



STATE OF CONNECTICUT
OFFICE OF GOVERNMENTAL ACCOUNTABILITY
STATE CONTRACTING STANDARDS BOARD

Final & Approved
Minutes

Friday, June 14, 2019 Meeting of the State Contracting Standards Board
5th Floor Conference Room
18-20 Trinity Street, Hartford, Connecticut

Members Present:

Lawrence Fox, Chair
Alfred Bertoline
Bruce Buff
Charles Casella, Jr.
Albert Ilg
Donna Karnes
Salvatore Luciano
Jean Morningstar
Robert Rinker
Brenda Sisco

David L. Guay, Executive Director - ex-officio board member

1. Call to order

Meeting called to order by Chair Lawrence Fox at 10:08 A.M.

2. Approve the Minutes of the May 10, 2019 Meeting

Motion made by Alfred Bertoline and seconded by Salvatore Luciano to approve the minutes of the May 10, 2019 Board meeting. All voted in favor, with Jean Morningstar and Bruce Buff abstaining due to their absence from the May 10, 2019 meeting.

3. Report of the Privatization Contract Committee

Chair Fox reported that the Committee had a very short last meeting on April 12, 2019 as Board members were scheduled to meet with the House Republican Leadership. Chair Fox noted that

there is no further report due to not having a May 10, 2019 meeting. Charles Casella discussed his research into Information Technology (IT) contracts.

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

Chair Rinker reported that the Sec. 4e-36 Contested Solicitations and Awards Subcommittee had no matters pending.

5. Work Group Reports

a. Report from Audit Work Group

No report.

6. Review of the Board's General Assembly and Administration activity

Chair Fox led a discussion reviewing the outcomes from the General Assembly that affected the Board. Alfred Bertoline asked, and Executive Director Guay agreed to provide the members with a summary of the legislative actions taken that affect the Board. Mr. Casella also asked Executive Director Guay to provide the members with the contract data he received from Carol Wilson of the Department of Administrative Services (DAS).

Chair Fox, using the prerogative of the Chair appointed Alfred Bertoline, Bruce Buff, Robert Rinker, Albert Ilg, Donna Karnes and David Guay to digest the legislative changes and come up with the concrete items to operationalize what the spirit of the legislation intends. Mr. Rinker suggested a preliminary report in August and a final review in September.

7. Report on Department of Education Memorandum of Understanding (MOU) compliance

Chair Fox turned to Bruce Buff to lead the conversation on the Contracting and Procedures Training Manual provided by the Connecticut State Department of Education (CSDE). Mr. Buff noted his primary concern is in the areas of Memorandum of Understanding and Memorandum of Agreements because in procurement they are not considered contracts.

Mr. Rinker added that in the Board's previous discussion on the matter it was preferable to have a representative of the Connecticut State Department of Education (CSDE) in attendance to address the Board's questions and concerns.

Mr. Rinker listed his concerns after reviewing the document.

Page 3 - who is the contract staff, how are they trained who puts on the training for staff and how that training is evaluated.

Page 5 - Need examples of Memorandum of Understandings (MOUs).

Page 6 – Personal Service Agreement (PSA) have been used as vehicle to hire future state employees, the Retirement Commission has considered some of these individuals to be state employee for state pension credit, has this practice stopped?

Page 7 - Privatization contracts - how is this different than Personal Service Agreement (PSA), besides Cost Effectiveness Evaluations (CEEs) is there a consideration of Cost Benefit Analysis (CBAs).

Page 7 and 8 - Regional Education Service Centers (RESCS) and other educational organization contract, does not include Cost Effectiveness Evaluation (CEE) (employment of individuals) and can contracting occur by these entities with Connecticut State Department of Education (CSDE) funds?

Page 8 - Purchase order - getting bids or proposals where appropriate see Pita Page 9 – Memorandum of Understanding (MOA) don't see evaluation.

Page 13 - How to test sole source procurement - posting on Contracting Portal.

Page 16 -Amendments to Personal Services Agreement (PSA), does this apply to extension and or renewals

Page 18 - Contracts with Regional Education Service Centers (RESCS) - there is no Cost Effectiveness Evaluations (CEEs), what happens if they contract out the work

Page 20 - Same hold true for Amendments

Page 22 - Incorporate recent statutory changes into their procedures

Chair Fox suggested forming a committee of members to go and meet with representatives of the Connecticut State Department of Education and have a conversation about the concerns raised. Chair Fox suggested Executive Director Guay, Bruce Buff and Robert Rinker as members of the committee. Alfred Bertoline suggested that the Board's questions and concerns be compiled and sent to the Department of Education before meeting with them. Chair Fox asked if the compilation of questions and meeting with the Department of Education could be concluded by the end of the summer. By consensus the Board agreed to the establishment of the committee and the end of summer timeline for completion.

8. Other business

Mr. Bertoline asked about the recent submission by the Connecticut State Department of Education in response to the agreed upon Memorandum of Understanding (MOU) with the Board and what will the Board do with the submission. The submission received by email was forwarded to the Board this morning before the Board meeting. Chair Fox suggested giving time to Executive Director Guay to provide a suggested process for reviewing the material.

9. Public comment.

Richard Kerrigan Sr. offered a comment about electronic tolling.

10. Annual Executive Director Performance Evaluation (Executive Session per C.G.S. §§ 1-231 and 1-200(6) Discussion concerning the employment, performance, and evaluation of the Executive Director)

Motion made by Robert Rinker and seconded by Charles Casella to enter into executive session per C.G.S. §§ 1-231 and 1-200(6) for discussion concerning the employment, performance, and evaluation of the Executive Director. All voted in favor.

Motion made by Charles Casella and seconded by Robert Rinker to exit from executive session. All voted in favor.

11. Adjournment

Motion made by Salvatore Luciano and seconded by Donna Karnes to adjourn. All voted in favor, the motion passed and the meeting was adjourned at 12:47 P.M.

Respectfully submitted: David Guay