



STATE OF CONNECTICUT  
OFFICE OF GOVERNMENTAL ACCOUNTABILITY  
STATE CONTRACTING STANDARDS BOARD

Draft  
Minutes

Friday, April 8, 2022 - 10:00 A.M. Meeting of the State Contracting Standards Board  
Via Microsoft Teams

Members Present:

Lawrence Fox, Chair  
Stuart Mahler  
Daniel Rovero  
Donna Karnes  
Lauren Gauthier  
Bruce Buff  
Robert Rinker  
Brenda Sisco  
Jean Morningstar  
Alfred Bertoline  
Albert Ilg  
Salvatore Luciano

David L. Guay, Executive Director - ex-officio Board member  
Ryan Chester, Staff – 2021-2022 UConn Graduate Intern

1. Call to order

Called to order at 10:03AM

2. Approve the minutes of the March 11, 2022 meeting

Motioned by Bruce Buff, seconded by Brenda Sisco, all voted in favor.

3. FY23 Budget Update

Chair Fox stated that the Appropriations Committee voted yesterday to include funding for 5 positions for the Board. There is Senate Bill (SB 473) that received a unanimously voted out of the GAE committee. The bill includes giving oversight over quasi-publics but not municipalities. The bill would be extremely helpful for improving fair and transparent contracting in the state. One provision that we proposed is that contracting agencies, when issuing an RFP, inform every potential contractor of their rights as a bidder including the right to appeal to the Contracting Standards Board if they think there is something problematic with the process. They also have the right to appeal when a decision has been made. We have the right to promulgate regulations on that point, but we believe it's important to solidify it in statute. OPM took out language in their guidance about appealing contracts to this Board. Of course, none of this has passed and has

been signed by the governor, so we will continue to watch and communicate with legislators. GAE asked Chair Fox whether he would participate in a zoom meeting with quasi-publics including David Guay. Some quasi-publics have perceptions about what our board does that are not true. Some think if they are covered by this board, every time they want to put out an RFP that we must approve the RFP. This is not true. Chair Fox is excited to participate in the meeting to reframe what the board does and could do with quasi-public agencies.

Albert Ilg asked about a house bill that was being done by the Appropriations Committee.

Chair Fox responded that bill has substitute language.

Stuart Mahler commented that we have been in the news quite often these days.

Chair Fox further commented on the house bill. The Governor's idea to improve contracting through adding state auditors has been removed by the Appropriations Committee.

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

Robert Rinker stated that we have no matters pending before the subcommittee.

Chair Fox hopes in the future more vendors will become aware of their right to appeal to this Board and that they do not need a lawyer to invoke this right of appeal.

#### 5. Privatization Contract Committee Report

Robert Rinker stated that 1199 has a matter pending before us and we received a response from DMHAS. State employee unions have been bargaining with the state. We hope to have a meeting in May to move this issue forward. We are still waiting on a response from 1199.

#### 6. Audit Work Group

Robert Rinker stated the Audit group met this morning and had a very productive meeting. We are auditing 33 agencies, 20 have responded, 13 have not responded. Of the 20 responses, 5 agencies have no contracts at all. Ryan Chester has assigned board members to those 15 agencies. At the next meeting, we will evaluate those agencies' responses. Robert Rinker would like to thank Ryan Chester and Michele Richmond for their collaboration in the past weeks. We had a discussion this morning about master contracts, grants, loans, right of way contracts, utility force accounts, and rental leases. Concerning master contracts, we want to look at what was spent instead of the total contract amount for the master contracts. We have decided not to look at loans. We want to know more about the competitive nature of grants. We had a brief discussion on MOUs and MOAs. Core-CT can report all the MOAs and MOUs that have a contract number attached to them. This means we do not have to ask each agency for these agreements. Once we have more staff, we can do a deeper dive into these topics. Regarding rental leases, there are two scenarios whether agencies are leasing out their property or agencies

leasing property for themselves. Principally, we want to know if the property review board reviews these rental leases. We also must consider our jurisdiction over these matters. We also discussed Right of Way contracts and Utility Force Accounts which are specifically used by DOT.

#### 7. Other business

Daivd Guay reported that the CPA has approved the procurement manual we worked on with them and were very appreciative of the collaboration with this Board.

David Guay reminded board members to file their statements of financial interests.

Lauren Gauthier reported that we passed two motions at our last meeting requesting formal opinions from the Attorney General. The Attorney General's Office requested and we have provided some additional information. We are currently awaiting the Attorney General's formal opinions.

#### 8. Public Comment

Kevin Blacker addressed the Board.

Salvatore Luciano responded to Kevin Blacker.

Chair Fox stated that if in fact we are successful in receiving funding, we will be confronted with several challenges. We must fill the Executive Director's position. I will begin discussing with the administration for a transition period for David Guay to stay on to help with the transition of a new Executive Director. We need a strategic planning process to identify what our priorities are. Firstly, we need to set up personnel committees to expedite the hiring process for staff. I will discuss with David Guay what that process should look like. Chair Fox would like to try planning a work retreat to work on a strategic plan in June on a day we have the Board meeting.

Alfred Bertoline commented that he thinks that strategic planning meeting would be very effective and helpful.

#### 9. Adjournment

Salvatore Luciano motioned, Donna Karnes seconded, all voted in favor.

Meeting adjourned at 10:45AM

Respectfully submitted: Ryan Chester