



General Assembly

Substitute Bill No. 428

February Session, 2022



**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
DEPARTMENT OF ADMINISTRATIVE SERVICES RELATING TO
SCHOOL CONSTRUCTION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2022*) (a) For the fiscal year ending
2 June 30, 2023, and each fiscal year thereafter, the Department of
3 Administrative Services shall administer a heating, ventilation and air
4 conditioning system grant program to reimburse local and regional
5 boards of education for costs associated with projects for the installation,
6 replacement or upgrading of heating, ventilation and air conditioning
7 systems or other improvements to indoor air quality in school buildings.

8 (b) (1) A local or regional board of education or a regional educational
9 service center may apply, at such time and in such manner as the
10 Commissioner of Administrative Services prescribes, for a grant for
11 projects for the installation, replacement or upgrading of heating,
12 ventilation and air conditioning systems or other improvements to
13 indoor air quality in school buildings.

14 (2) The commissioner shall develop eligibility criteria for the
15 awarding of grants under the program. Such criteria shall include, but
16 need not be limited to, (A) the age and condition of the current heating,
17 ventilation and air conditioning system or equipment being replaced or

18 upgraded in the school, (B) current air quality issues at the school, (C)
19 the age and condition of the overall school building, (D) the school
20 district's master plan, (E) the availability of maintenance records, (F) a
21 contract or plans for the routine maintenance and cleaning of the
22 heating, ventilation and air conditioning system, and (G) the local or
23 regional board of education's or regional educational service center's
24 ability to finance the remainder of the costs for such project after
25 receiving a grant under the program. The commissioner shall utilize
26 such eligibility criteria when determining whether to award a grant to
27 an applicant under the program.

28 (c) (1) A local board of education may receive a grant equal to a
29 percentage of its eligible expenses. The percentage shall be determined
30 by its ranking. Such ranking shall be determined as follows: (A) Each
31 town shall be ranked in descending order from one to one hundred
32 sixty-nine according to the adjusted equalized net grand list per capita,
33 as defined in section 10-261 of the general statutes, of the town two,
34 three and four years prior to the fiscal year in which application is made,
35 (B) based upon such ranking, a percentage of not less than twenty or
36 more than eighty shall be assigned to each town on a continuous scale,
37 and (C) the town ranked first shall be assigned a percentage of twenty
38 and the town ranked last shall be assigned a percentage of eighty.

39 (2) A regional board of education may receive a grant equal to a
40 percentage of its eligible expenses. The percentage shall be determined
41 by its ranking. Such ranking shall be determined as follows: (A)
42 Multiplying the total population, as defined in section 10-261 of the
43 general statutes, of each town in the district by such town's ranking, as
44 determined in subdivision (1) of this subsection, (B) adding together the
45 figures determined under subparagraph (A) of this subdivision, and (C)
46 dividing the total computed under subparagraph (B) of this subdivision
47 by the total population of all towns in the district. The ranking of each
48 regional board of education shall be rounded to the next higher whole
49 number and each such board shall receive the same reimbursement
50 percentage as would a town with the same rank plus ten per cent, except

51 that no such percentage shall exceed eighty-five per cent.

52 (3) A regional educational service center may receive a grant equal to
53 a percentage of its eligible expenses. The percentage shall be determined
54 by its ranking. Such ranking shall be determined by (A) multiplying the
55 population of each member town in the regional educational service
56 center by such town's ranking, as determined in subdivision (1) of this
57 subsection, (B) adding together the figures for each town determined
58 under subparagraph (A) of this subdivision, and (C) dividing the total
59 computed under subparagraph (B) of this subdivision by the total
60 population of all member towns in the regional educational service
61 center. The ranking of each regional educational service center shall be
62 rounded to the next higher whole number and each such center shall
63 receive the same reimbursement percentage as would a town with the
64 same rank.

