


**OFFICE OF POLICY & MANAGEMENT
MEMORANDUM**

TO: All Agency Heads
FROM: Robert L. Genuario, Secretary
Office of Policy & Management (“OPM”) 
DATE: July 21, 2006
RE: Conn. Gen. Stat. § 4-252 and Executive Order No. 7C

Due to recent changes to the State’s contracting requirements and pursuant to Conn. Gen. Stat. § 4-252 and Governor M. Jodi Rell’s Executive Order No. 7C, the following Certifications are required from all private entities entering into state contracts that have a value of \$50,000 or more in a calendar or fiscal year:

1. Gift Certifications (Form 1)
2. Campaign Contribution Certifications (Form 2)
3. Agency Certifications (Form 3)
4. Annual Contract Certifications (Form 4)

In light of the fact that there have been no changes to the statutory requirements provided by Connecticut General Statutes §§ 1-101qq and 4a-81, Forms 5 and 6 and the use thereof remain unchanged.

CALCULATING THE COST OF A CONTRACT

If a contractor were to enter into a contract with the State of Connecticut with a ten-year term and a total value of \$250,000, the contractor would not be required to execute a Gift or Campaign Contribution Certification, unless the value of the contract was \$50,000 or more in any one (1) calendar or fiscal year. For example, if the value of contract for each year of the contract were \$25,000 (10 years x \$25,000 = \$250,000), then the contractor would not be required to execute a Gift or Campaign Contribution Certification. However, if the value of the contract for the third year were \$100,000, then the contractor would be required to submit the respective Certifications contemporaneously with the execution of the subject contract.

In the example above, if the initially estimated value of the contract for the fourth year were less than \$50,000 and subsequently revised to exceed \$50,000, the contractor would be required to file the respective Certifications as soon as practicably possible after the determination of such revision. If the contract is a multi-year contract, the contractor will be required to file an Annual Contract Certification upon the next anniversary of the date said contract was executed. This process shall continue annually for the remaining period of the contract.

AMENDMENTS TO EXISTING CONTRACTS

Generally, amendments to contracts do not require Certifications; however, amendments that increase the value of the original contract to \$50,000 or more in a calendar or fiscal year shall require the respective Certifications upon execution of the amendment.

Example #1: A state contract with a multi-year term executed on August 15, 2006 with a value of \$100,000 in any one (1) fiscal or calendar year would require a Gift Certification and a Campaign Contribution Certification. An amendment executed on December 15, 2006 that increases the value of the contract by an additional \$100,000 per fiscal or calendar year would not require an additional Gift or Campaign Contribution Certification; however, the contractor will be required to file an Annual Contract Certification on or about August 15, 2007 regardless of the existence or value of any prior amendments.

Example #2: A state contract with a multi-year term executed on August 1, 2006 with a value of \$25,000 in any one fiscal or calendar year would not require a Gift or Campaign Contribution Certification; however, if said contract is amended on November 1, 2006 to increase the value of the contract by an additional \$40,000 in any one fiscal or calendar year, the proposed amendment would require a sworn Annual Contract Certification. Thereafter, on or about August 1, 2007 an updated Annual Contract Certification shall be required.

Example #3: A state contract with a five-year term executed on August 1, 2006 with a value of \$20,000 in any one fiscal or calendar year would not require a Gift or Campaign Contribution Certification. Subsequently, on August 1, 2008, the final three years of the contract are modified by amendment; the total value of said amendment is \$60,000. If the additional value of the contract in any one (1) fiscal or calendar year is \$20,000 (3 years x \$20,000 = \$60,000), said amendment would not require a Gift or Campaign Contribution Certification, since the value of the contract in any one (1) fiscal or calendar year would be \$40,000.

Please note that this memorandum is meant to be a guide to all Connecticut State Agencies to aid with the implementation of Conn. Gen. Stat. § 4-252 and Governor M. Jodi Rell's Executive Orders Nos. 1 and 7C. It should not take the place of a thorough reading of such decrees. If an agency has any questions regarding the aforementioned decrees or this memorandum, please contact either Gareth D. Bye, Esq. at (860) 418-6433 or Anthony L. Lazzaro Jr., Esq. at (860) 418-6467.

All approved forms and a table outlining the use thereof are available on the OPM Web site at www.opm.state.ct.us/policies.htm.