



STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

MEMORANDUM

TO: All State Agency Heads

FROM: Benjamin Barnes, Secretary, Office of Policy and Management (OPM)

SUBJECT: Rescinding of OPM General Letter No. 97-1 re Contract Fees for Architects, Engineers and Consultants on State Projects

DATE: May 4, 2015

The purpose of this memorandum is to rescind OPM General Letter No. 97-1. This letter, issued on November 21, 1996 by then-Secretary of OPM, Michael J. Kozlowski, promulgated certain requirements regarding contracts for architects, engineers and consultants on capital projects or studies related thereto. A copy of this letter is attached.

The rationale for rescinding OPM General Letter No. 97-1 is that the rate included in the letter has become outdated and its procurement and contracting provisions related to architectural, engineering and associated consulting services are more appropriately and fully addressed in current state statutes and in other state and/or federal requirements. Some of the relevant state statutes include, but are not limited to, Connecticut General Statute (CGS) § 13b-20b, *et seq.*, relating to certain contracts of the Department of Transportation, and CGS § 4b-55, *et seq.*, concerning many of the contracts needed by the Construction Services Division in the Department of Administrative Services.

Moreover, Title 4e, Chapter 62 of the Connecticut General Statutes, effective in 2009, established the State Contracting Standards Board and granted this board certain responsibilities and authorities related to state contracting policies and practices, including many of the provisions contained in OPM General Letter 97-1.

While OPM General Letter No. 97-1 is rescinded, State agencies are expected to continue to comply with State and federal requirements and industry best practices when procuring and contracting for architectural, engineering and related consulting services connected to capital projects or studies. These practices should include using open and competitive processes, whenever feasible, to achieve the best quality and cost effective services possible. These contracts, of course, will continue to be subject to budgetary processes related to availability of funds.

If you have any questions in this regard, please contact, Robert Dakers, Executive Financial Officer here at OPM, at (860) 418-6422 or at robert.dakers@ct.gov

Attachment

Cc: Susan Weisselberg, Deputy Secretary, OPM
Natalie Wagner, Undersecretary of Legal Affairs, OPM
Gareth Bye, Legal Affairs, OPM
Robert Dakers, Office of Finance, OPM
Paul Potamianos, Executive Budget Officer, OPM



STATE OF CONNECTICUT
OFFICE OF POLICY AND MANAGEMENT

November 21, 1996

GENERAL LETTER NO. 97-1

TO: All State Agencies

FROM: Michael W. Kozlowski, Secretary
Office of Policy & Management *Michael W. Kozlowski*

SUBJECT: Contract Fees for Architects, Engineers and Consultants on State Projects

All Contracts for architects, engineers and consultants on capital projects or studies related thereto, shall be awarded on the following basis:

1. Principals - Maximum of \$35/hour
 - A. Corporations Principal is defined as follows:
 - a. A corporate officer administratively responsible to the Corporation for the contract. The principal classification (whether corporate or other) is intended to include the principal's effort on the contract relating only to managing, directing and/or administering of the contract. In no event will the number of Principal hours established be in excess of 5% of the total contract salary hours established during negotiations.
 - b. A principal may also work on the contract in the "employee" classification, for example; as a Project Manager, Draftsman, Senior Engineer, etc. While performing those services for which qualified, the principal's rate of pay shall be within the salary range for the specific classification.
2. Assistants - Actual payroll at straight time rates. Overtime at actual rates subject to prior approval.
3. Overhead and Profit - Actual but not to exceed 150% for a Home Office project; 125% for a Field Office project and 165% for an Environmental project.
4. Travel - Maximum is established per the State Travel Regulations (Manager's Agreement.)

Each such contract must contain appropriate language to clearly acknowledge the parameters by this letter.