



STATE of CONNECTICUT  
Office of Governmental Accountability  
State Contracting Standards Board

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**Statutes, Regulations, Policies & Procedures Work Group**

Thursday, January 9, 2025, at 11:00 a.m.

Location: *Virtual Only*

**In Attendance:**

Rochelle Palache, Chair  
Thomas Ahneman, Chair of Work Group  
Lauren Gauthier  
Salvatore Luciano

Gregory Daniels, Executive Director  
Samson Anderson, Research Analyst  
Aaron Felman, Staff Attorney  
Aleshia Hall, Administrative Assistant  
Carmen Hufcut, Trainer Specialist  
Maritza Lopez, Accounts Examiner

**MINUTES**

**1. Call to Order**

Chair Ahneman called the initial meeting of the Statutes, Regulations, Policies, & Procedures Work Group to order at 11:01 a.m.

- a.** Roll Call of Work Group Members: All members of the work group were virtually present.

**2. Review and Approval of Minutes** – Not applicable as this is the initial meeting of this Work Group

**3. Discussion on Key Provisions and Potential Updates**

Chair Ahneman discussed key provisions for this work group:

- Develop uniform procurement standards
- Guidelines for suspension and disbarment
- Guidelines for vendor performance
- Establish clear rules for competitive bidding, RFPs, and contract awarding

**Legislative Initiatives were discussed:**

At the recommendation of Ms. Gauthier, it was agreed that they would focus on recommendations to be made to the legislature beginning with the list of 13 legislative goals that was presented for discussion at this meeting.

In reviewing and discussing the goals it was agreed that they would be reviewed, parred down, and presented to the Board for consideration:

- Proposal #11: *A state contracting agency shall post any awards of emergency procurements*: This is already being accomplished in compliance with CT SOURCE
- Proposal #4: *Criminal conduct under C.G.S. 4E-34 shall include any criminal conduct associated with prior procurement or contracting*: Mr. Luciano stressed the importance of considering how to address this item. It is frustrating to the trades when a company that has engaged in criminal conduct changes their name and comes back the next year. Research done by Staff Attorney Felman may be helpful.

Mr. Luciano also stated that the Board is supposed to:

- Provide better ways of procurement for Higher Education to help reduce corruption.
- Make recommendations to cities when they are given State money to ensure that the money is used efficiently, effectively, and without corruption.
- He explained that 4e-10 outlines what is expected of the Board by the Legislature and stated that he was *annoyed with Greg the last time* (referring to Executive Director Daniels) because it says that the Board develops those, not the Executive Director.

Mr. Ahneman wants to keep focus on the sections of 4e that are require us to create regulations and policies that can be elevated to the Board for approval and ultimately become written policy. While we can remind the Board of their broader responsibilities, he cautioned against doing all of the Board's work.

Mr. Ahneman stated that Greg (referring to Executive Director Daniels) has done a fine job with the Regulation Reporting Table, and it can be used as a blueprint for this work group going forward.

The Board has not done much of this, so it is time to prioritize and identify what needs to be a policy, a regulation, or what they may elevate to the legislature to put into statute.

Ms. Gauthier agreed that the Regulation Reporting Table was a good place to start; however, it does not capture the 13 points on the Legislative Proposal list that was

originally discussed in February 2023 planning meeting. Mr. Ahneman reminded that we are tied to the authority of the Board.

Chair Palache stated that the legislative session started yesterday, and we need to focus on key priorities. She shared that she has proposed and recommended SB389 which gives the Board authority over quasi-public agencies, she recommends that it be a priority again this year. Mr. Ahneman will elevate her request to the Board at the regular meeting tomorrow. This item was listed as Legislative Proposal #9 but will now be elevated to #1.

Mr. Luciano referenced the two separate tasks of legislation vs. rules and regulations. Separate from legislation, Mr. Luciano referenced moving forward on the rules and regulations:

1. There are eight (8) Board regulations that need to be accomplished in consultation with DAS (Department of Administrative Services), he suggested that staff contact DAS and do preliminary work regarding those.
2. There are three (3) Board regulations that need to be accomplished in consultation with the AG (Office of the Attorney General), he suggested that staff contact the AG and start working on drafts of those.
3. There is one (1) Board regulation that need to be accomplished in consultation with the State Insurance and Risk Management Board and asked that, if a letter has not already gone out, that staff do so.
4. There is one (1) Board regulation that need to be accomplished in consultation with the MDC (regional public water utility) and suggested that a letter be sent or contact made with them.
5. There are eight (8) regulations that the Board is responsible for on its own, and we should work on those.