65 (4) The percentage determined pursuant to this subsection shall be
66 increased by five percentage points for any local or regional board of
67 education or regional educational service center if the commissioner, in
68 consultation with the Commission on Human Rights and
69 Opportunities, has determined that such board or center has exceeded
70 the requirements regarding minority business enterprises, as defined in
71 section 4a-60g of the general statutes, for the installation, replacement
72 or upgrading of heating, ventilation and air conditioning systems or
73 other improvements to indoor air quality in school buildings for which
74 a grant has been awarded under this section.

75 (5) The percentage determined pursuant to this subsection shall be
76 increased by five percentage points for any local or regional board of
77 education or regional educational service center that has entered into a
78 contract with a minority business enterprise, as defined in section 4a-
79 60g of the general statutes, for at least a ten-year period, for the routine
80 maintenance and cleaning of the heating, ventilation and air
81 conditioning system for which a grant has been awarded under this
82 section.

83 (d) If there are not sufficient funds to provide grants to all local and
84 regional boards of education and regional educational service centers,
85 based on the percentage determined pursuant to subsection (c) of this
86 section, the commissioner shall give priority to applicants on behalf of
87 schools with the greatest need for heating, ventilation and air
88 conditioning systems or other improvements to indoor air quality in
89 school buildings, as determined by the commissioner based on the
90 eligibility criteria developed pursuant to subdivision (2) of subsection
91 (b) of this section.

92 (e) The following expenses shall not be eligible for reimbursement
93 under this section: (1) Routine maintenance and cleaning of the heating,
94 ventilation and air conditioning system, (2) work that is otherwise
95 eligible for a school building project grant under chapter 173 of the
96 general statutes, and (3) work performed at or on a public school
97 administrative or service facility that is not located or housed within a
98 public school building.

99 (f) No grant funds received under this section by a local or regional
100 board of education or a regional educational service center shall be used
101 to supplant local matching requirements for federal or state funding
102 otherwise received by such district for a project for the installation,
103 replacement or upgrading of heating, ventilation and air conditioning
104 systems or other improvements to indoor air quality in school buildings.

105 (g) Any project for the installation, replacement or upgrading of
106 heating, ventilation and air conditioning systems or other
107 improvements to indoor air quality in school buildings for which a grant
108 is awarded under this section shall be completed by the end of the next
109 calendar year, unless the duration of such project is extended by the
110 commissioner upon a showing of good cause by the local or regional
111 board of education or regional educational service center.

112 (h) Any local or regional board of education or regional educational
113 service center that receives a grant under this section shall (1) be
114 responsible for the routine maintenance and cleaning of the heating,

115 ventilation and air conditioning system, and (2) provide training to
116 school personnel and building maintenance staff concerning the proper
117 use and maintenance of the heating, ventilation and air conditioning
118 system.

119 Sec. 2. Subsection (c) of section 10-286 of the general statutes is
120 repealed and the following is substituted in lieu thereof (*Effective July 1,*
121 *2022*):

122 (c) In the computation of grants pursuant to this section for any
123 school building project authorized by the General Assembly pursuant
124 to section 10-283, as amended by this act, (1) after January 1, 1993, any
125 maximum square footage per pupil limit established pursuant to this
126 chapter or any regulation adopted by the State Board of Education or
127 the Department of Administrative Services pursuant to this chapter
128 shall be increased by twenty-five per cent for a building constructed
129 prior to [1950] 1959; (2) after January 1, 2004, any maximum square
130 footage per pupil limit established pursuant to this chapter or any
131 regulation adopted by the Department of Administrative Services
132 pursuant to this chapter shall be increased by up to one per cent to
133 accommodate a heating, ventilation or air conditioning system, if
134 needed; (3) for the period from July 1, 2006, to June 30, 2009, inclusive,
135 for projects with total authorized project costs greater than ten million
136 dollars, if total construction change orders or other change directives
137 otherwise eligible for grant assistance under this chapter exceed five per
138 cent of the authorized total project cost, only fifty per cent of the amount
139 of such change order or other change directives in excess of five per cent
140 shall be eligible for grant assistance; and (4) after July 1, 2009, for projects
141 with total authorized project costs greater than ten million dollars, if
142 total construction change orders or other change directives otherwise
143 eligible for grant assistance exceed five per cent of the total authorized
144 project cost, such change order or other change directives in excess of
145 five per cent shall be ineligible for grant assistance.

