



Statutes, Regulations, Policies & Procedures Work Group

Tuesday, March 4, 2025 at 10:00 a.m.

Location: *Virtual Only*

In Attendance:

Rochelle Palache, SCSB Chair

Thomas Ahneman, Chair of the SRPP Work Group

Lauren Gauthier

Salvatore Luciano

Greg Daniels, Executive Director

Aaron Felman, Staff Attorney

Samson Anderson, Research Analyst

Carmen Hufcut, Training Specialist

Maritza Lopez, Accounts Examiner

Aleshia Hall, Administrative Assistant

MINUTES

1. **Call to Order:** The Meeting of the Statutes, Regulations, Policies, & Procedures Work Group was called to order by Chair Ahneman at 10:12 am

- a. Roll Call of Work Group Members

2. **Approval of Minutes** from the January 22, 2024, initial meeting of this work group.

A motion to approve the minutes as written was made by Lauren Gauthier.

The motion was seconded by Rochelle Palache.

The motion passed unanimously.

3. **New Business - Emerging Issues Related to Contracting Standards**

- A. **Review of Action Items from Previous Meeting**

- a. Review updates on the **Regulation Reporting Table** (Dec. 2024) and status of re-sorting priorities.

Executive Director Daniels updated the table to include deadlines, Mr. Luciano's recommendations, and Attorney Felman's information. Mr. Ahneman requested additional time to review prior to discussion.

- b. **Immediate Work Focus Areas:** Mr. Ahneman shared that these areas will remain the same at this time.
 - i. Rules of Practice – Sec 4-167
 - ii. Protection of Personal Data – Sec 4-196
 - iii. Sec 4e-5 Regarding Education and Training
 - c. **Priority Sections Identified:**
 - i. Sec 4e-16 Privatization Contracts (will remain the same)
 - ii. Sec 4e-36 Contest of the Solicitation or Award of a Contract by Bidder or Proposer (will remain the same)
 - iii. Sec 4e-43 Regulations Concerning Errors and Omissions Insurance (will be replaced by item of higher priority)
- B. Prioritization Process:** Per Chair Ahneman, this will be discussed at the next meeting. Ms. Gauthier requested that this work group meet again within the next two weeks to keep the agenda moving forward. The work group agreed to share their availability for the next meeting.
- a. Discuss the fluidity of prioritization in the initial stages.
 - b. Establish objectives for prioritization:
 - i. Identify "low-hanging fruit"
 - ii. Identify tasks already being executed by the Board
 - iii. Sections of chapter 62 that contain the language "on or before", "on or after", and "not later than".
- C. Review of Outline Preparation** Per Chair Ahneman, this will be discussed at the next meeting.
- a. Confirm progress on outline preparations for next monthly meeting.
 - b. Assign any remaining tasks related to outlines.
- D. Review 2025 Legislative Proposals**

Ms. Gauthier clarified for Chair Ahneman that this Work Group will make a recommendation that can be presented to the full Board for their consideration. The full Board must make the final recommendations.

Research Analyst, Samson Anderson, reviewed the current proposed bills concerning the SCSB that have been referred to the GAE Committee, SB 133 and SB 607. Anderson explained that there is a forthcoming omnibus bill on the SCSB that the GAE is putting forward. This impending omnibus bill will likely, based on passed sessions, include provisions from SB 133, SB 607, and the two SCSB bills from 2024 Raised Bills 389 and 391. The public policy provisions within those 4 bills were broken out separately for the committee to discuss and vote on. There were 19 policies from these four bills.

Research Analyst Anderson explained that the GAE committee has voted to bring up a bill that is anticipated to include language from 2024 SB389 and SB391. It is anticipated that a future omnibus bill will be proposed that will include policy points that have been repeated over past years.

In anticipation of future legislation that may include any combination of points, Analyst Anderson presented a breakdown of 19 legislative points for consideration of establishing a position by this work group and the Board. He has separated each topic into pieces that can be considered individually by this work group.

For the information of this Work Group, Analyst Samson also shared HB 7092: AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE AUDITORS OF PUBLIC ACCOUNTS that contains language related to the State Contracting Standards Board. He explained that the current language in the bill and the statement of purpose appear to conflict; he is seeking clarification on that. Mr. Luciano expressed concerns regarding possible conflicts of interest. After receiving clarification, written testimony should be prepared for that topic.

Mr. Ahneman believes the Board should weigh in on all these points, Ms. Gauthier recommended that we only raise the new points. Analyst Anderson explained that an amalgamation of these points will likely show up in an omnibus bill later in the session. Since some of the language is old, some is new, and some has changed, he requested that the Board preemptively provide a stance on each issue. Ms. Gauthier recommended that new items be highlighted for the Board's consideration at the next meeting.