**4. Review of the Dec. 2024 Regulation Reporting Table (attach document) was reviewed by the work group.**

Mr. Ahneman reviewed the Regulation Reporting Table to determine priorities:

- a. Status Review and Prioritization:
  - i. Rules of Practice (Sec. 4-167): Drafting & Submission Process: Executive Director Daniels reported that most of these have not been done. Mr. Ahneman said the rules of practice should follow the same guidelines as other agencies. Executive Director Daniels explained that there are no rules of practice; that has been the challenge. We were recently audited by the Auditors of Public Accounts and this issue came up. We have been trying to navigate this and turn the Board's attention to this particular problem. We now have staff but none of this was in place. Therefore, it requires significant staff resources to develop rules of practice, but it also requires an investment on the part of Board members. It is an interactive process that requires the Board's engagement and must be a priority of the Board if it is to be accomplished. Mr. Ahneman agreed and referenced that

there is a public component as well. After creation, they need to be published for public comment.

Executive Director Daniels shared that he, Samson Anderson, and Aaron Felman have engaged with a group at the legislature to forge this initiative. The next step was to stand up this work group. Until now, there were no Board volunteers to join this work group and take up this initiative. He offered kudos to those who have now volunteered to participate.

Mr. Luciano recommended that we assign a staff person to find out what other watchdog agencies to, so we do not recreate the wheel. Executive Director Daniels explained that staff have done research on this and found that, although we can copy some basic principles, it is not one-to-one. We cannot just throw something together. For the next meeting, Mr. Ahneman asked that the staff draft an outline of the research we have done to date and denote the similarities and departures.

Ms. Gauthier would like to see what we have researched already and which we are already developing language for. She confirmed that once they receive the draft language, the committee will work with staff to bring it to the Board and go through the UAPA process.

Staff Attorney Felman referenced the drafts that he has reviewed from other agencies and has begun to accumulate the more pertinent information from other watchdog agencies such as FOIA and others. Some are more complete than others on what they have promulgated.

- Additionally, he has reviewed the e-regulations website to identify what may be advantageous to us.
- Rules of practice are individual to the specific agency, and we cannot just take from another agency. It needs to be synchronized in accordance with agency requirements.
- *Low-hanging fruit* includes data collection and retention policies and similar.
- Attorney Felman has begun drafting but it is in the beginning stages.
- Additionally, they received information during legislative training that he feels everyone should familiarize themselves with in order to learn how to draft legislation.

- Staff Attorney Felman will provide what he has done to the work group.

Mr. Ahneman emphasized that we do not need to make it perfect, but we need to look at what others are doing and begin the process. We do not need to drill down into every detail. He asked that staff present an outline for next meeting as a place to start to gather language.

- ii. Protection of Personal Data (Sec. 4-196): Drafting in Progress  
Staff Attorney Felman said that there is a consistent pattern for compliance with the statute in Chapter 55. This is less cumbersome than others and is *low-hanging fruit* to be accomplished with expediency. There is less at stake that may conflict with our statute. Attorney Felman will prepare a draft for the next meeting.
- iii. Termination Recommendations (Sec. 4e-7): Pending Set-Up
- iv. Contractor Disqualification (Sec. 4e-34): Pending Set-Up
  - Mr. Ahneman asked if we should prioritize any of these similar sections.
  - In reference to 4e-36, Executive Director Daniels believes that this should be a priority, but it is his recommendation that this and 4e-16 be priorities. Mr. Ahneman asked Executive Director Daniels to restructure the spreadsheet to put priorities in order and denote those that are closer to completion. Executive Director Daniels will do this and share with the group.

b. Discussion of Delays and Challenges:

- i. Reasons for Delays and Proposed Actions
  - Mr. Ahneman recognizes that we have not had a committee up to this point, but now that we do, we need to be able to report on our status. He recommended developing standard language to track the status of each item.
  - Executive Director Daniels explained that when he and CPO Longman were hired in 2023, they immediately attempted to identify where these items were in progress and found that there had been no progress made at all. The Legislature produced documentation that showed the same. He and CPO Longman had just been hired and were trying to create and initiate a process.

- Regarding the reason for delays, Executive Director Daniels reminded the work group of several critical setbacks which included:
  - Losing the staff attorney within their first four months and not hiring Staff Attorney Felman until December 2023.
  - During the same time, they lost the auditor and did not hire Accounts Examiner Lopez until January 2024. These staffing shortfalls hindered their ability to prioritize the Statutes and Regulations.
  - When Attorney Felman joined the team, they began to work with the new Chair, Mike Walsh, on his priorities. After just a couple of months, Mr. Walsh resigned, and we were without a Chair once again.
  - These are just some of reasons why the staff have not been able to make more progress in this area. It is imperative to understand that, although we have had staff, we have had only a limited number of staff who are tasked with managing a multitude of problems that are neither considered nor appreciated by our Board members. That should be understood as a major factor. Mr. Ahneman accepts that explanation, agrees, and wants to move forward from here.
- Mr. Ahneman now wants a consistent status report for each item that can be shared with the Board members, stakeholders, and other interested parties to ensure that we are constantly elevating the status of each item.
- Mr. Luciano suggested prioritizing:
  - 4e-5, *the Board shall adopt regulations to develop and implement the training and education program*. Since we are already doing that, he would like to codify that to accomplish our first regulation.
  - 4e-19 refers to *methods for award of contracts for supplies, materials, equipment and contracting services*. We are already doing that as well; therefore, if we codify that one as well, we will be able to show progress on those areas that are already being done.