146 Sec. 3. Subdivisions (1) and (2) of subsection (a) of section 10-283 of
147 the 2022 supplement to the general statutes are repealed and the

148 following is substituted in lieu thereof (*Effective July 1, 2022*):

149 (a) (1) Each town or regional school district shall be eligible to apply
150 for and accept grants for a school building project as provided in this
151 chapter. Any town desiring a grant for a public school building project
152 may, by vote of its legislative body, authorize the board of education of
153 such town to apply to the Commissioner of Administrative Services and
154 to accept or reject such grant for the town. Any regional school board
155 may vote to authorize the supervising agent of the regional school
156 district to apply to the Commissioner of Administrative Services for and
157 to accept or reject such grant for the district. Applications for such grants
158 under this chapter shall be made by the superintendent of schools of
159 such town or regional school district on the form provided and in the
160 manner prescribed by the Commissioner of Administrative Services.
161 The application form shall require the superintendent of schools to
162 affirm that the school district considered the maximization of natural
163 light, the use and feasibility of wireless connectivity technology and, on
164 and after July 1, 2014, the school safety infrastructure criteria,
165 [developed by the School Safety Infrastructure Council, pursuant to]
166 described in section 10-292r, as amended by this act, in projects for new
167 construction and alteration or renovation of a school building. The
168 Commissioner of Administrative Services shall review each grant
169 application for a school building project for compliance with
170 educational requirements and on the basis of categories for building
171 projects established by the Commissioner of Administrative Services in
172 accordance with this section. The Commissioner of Education shall
173 evaluate, if appropriate, whether the project will assist the state in
174 meeting its obligations pursuant to the decision in *Sheff v. O'Neill*, 238
175 Conn. 1 (1996), or any related stipulation or order in effect, as
176 determined by the Commissioner of Education. The Commissioner of
177 Administrative Services shall consult with the Commissioner of
178 Education in reviewing grant applications submitted for purposes of
179 subsection (a) of section 10-65 or section 10-76e on the basis of the
180 educational needs of the applicant. The Commissioner of
181 Administrative Services shall review each grant application for a school

182 building project for compliance with standards for school building
183 projects pursuant to regulations, adopted in accordance with section 10-
184 287c, and, on and after July 1, 2014, the school safety infrastructure
185 criteria, [developed by the School Safety Infrastructure Council
186 pursuant to] described in section 10-292r, as amended by this act.
187 Notwithstanding the provisions of this chapter, the Board of Trustees of
188 the Community-Technical Colleges on behalf of Quinebaug Valley
189 Community College and Three Rivers Community College and the
190 following entities that will operate an interdistrict magnet school that
191 will assist the state in meeting its obligations pursuant to the decision in
192 *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any related stipulation or order
193 in effect, as determined by the Commissioner of Education, may apply
194 for and shall be eligible to receive grants for school building projects
195 pursuant to section 10-264h for such a school: (A) The Board of Trustees
196 of the Community-Technical Colleges on behalf of a regional
197 community-technical college, (B) the Board of Trustees of the
198 Connecticut State University System on behalf of a state university, (C)
199 the Board of Trustees for The University of Connecticut on behalf of the
200 university, (D) the board of governors for an independent institution of
201 higher education, as defined in subsection (a) of section 10a-173, or the
202 equivalent of such a board, on behalf of the independent institution of
203 higher education, (E) cooperative arrangements pursuant to section 10-
204 158a, and (F) any other third-party not-for-profit corporation approved
205 by the Commissioner of Education.

