

# Memorandum

**To:** Agency Fiscal Officers and Contract and Procurement Staff

**From:** Kimberly Kennison, Executive Financial Officer *Kimberly Kennison*

**Date:** June 24, 2024

**Re:** Implementation of New Legislation Public Act 24-108, Section 1

**Overview of New Legislation**

The Office of Attorney General (OAG) and the Office of Policy and Management (OPM) have implemented changes to contract language to reflect the new protected class of persons that is listed in Section 1 of [Public Act 24-108](#), and the codification of Section 4 of [Public Act 23-16](#) of the Connecticut General Assembly to Section [4e-72a of the Connecticut General Statutes](#).

In order to comply with these changes, OPM has revised the Purchase of Service (POS) Part II, Terms and Conditions, of the POS Standard Contract Template and will update the CORE-CT contract module July 1, 2024. The revised document will be used by state health and human service agencies when entering into contract agreements. These changes will allow agencies, bidders and contractors to maintain compliance with current contracting laws.

**Changes to OPM Procurement Document**

OPM has updated the following document.

<u>Document</u>	<u>Changes</u>	<u>Link</u>
POS Part II Standard Contract Template	Section E – Changes detailed below	<a href="#">POS Part II</a>

*POS Part II Section E Changes Effective July 1, 2024*

- Subsection 5 – Non-discrimination (c)(1)** – new language added to provision. *“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, gender identity or expression, status as a veteran, status as a victim of domestic violence, 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, status as a veteran, status as a victim of domestic violence, intellectual disability, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by the Contractor that such disability prevents performance of the work involved.*

- **Subsection 16 – Consumer Data Privacy and Online Monitoring.** – language updated to show the codification of the Public Act into the Connecticut General Statutes. *“Pursuant to section [4e-72a of the Connecticut General Statutes](#) of Public Act 23-16 of the Connecticut General Assembly, Contractor shall at all times comply with all applicable provisions of sections 42-515 to 42-525, inclusive, of the Connecticut General Statutes, as the same may be revised or modified.”*

Agencies shall use this updated document effective immediately if a POS will not be fully executed on or before July 1, 2024, by both contracting parties. This document will only affect new contracts started after the effective date of July 1, 2024.

### **More Information**

OPM has updated the [POS Standard Contract Part II webpage](#) to reflect these changes.

Please direct any questions to this updated guidance to Kevin Meakem ([Kevin.Meakem@ct.gov](mailto:Kevin.Meakem@ct.gov)).

**cc:** Daniel Shapiro, Deputy Assistant Attorney General; Rosemarie Weber, Deputy Assistant Attorney General; Jeffrey Zeman, Deputy Section Chief; José Salinas, Assistant Attorney General; Mildred Bauza, Assistant Attorney General; Leland Moore, Assistant Attorney General; Marcie Archacki, Paralegal Specialist; Nicole Hart, Paralegal Specialist; Allison Lineberry, Paralegal Specialist; Sharon Roma, Paralegal Specialist; Gareth D. Bye, OPM General Counsel