Mr. Ahneman agreed with prioritizing that there are a lot of things that we are doing that need to be codified and put into writing; that is the responsibility of this work group. He agrees with prioritizing in order of

ease. Mr. Luciano believes that we can codify these two things and have them done by next month. Executive Director Daniels interjected that there are other tasks and duties that may take priority. Mr. Ahneman acknowledged that point but asked for an initial draft for next meeting that can be looked at by the Board and stakeholders. He agrees that we cannot complete it in a month, but we can begin the sequence required. He would like to discuss the best way to bring these things to completion. Ultimately, we want completed status, but if we can first identify the low hanging fruit, draft language, get it out to staff and the work group, then the work group can show progress as we elevate it to the Board. Ms. Gauthier agreed and asked Executive Director Daniels for an appropriate timeline in which the work group can anticipate receiving draft language. Her first focus was the training language.

Executive Director Daniels noted that during this meeting there have been a collection of references to top priorities and assignments for staff. He agrees that the training area appears to be the *low-hanging* fruit, and we will move ahead with reducing it to writing to introduce draft language. He requested that the work group have an understanding of realistic timelines for these multiple projects. Trainer Specialist Hufcut will assist Executive Director Daniels and Staff Attorney Felman on the draft language for discussion at next month's meeting of this work group.

ii. Review of Extension Requests Filed (Y/N)

This was not discussed.

c. Target Submission Dates and Compliance Deadlines

This was not discussed.

## 5. Evaluation of Existing Policies and Procedures

Mr. Ahneman referenced the importance of deciding what should be written into policy versus regulations. Policies are generally easier; however, policies are not enforceable, and regulations are. We need to remain mindful of that when making recommendations to the Board. He recommended that, when possible, we develop policy that can be shared with stakeholders and the public, then revisit it after a year to determine if it is working and possibly elevate it to a regulation.

## 6. Process to Solicit Input from Agencies, Contractors, and Public

Mr. Ahneman said as a work group, we will have to come up with a strategy and a process for soliciting feedback from stakeholders and the public.

## 7. Strategies for Incorporating Stakeholder Recommendations

Mr. Luciano suggested that the staff contact DAS and the AG office regarding the 11 regulations that are to be created with their input and would like to know if that will be done before our next meeting. Mr. Ahneman agrees that it is necessary to liaise with other agencies, however, before we do that, we may want to discuss policy and regulations. It may be beneficial to have something developed to share with these stakeholders and thinks it is best to make some progress first. Mr. Luciano believes that we should give the agencies a heads up and send them a letter; if we do that, we are half-way done. Mr. Ahneman will elevate that discussion to the Board at the meeting tomorrow for the Board to consider.

## **8. Assignments for Work Group Members**

Ms. Gauthier will update the 13 legislative priorities as discussed and will have it available for discussion at the Board meeting tomorrow.

## **9. Timeline for Deliverables**

Executive Director Daniels was tasked updating the statutes priorities list to move 4e-36 to the top, resort the table in order of priorities and share with the work group.

## **10. New Business - Emerging Issues Related to Contracting Standards**

The legislature is in session.

## **11. Adjournment**

A motion to adjourn the meeting at 11:52 pm.  
The motion was seconded by Chair Palache  
The motion passed unanimously.

Respectfully submitted,

Aleshia Hall  
Administrative Assistant



## MEETING HANDOUT

## Legislative Proposals

1. Cost-effectiveness evaluations shall be submitted to the Board.
2. A business case submitted to Board shall include an analysis of the impact of the proposed privatization on protected classes of workers.
3. The budget for the Board shall be treated in the same fashion as other watchdog agencies such as the Freedom of Information Commission, State Election Enforcement Commission and Office of State Ethics.
4. Criminal conduct under C.G.S. 4e-34 shall include any criminal conduct associated with prior procurement or contracting.
5. Quasi-public shall be considered to be a state contracting agency.
6. The statutes of the State Contracting Standards Board shall supersede any notwithstanding language of any state contracting agency or any quasi-public agency.
7. A state contracting agency shall consider the financial condition of any private entity in evaluating a bid or a proposal.
8. A state contracting agency shall in any solicitation of bids or proposals shall notice prospective bidders or proposers of their rights under C.G.S. 4e-36.
9. Quasi-public contracts shall contain provisions for accountability, transparency, and results-based outcomes.
10. The definition of a core governmental function shall include the provision of essential human services to residents of the state who lack the support to necessary to assure basic human functions.
11. A state contracting agency shall post any awards of emergency procurements.
12. A business case shall include the qualitative impact of any privatization on the existing state workforce.
13. 4e-16(c)(3) shall be revised to allow a state employees bargaining unit to submit a bid when the number of state employees impacted by a privatization contract is 25. The number of impacted state agency employees as described above shall include the cumulative impact of any privatization contract that increases the number of impacted state employees to 25.

Revised: October 9, 2023

These minutes were adopted at the meeting on March 4, 2025.