206 (2) The Commissioner of Administrative Services shall assign each
207 school building project to a category on the basis of whether such project
208 is primarily required to: (A) Create new facilities or alter existing
209 facilities to provide for mandatory instructional programs pursuant to
210 this chapter, for physical education facilities in compliance with Title IX
211 of the Elementary and Secondary Education Act of 1972 where such
212 programs or such compliance cannot be provided within existing
213 facilities or for the correction of code violations which cannot be
214 reasonably addressed within existing program space; (B) create new
215 facilities or alter existing facilities to enhance mandatory instructional

216 programs pursuant to this chapter or provide comparable facilities
217 among schools to all students at the same grade level or levels within
218 the school district unless such project is otherwise explicitly included in
219 another category pursuant to this section; and (C) create new facilities
220 or alter existing facilities to provide supportive services, provided in no
221 event shall such supportive services include swimming pools,
222 auditoriums, outdoor athletic facilities, tennis courts, elementary school
223 playgrounds, site improvement or garages or storage, parking or
224 general recreation areas. All applications submitted prior to July first
225 shall be reviewed promptly by the Commissioner of Administrative
226 Services. The Commissioner of Administrative Services shall estimate
227 the amount of the grant for which such project is eligible, in accordance
228 with the provisions of section 10-285a, provided an application for a
229 school building project determined by the Commissioner of Education
230 to be a project that will assist the state in meeting its obligations
231 pursuant to the decision in *Sheff v. O'Neill*, 238 Conn. 1 (1996), or any
232 related stipulation or order in effect, as determined by the
233 Commissioner of Education, shall have until September first to submit
234 an application for such a project and may have until December first of
235 the same year to secure and report all local and state approvals required
236 to complete the grant application. The Commissioner of Administrative
237 Services shall annually prepare a listing of all such eligible school
238 building projects listed by category together with the amount of the
239 estimated grants for such projects and shall submit the same to the
240 Governor, the Secretary of the Office of Policy and Management and the
241 General Assembly on or before the fifteenth day of December, except as
242 provided in section 10-283a, with a request for authorization to enter
243 into grant commitments. On or before December thirty-first annually,
244 the Secretary of the Office of Policy and Management may submit
245 comments and recommendations regarding each eligible project on
246 such listing of eligible school building projects to the school construction
247 committee, established pursuant to section 10-283a. Each such listing
248 shall include a report on the following factors for each eligible project:
249 (i) An enrollment projection and the capacity of the school, (ii) a
250 substantiation of the estimated total project costs, (iii) the readiness of

251 such eligible project to begin construction, (iv) efforts made by the local
252 or regional board of education to redistrict, reconfigure, merge or close
253 schools under the jurisdiction of such board prior to submitting an
254 application under this section, (v) enrollment and capacity information
255 for all of the schools under the jurisdiction of such board for the five
256 years prior to application for a school building project grant, (vi)
257 enrollment projections and capacity information for all of the schools
258 under the jurisdiction of such board for the eight years following the
259 date such application is submitted, and (vii) the state's education
260 priorities relating to reducing racial and economic isolation for the
261 school district. On and after July 1, 2022, each such listing shall include
262 an addendum that contains all grants approved pursuant to subsection
263 (b) of this section during the prior fiscal year. For the period beginning
264 July 1, 2006, and ending June 30, 2012, no project, other than a project
265 for a technical education and career school, may appear on the separate
266 schedule of authorized projects which have changed in cost more than
267 twice. On and after July 1, 2012, no project, other than a project for a
268 technical education and career school, may appear on the separate
269 schedule of authorized projects which have changed in cost more than
270 once, except the Commissioner of Administrative Services may allow a
271 project to appear on such separate schedule of authorized projects a
272 second time if the town or regional school district for such project can
273 demonstrate that exigent circumstances require such project to appear a
274 second time on such separate schedule of authorized projects.
275 Notwithstanding any provision of this chapter, no projects which have
276 changed in scope or cost to the degree determined by the Commissioner
277 of Administrative Services, in consultation with the Commissioner of
278 Education, shall be eligible for reimbursement under this chapter unless
279 it appears on such list. The percentage determined pursuant to section
280 10-285a at the time a school building project on such schedule was
281 originally authorized shall be used for purposes of the grant for such
282 project. On and after July 1, 2006, a project that was not previously
283 authorized as an interdistrict magnet school shall not receive a higher
284 percentage for reimbursement than that determined pursuant to section
285 10-285a at the time a school building project on such schedule was

286 originally authorized. The General Assembly shall annually authorize
287 the Commissioner of Administrative Services to enter into grant
288 commitments on behalf of the state in accordance with the
289 commissioner's categorized listing for such projects as the General
290 Assembly shall determine. The Commissioner of Administrative
291 Services may not enter into any such grant commitments except
292 pursuant to such legislative authorization. Any regional school district
293 which assumes the responsibility for completion of a public school
294 building project shall be eligible for a grant pursuant to subdivision (5)
295 or (6), as the case may be, of subsection (a) of section 10-286 when such
296 project is completed and accepted by such regional school district.

