



STATE OF CONNECTICUT  
OFFICE OF GOVERNMENTAL ACCOUNTABILITY  
STATE CONTRACTING STANDARDS BOARD

Final & Approved  
Minutes

Friday, January 8, 2021 Meeting of the State Contracting Standards Board  
Via Microsoft Teams Video Conference

Members Present:

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

David L. Guay, Executive Director - ex-officio Board member  
Xholina Nano, Staff – 2020-2021 UConn Graduate Intern

1. Call to order

Meeting called to order by Chair Lawrence Fox at 10:06 A.M.

2. Approve the Minutes of the December 11, 2020 Meeting

Motion made by Robert Rinker and seconded by Al Ilg to approve the minutes of the December 11, 2020 Board meeting. All voted in favor.

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

Subcommittee Chair Robert Rinker reported:

On December 18, 2020, the subcommittee received a contest from American Dream Clean regarding a RFP issued by DAS and a subsequent cleaning contract for two state buildings at 24 and 38 Wolcott Hill Road in Wethersfield.

The subcommittee met on December 23rd to discuss the contest and to set out a timeframe for responses from DAS and American Dream Clean. Present at the meeting was the CEO of

165 Capitol Avenue, Suite 1060 – Hartford, Connecticut 06106

Phone (860) 947-0706

[www.ct.gov/scsb](http://www.ct.gov/scsb)

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American Dream Clean, DAS, and the Attorney General's office. DAS responded to the subcommittee's request for information on January 6, 2021. American Dream Clean has until January 11th to submit information regarding DAS's response. American Dream Clean has subsequently requested a full one week's extension to respond because of pending FOIA request. As chair of the subcommittee, I denied this request. The denial was because the subcommittee has no statutory authority to extend its deadline for issuing its decision. The subcommittee has to issue its decision no later than January 17th.

American Dream Clean made certain allegations regarding corruption and bid rigging. The subcommittee voted to advise both the Attorney General and Chief State's Attorney regarding these allegations and a letter was sent to both.

The subcommittee will meet again on January 13th to discuss this matter and will issue its decision by January 17th.

#### 4. Privatization Contract Committee Report

Committee Chair Lawrence Fox reported that no matters were pending before the Committee.

#### 5. Work Group Reports

##### a. Report from Audit Work Group

Audit Work Group Chair Thomas Ahneman reported:

Two tasks from previous audits remain to be accomplished.

- Sending out the request to the FY 2017 audited agencies for an update on the status of the Board's recommendation.
- Sending out to all agencies a communication of our findings concerning, CEE's, results-based accountability and training.

Chair Ahneman reported that the Work Group will elevate two 2019 compliance reports to the Board for acceptance at the February 5, 2021 meeting.

- Department of Ageing and Disability Services
- Agricultural Experiment Station

Chair Ahneman reported that the Work Group discussed preliminary compliance reports, that have follow-up questions to be communicated to the agencies.

- Department of Emergency Services and Public Protection
- Division of Criminal Justice
- Workers' Compensation Commission

Chair Ahneman noted that the Audit Work Group is seeing reoccurring themes.

- Issues with transparency, accountability and results-based outcomes responses.
- Issues with Department of Administrative Services (DAS) master contracts.

Chair Ahneman reported that the Audit Work Group would like to see the Board look at a standard for transparency, accountability and results-based outcomes.

b. Data Analysis Work Group

Executive Director Guay reported for the absent Chair Alfred Bertoline, reading the notes provided by Chair Bertoline.

- i. Move forward on UCONN benchmarking study
- ii. Move forward on projects not completed due to COVID-19 (Public Act 19-117)
  1. Post all waiver requests on state contracting portal
  2. January 15 of every year OPM to report on how many waiver requests received during the year and justification for granting or denying the request
  3. Three-year procurement plan for PSA and POS contracts from agencies submitted to OPM as of January 1, 2020
- iii. Other issues raised because of our studies
  1. Impact of Governor's order to suspend competitive bidding on Covid-19 related procurement – scope, compliance, cost, termination, etc.
  2. Analysis of contracts under \$20k by contractor to determine if contractors are taking advantage on Under \$20k not being subject to competitive bidding
  3. Study of staffing agency contracts – sort in descending \$ order, agency, contractor, name, position, renewal, years employed, etc.
  4. IT contracts

5. Aging of contracts – number of years including renewals
  6. Auditor Findings – contractor refusing to allow access to data without additional payment by the State to contractor in conflict to contract terms
  7. Contracts where the contractor is selected and then the price is negotiated
  8. Significant contracts not included in OPM’s annual PSA report to the legislature such as Anthem and UnitedHealthcare/Oxford
  9. Where do design/build projects get listed
- iv. Other Current issues
1. Should we do a competitive bidding study on all quasi-governmental agencies of the State
  2. Jan. 3 article in Courant about the Governor hiring a public relations consultant with non-competitive bid for \$250k

Albert Ilg initiated a discussion concerning the Board working with the Department of Administrative Services and the Office of Policy and Management. Chair Lawrence Fox commented that with the pandemic everyone is doing the best they can.

#### 6. Discussion with Julia Fufeld, OPM Procurement Policy Development Coordinator

Chair Fox reported that the Board had issued an invitation for Ms. Fufeld to attend our meeting today. After communicating with Secretary Melissa McCaw of the Office of Policy and Management the March 12, 2021 meeting of the Board appears to be a more acceptable date for Ms. Fufeld’s attendance.

#### 7. Complaint concerning the Connecticut Port Authority

Chair Fox initiated discussion adding that this agenda item is also related to the next agenda item concerning the Materials Innovation and Recycling Authority.

Chair Fox reported that the Board’s initial approach was to have Executive Director Guay and Xholina Nano take an initial look at the matter and report back to the Board. Chair Fox after discussion with Executive Director Guay noted that there is an immense amount of material to be reviewed and he proposed to the Board the establishment of a Special Committee of Inquiry to accelerate the Board’s review. Chair Fox offered that he would Chair the special committee and he has asked Lauren Gauthier and Bruce Buff to join the committee and offered that anyone else who wished could join the committee.

Chair Fox expressed his hope that the special committee would be able to report back to the Board at the February 5, 2021 or March 12, 2021 meeting.

Members discussed the proposal by Chair Fox and agreed by consensus.

8. Complaint received concerning the Materials Innovation and Recycling Authority

On December 17, 2021 the Board received a complaint concerning the Materials Innovation and Recycling Authority. Chair Fox suggested that this complaint be included in the charge to the special committee of Inquiry of the Connecticut Port Authority.

Members discussed the proposal by Chair Fox and agreed by consensus.

9. Other Business

No other Business

10. Public Comment

Kevin Blacker addressed the Board Concerning the Connecticut Port Authority.

Alyssa Peterson addressed the Board concerning the Board.

Christopher Fryxell addressed the Board concerning the Connecticut Port Authority.

11. Adjournment

Motion made by Robert Rinker and seconded by Lauren Gauthier to adjourn. All voted in favor, the motion passed, and the meeting adjourned at 11:44 A.M.

Respectfully submitted: David Guay