-68f and with each regulation or relevant order issued by said commission pursuant to sections 46a-56, 46a-68e, 46a-68f and 46a-86; and

(5) The contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the contractor as relate to the provisions of this section and section 46a-56.