297 Sec. 4. Subsection (b) of section 10-283 of the 2022 supplement to the
298 general statutes is repealed and the following is substituted in lieu
299 thereof (*Effective July 1, 2022*):

300 (b) [(1)] Notwithstanding the application date requirements of this
301 section, at any time within the limit of available grant authorization and
302 within the limit of appropriated funds, the Commissioner of
303 Administrative Services, in consultation with the Commissioner of
304 Education, may approve applications for grants and make payments for
305 such grants, for any of the following reasons: (A) To assist school
306 building projects to remedy damage from fire and catastrophe, (B) to
307 correct safety, health and other code violations, (C) to replace roofs,
308 including the replacement or installation of skylights as part of the roof
309 replacement project, (D) to remedy a certified school indoor air quality
310 emergency, (E) to install insulation for exterior walls and attics, or (F) to
311 purchase and install a limited use and limited access elevator, windows,
312 photovoltaic panels, wind generation systems, building management
313 systems [, a public school administrative or service facility] or portable
314 classroom buildings, provided portable classroom building projects
315 shall not create a new facility or cause an existing facility to be modified
316 so that the portable buildings comprise a substantial percentage of the
317 total facility area, as determined by the commissioner. [, or (G) for school
318 security projects, including, but not limited to, making improvements to

319 existing school security infrastructure or installing new school security
320 infrastructure.]

321 [(2) Not later than seven calendar days following the discovery of a
322 reason described in subparagraphs (A) to (F), inclusive, of subdivision
323 (1) of this subsection, the superintendent of schools of a town or regional
324 school district shall notify the Commissioner of Administrative Services
325 in writing of such reason in order to be eligible for a grant under this
326 subsection. Such superintendent shall submit an application to the
327 commissioner not later than six months following such notification in
328 order to receive a grant under this subsection.]

329 Sec. 5. Subsection (d) of section 10-287 of the 2022 supplement to the
330 general statutes is repealed and the following is substituted in lieu
331 thereof (*Effective July 1, 2022*):

332 (d) (1) Each town or regional school district shall submit a final grant
333 application to the Department of Administrative Services within one
334 year from the date of completion and acceptance of the school building
335 project by the town or regional school district. If a town or regional
336 school district fails to submit a final grant application within said period
337 of time, the commissioner may withhold ten per cent of the state
338 reimbursement for such project.

339 (2) (A) On and after July 1, 2022, each town or regional school district
340 shall submit a notice of project completion within three years from the
341 date of the issuance of a certificate of occupancy for the school building
342 project by the town or regional school district. If a town or regional
343 school district fails to submit such notice of project completion within
344 said period of time, the commissioner shall deem such project
345 completed and conduct an audit of such project in accordance with the
346 provisions of this chapter.

347 (B) For any school building project authorized by the General
348 Assembly prior to July 1, 2022, the commissioner shall deem as complete
349 any such project in which a certificate of occupancy has been granted,

350 but for which a notice of project completion has not been submitted by
351 the town or regional school district on or before July 1, 2025.

352 Sec. 6. Subsection (b) of section 10-292q of the general statutes is
353 repealed and the following is substituted in lieu thereof (*Effective July 1,*
354 *2022*):

355 (b) The School Building Projects Advisory Council shall (1) develop
356 model blueprints for new school building projects that are in accordance
357 with industry standards for school buildings and the school safety
358 infrastructure criteria, developed pursuant to section 10-292r, as
359 amended by this act, (2) conduct studies, research and analyses, [and]
360 (3) make recommendations for improvements to the school building
361 projects processes to the Governor and the joint standing committee of
362 the General Assembly having cognizance of matters relating to
363 appropriations and the budgets of state agencies, education and finance,
364 revenue and bonding, and (4) periodically review and update, as
365 necessary, the school safety infrastructure criteria developed pursuant
366 to section 10-292r, as amended by this act.