For each public policy provision, the committee voted yes, no, neutral, or mixed. In the event of a "mixed" vote the provision will be discussed and voted on at the Board level, as the committee could not come to an agreement. Below is the list of 19 policies and the committee's vote. Prior to the next Board meeting, Analyst Anderson will clarify which policies were previously requested by the Board, and reword the budget provision numbered #6. In the even that provision #5, regarding the CPO forming an investigative team, is confirmed as part of the 2025 omnibus bill Analyst Anderson will seek clarification on the intent and meaning from committee staff.

1. Require Governor to appoint a new SCSB Chair within 30 days.
Neutral
2. Most senior SCSB member to become acting interim Chair, if/when a new Chair isn't appointed within 30 days.
Neutral

3. Require Legislative confirmation of SCSB appointed Chair.
Neutral
4. Decrease the SCSB from 14 members to 11 members and allow the Governor to appoint only the Chair.
Mixed
5. Create an investigative of 3 under the SCSB CPO with access to all of the procurement and contracting records of every state agency.
Neutral
6. Require that the Governor's Proposed SCSB budget be the budget requested by the SCSB Executive Director with no edits.
Yes
7. Require that the Board be allocated a staff of 5 FTEs minimum.
Yes
8. Explicitly adds quasi-public agencies to the SCSB's authority, starting July 1, 2025.
Mixed
9. Require each agency's CPO/procurement office to notify bidders of their rights.
Yes
10. Require business cases to include an analysis of the impact of the privatization contract on workers of color and workers who are women.
Yes
11. Lower the impacted workers threshold for privatization contracts from 100.
Yes
12. Add "essential human services" to core government functions under the provisions for considering privatization contracts.
Mixed

13. Requires the consultation for waivers for the evaluation of cost-effectiveness, with the SCSB Board, or SCSB CPO.

No

14. Require waivers for emergency purchases to be posted on the website of the contracting agency.

Yes

15. Corporations and their subsidiaries shall comply with Chapter 62 as it pertains to state contracting agencies (new term for including quasi-public agencies).

Mixed

16. State contracting agencies shall assess the financial condition of all bidders/proposers prior to awarding a contract.

Mixed

17. Require that the consultant & construction engineers lists (that allows for there to be no competition for hiring those consultants) be limited to emergency procurements only.

Mixed

18. Bidders/Contractors found guilty of fraudulent or criminal conduct in another state can be a cause for disqualification in CT.

Yes

19. Add UConn Health Finance Corp. to the Board's purview, including its joint ventures, effective July 1, 2025.

Mixed

E. Progress and Reporting Systems: Per Chair Ahneman, this will be discussed at the next meeting.

- a. Discuss the development of a consistent reporting system to:
 - i. Inform all stakeholders of progress
 - ii. Identify watershed events

F. Agency, Contractor, and Public Coordination:

- a. Review strategies for gathering input from:

- i. Agencies:
Executive Director Daniels shared that we have established contacts with the Attorney General, Insurance Risk Board, and MDC. Mr. Luciano thanked him for initiating those contacts.
- ii. Contractors: not discussed
- iii. The Public: not discussed
- b. Develop an action plan for effective coordination: not discussed

G. Timeline Development

- a. Establish timelines for deliverables for prioritized sections.

A reasonable timeline for rules and practice was discussed and resulted in the following:

- Mr. Ahneman referenced a document created by former Director Guay. Ms. Gauthier explained that it was created specifically for a UAPA case. Executive Director Daniels is familiar with the document.
- Staff Attorney Felman has put forth a point by point document based upon the statute and will incorporate anything that may be relevant.
- Rules of Practice: Attorney Felman shared that Rules of Practice are highly detailed and would need to be prioritized by the Work Group. Included within, if privatization is a priority, it will take months to discuss the details on just that portion. Mr. Ahneman explained that he is looking for an overarching document that provides an overview. He would like to get a draft of a general oversight document that can be shared with the Board at the June meeting. Committee work, such as privatization, can be assigned based on specific areas.
- Protection of Personal Data: Attorney Felman shared that, rather than creating an outline, he has created a draft of this legislation that was shared with this group for consideration. The final regulation can be prepared within the next several months. Mr. Ahneman would like to present this to the Board in May.
- Training: Mr. Ahneman will anticipate sharing a draft of this section in September.

H. Agency Communication

- a. Discuss communication strategies with agencies that will provide advice, assistance, and consultation (DAS and others as needed).
- b. Focus on the 8 sections in Chap 62 where DAS is mentioned.

Mr. Ahneman noted that DAS is integrated into our regulations. We need to develop a communication strategy that makes sense and then present it to the Board. Although the Board does not need to approve, their input is welcome.

I. Miscellaneous

- a. Open the floor for any additional topics, questions, or concerns.

No additional topics were introduced.

J. Next Steps and Action Items

- o Confirm next steps and assign action items before the next meeting.

As discussed earlier, the Work Group members are requested to share their availability for scheduling the next meeting in two weeks.

4. Adjournment:

A motion to adjourn at 11:32 a.m. was made by: Lauren Gauthier
The motion was seconded by: Salvatore Luciano
The motion passed unanimously.

Respectfully submitted,

Aleshia M. Hall
Administrative Assistant