

# State Contracting Standards Board

October 14, 2010 Meeting Minutes

Room 1C, Legislative Office Building, Hartford, CT

Members Present: Gale Mattison, Chair, Charles Casella, Lawrence Fox, Thomas Harrison, Albert Ig, Salvatore Luciano, Stuart Mahler, James Racz, Wendy Estela Scaringe.

**Call to Order:** Chairman Mattison called the meeting to order at 1:00 PM. He noted the presence of a quorum, and further noted that those present included at least member appointed by the Legislature.

**Approval of Minutes:** The Minutes of the May 24, 2010 Board meeting were approved by a vote of 8-0.

## **Committee Reports:**

**Code and Regulations:** Committee Chair Scaringe reported that it had met and determined that it would be unable to perform its statutory duties because of the lack of professional staff and the absence of any budgeted funds for the Board.

**Audit:** This Committee has not met and is in the same position as the Code and Regulations Committee, having no professional staff and no budget.

**Education:** This Committee has not met and is in the same position as the two previous Committees: no staff and no budget.

**Privatization:** Committee Chair Mattison reported that this Committee has met and has been looking into the issue of the Department of Transportation's approach to bridge inspections, which involves the use of both state employees and private contractors. The DOT is aware of this inquiry and has met with and provided relevant and helpful information to the Committee. He said that the Board's enabling statute does not authorize it to examine already existing privatization contracts but that under CGS Sec. 4e-16(l) it can look into an existing "contracting area" that has been privatized. He said that the Committee has adopted a Resolution asking the Board to approve a request that the Department of Transportation conduct a cost-benefit analysis in relation to its bridge safety evaluation process. Mr. Mattison said that this item would be discussed further on in the meeting.

**Budget Issues:** Chairman Mattison informed the Board that the Budget Act for the 2010-2011 FY includes an explicit restriction on the expenditure of any budgeted funds for the Board, including for the *per diems* that would otherwise be paid to members for attending meetings. He reported that the Board has developed a budget request for the 2011-2012 biennium for approximately \$1.2 million dollars to cover five staff positions and other services such as training. Mr. Mattison added that OPM has asked all state agencies and boards to identify potential budget re-

ductions of 15% for that biennium, and that he has responded by requesting that any such reduction for this Board be taken from the “other services” portion of the budget request.

**Privatization Committee Resolution:** Chairman Mattison reported that the DOT, in anticipation of this discussion, has requested that if the Board approves the pending Resolution it agree to split the task into three components: traffic signal mast arms, railroad bridges, and large highway bridges. If this is acceptable to the Board, the DOT said that it could complete the work for the first two tasks before the end of 2010 and for the third by March 2011.

There was a brief discussion among the members on the authority of the Board to make this request. Mr. Ig was concerned about whether the Board was looking into an existing privatization contract, which he suggested is precluded by the statute. Mr. Mattison pointed out that the Board was not investigating an existing privatization contract but was instead reviewing a “contracting area” within the scope of CGS Sec. 4e-16(l). Mr. Ilg also mentioned that he believes that safety inspections are a “core function” under the statute and that the use of private contractors in this work will end when the DOT’s current contracts expire on June 30, 2013. Following brief further discussion the members approved the following Resolution by a vote of 9-0:

“The State Contracting Standards Board requests the Connecticut Department of Transportation to conduct a cost-benefit analysis as contemplated in CGS Sections 4e-16(b) and 4e-16(l)(1) in relation to its bridge safety evaluation process. The DOT may segment this work into three sequential components: traffic signal and overhead sign mast arms, railroad bridges, and large highway bridges.”

Following the adoption of this Resolution Ms. Scaringe asked that the Board formally request clarification from the Attorney General’s office as to how it can and should perform its statutory duties in the absence of any staff or budgeted funds. After a brief discussion the Board voted 9-0 to authorize the submission of a formal request to the Attorney General for clarification of this issue.

**Old Business:** Mr. Casella asked about the Board’s position on its role in interacting with OPM in the development of templates for cost-benefit analyses for future privatization contracts as contemplated in CGS Sec. 4e-16(m). The consensus of the Board was to take no action at this time.

**New Business:** None

**Adjournment:** Mr. Mattison adjourned the meeting at 2:10 PM.

Respectfully submitted:

Thomas F. Harrison