367 Sec. 7. Section 10-292r of the general statutes is repealed and the
368 following is substituted in lieu thereof (*Effective July 1, 2022*):

369 [(a) There is established a School Safety Infrastructure Council. The
370 council shall consist of: (1) The Commissioner of Administrative
371 Services, or the commissioner's designee; (2) the Commissioner of
372 Emergency Services and Public Protection, or the commissioner's
373 designee; (3) the Commissioner of Education, or the commissioner's
374 designee; (4) one appointed by the president pro tempore of the Senate,
375 who shall be a person with expertise in building security, preferably
376 school building security; (5) one appointed by the speaker of the House
377 of Representatives, who shall be a licensed professional engineer who is
378 a structural engineer; (6) one appointed by the majority leader of the
379 Senate, who shall be a public school administrator certified by the State
380 Board of Education; (7) one appointed by the majority leader of the
381 House of Representatives, who shall be a firefighter, emergency medical

382 technician or a paramedic; (8) one appointed by the minority leader of
383 the Senate, who shall be a school resource officer; (9) one appointed by
384 the minority leader of the House of Representatives, who shall be a
385 public school teacher certified by the State Board of Education; and (10)
386 two appointed by the Governor, one of whom shall be a licensed
387 building official and one of whom shall be a licensed architect. The
388 Commissioner of Administrative Services shall serve as the chairperson
389 of the council. The administrative staff of the Department of
390 Administrative Services shall serve as staff for the council and assist
391 with all ministerial duties.]

392 [(b)] (a) The [School Safety Infrastructure Council] School Building
393 Projects Advisory Council, established pursuant to section 10-292q, as
394 amended by this act, shall [develop] periodically review and update, as
395 necessary, school safety infrastructure criteria for school building
396 projects awarded grants pursuant to this chapter and the school security
397 infrastructure competitive grant program, pursuant to section 84 of
398 public act 13-3. Such school safety infrastructure criteria shall conform
399 to industry standards for school building safety infrastructure and shall
400 address areas including, but not be limited to, (1) entryways to school
401 buildings and classrooms, such as, reinforcement of entryways, ballistic
402 glass, solid core doors, double door access, computer-controlled
403 electronic locks, remote locks on all entrance and exits and buzzer
404 systems, (2) the use of cameras throughout the school building and at
405 all entrances and exits, including the use of closed-circuit television
406 monitoring, (3) penetration resistant vestibules, and (4) other security
407 infrastructure improvements and devices as they become industry
408 standards. [The council shall meet at least annually to review and
409 update, if necessary, the school safety infrastructure criteria and make
410 such criteria available to local and regional boards of education.]

411 [(c) Not later than January 1, 2014, and annually thereafter, the School
412 Safety Infrastructure Council] (b) The School Building Projects Advisory
413 Council shall submit any updates made to the school safety
414 infrastructure criteria to the Commissioners of Emergency Services and

415 Public Protection and Education [, the School Building Projects
416 Advisory Council, established pursuant to section 10-292q,] and the
417 joint standing committees of the General Assembly having cognizance
418 of matters relating to public safety and education, in accordance with
419 the provisions of section 11-4a.

420 Sec. 8. Subsection (b) of section 10-287 of the 2022 supplement to the
421 general statutes is repealed and the following is substituted in lieu
422 thereof (*Effective July 1, 2022*):

423 (b) (1) All orders and contracts for school building construction
424 receiving state assistance under this chapter, except as provided in
425 subdivisions (2) to (4), inclusive, of this subsection, shall be awarded to
426 the lowest responsible qualified bidder only after a public invitation to
427 bid, [which shall be advertised in a newspaper having circulation in the
428 town in which construction is to take place,] except for (A) school
429 building projects for which the town or regional school district is using
430 a state contract pursuant to subsection (d) of section 10-292, and (B)
431 change orders, those contracts or orders costing less than ten thousand
432 dollars and those of an emergency nature, as determined by the
433 Commissioner of Administrative Services, in which cases the contractor
434 or vendor may be selected by negotiation, provided no local fiscal
435 regulations, ordinances or charter provisions conflict.

436 (2) All orders and contracts for architectural services shall be
437 awarded from a pool of not more than the four most responsible
438 qualified proposers after a public selection process. Such process shall,
439 at a minimum, involve requests for qualifications, followed by requests
440 for proposals, including fees, from the proposers meeting the
441 qualifications criteria of the request for qualifications process. [Public
442 advertisements shall be required in a newspaper having circulation in
443 the town in which construction is to take place, except for school
444 building projects for which the town or regional school district is using
445 a state contract pursuant to subsection (d) of section 10-292.] Following
446 the qualification process, the awarding authority shall evaluate the
447 proposals to determine the four most responsible qualified proposers

448 using those criteria previously listed in the requests for qualifications
449 and requests for proposals for selecting architectural services specific to
450 the project or school district. Such evaluation criteria shall include due
451 consideration of the proposer's pricing for the project, experience with
452 work of similar size and scope as required for the order or contract,
453 organizational and team structure, including any subcontractors to be
454 utilized by the proposer, for the order or contract, past performance
455 data, including, but not limited to, adherence to project schedules and
456 project budgets and the number of change orders for projects, the
457 approach to the work required for the order or contract and documented
458 contract oversight capabilities, and may include criteria specific to the
459 project. Final selection by the awarding authority is limited to the pool
460 of the four most responsible qualified proposers and shall include
461 consideration of all criteria included within the request for proposals.
462 As used in this subdivision, "most responsible qualified proposer"
463 means the proposer who is qualified by the awarding authority when
464 considering price and the factors necessary for faithful performance of
465 the work based on the criteria and scope of work included in the request
466 for proposals.

467 (3) (A) All orders and contracts for construction management services
468 shall be awarded from a pool of not more than the four most responsible
469 qualified proposers after a public selection process. Such process shall,
470 at a minimum, involve requests for qualifications, followed by requests
471 for proposals, including fees, from the proposers meeting the
472 qualifications criteria of the request for qualifications process. [Public
473 advertisements shall be required in a newspaper having circulation in
474 the town in which construction is to take place, except for school
475 building projects for which the town or regional school district is using
476 a state contract pursuant to subsection (d) of section 10-292.] Following
477 the qualification process, the awarding authority shall evaluate the
478 proposals to determine the four most responsible qualified proposers
479 using those criteria previously listed in the requests for qualifications
480 and requests for proposals for selecting construction management
481 services specific to the project or school district. Such evaluation criteria

482 shall include due consideration of the proposer's pricing for the project,
483 experience with work of similar size and scope as required for the order
484 or contract, organizational and team structure for the order or contract,
485 past performance data, including, but not limited to, adherence to
486 project schedules and project budgets and the number of change orders
487 for projects, the approach to the work required for the order or contract,
488 [including on and after July 1, 2022, whether the proposer intends to
489 self-perform any project element and the benefit to the awarding
490 authority that will result from such self-performance,] and documented
491 contract oversight capabilities, and may include criteria specific to the
492 project. Final selection by the awarding authority is limited to the pool
493 of the four most responsible qualified proposers and shall include
494 consideration of all criteria included within the request for proposals.
495 As used in this subdivision, "most responsible qualified proposer"
496 means the proposer who is qualified by the awarding authority when
497 considering price and the factors necessary for faithful performance of
498 the work based on the criteria and scope of work included in the request
499 for proposals.

500 (B) [On and after July 1, 2022, upon the written approval of the
501 Commissioner of Administrative Services, an awarding authority may
502 permit a construction manager to self-perform a portion of the
503 construction work if the awarding authority and the commissioner
504 determine that the construction manager can self-perform the work
505 more cost-effectively than a subcontractor. All work not performed by
506 the construction manager shall be performed by trade subcontractors
507 selected by a process approved by the awarding authority and the
508 commissioner.] The construction manager's contract shall include a
509 guaranteed maximum price for the cost of construction. Such
510 guaranteed maximum price shall be determined not later than ninety
511 days after the selection of the trade [subcontractors. Construction]
512 subcontractor bids. Each construction manager shall invite bids and
513 give notice of opportunities to bid on project elements on the State
514 Contracting Portal. Each bid shall be kept sealed until opened publicly
515 at the time and place set forth in the notice soliciting such bid. The

516 construction manager shall, after consultation and approval by the town
517 or regional school district, award any related contracts for project
518 elements to the responsible qualified contractor submitting the lowest
519 bid in compliance with the bid requirements, provided that (i) the
520 construction manager shall not be eligible to submit a bid for any such
521 project element, and (ii) construction shall not begin prior to the
522 determination of the guaranteed maximum price, except work relating
523 to site preparation and demolition may commence prior to such
524 determination.

525 (4) All orders and contracts for any other consultant services,
526 including, but not limited to, consultant services rendered by an owner's
527 representatives, construction administrators, program managers,
528 environmental professionals, planners and financial specialists, shall
529 comply with the public selection process described in subdivision (2) of
530 this subsection. No costs associated with an order or contract for such
531 consultant services shall be eligible for state financial assistance under
532 this chapter unless such order or contract receives prior approval from
533 the Commissioner of Administrative Services.

534 Sec. 9. Subsection (a) of section 10-265h of the general statutes is
535 repealed and the following is substituted in lieu thereof (*Effective July 1,*
536 *2022*):

537 (a) The Commissioner of Administrative Services, in consultation
538 with the Commissioner of Education, shall establish, within available
539 bond authorizations, a grant program to assist alliance districts, as
540 defined in section 10-262u, in paying for general improvements to
541 school buildings. For purposes of this section "general improvements to
542 school buildings" means work that (1) is generally not eligible for
543 reimbursement pursuant to chapter 173, and (2) is to (A) replace
544 windows, doors, boilers and other heating and ventilation system
545 components, internal communications and technology systems, lockers,
546 floors, cafeteria equipment and ceilings, including the installation of
547 new drop ceilings, (B) upgrade restrooms including the replacement of
548 fixtures and related water supplies and drainage, (C) upgrade and

549 replace lighting, including energy efficient upgrades to lighting systems
550 and controls to increase efficiency, and reduce consumption levels and
551 cost, (D) upgrade entryways, driveways, parking areas, play areas and
552 athletic fields, (E) upgrade equipment, including, but not limited to, the
553 following equipment purchased on or after November 1, 2017: Cabinets,
554 computers, laptops and related equipment and accessories, (F) repair
555 roofs, including the installation of energy efficient fixtures and systems
556 and environmental enhancements, or (G) install or upgrade security
557 equipment that is consistent with the school safety infrastructure
558 [standards, developed by the School Safety Infrastructure Council,
559 pursuant to] criteria described in section 10-292r, as amended by this
560 act, including, but not limited to, video surveillance devices and fencing,
561 provided "general improvements to school buildings" may include
562 work not specified in this subdivision if the alliance district provides
563 justification for such work acceptable to the Commissioner of
564 Administrative Services, but shall not include routine maintenance such
565 as painting, cleaning, equipment repair or other minor repairs or work
566 done at the administrative facilities of a board of education.

567 Sec. 10. Subsection (a) of section 10-284 of the general statutes is
568 repealed and the following is substituted in lieu thereof (*Effective July 1,*
569 *2022*):

570 (a) The Commissioner of Administrative Services shall have
571 authority to receive and review applications for state grants under this
572 chapter, and to approve any such application, or to disapprove any such
573 application if (1) it does not comply with the requirements of the State
574 Fire Marshal or the Department of Public Health, (2) it is not
575 accompanied by a life-cycle cost analysis approved by the
576 Commissioner of Administrative Services, (3) it does not comply with
577 the provisions of sections 10-290d and 10-291, (4) it does not meet (A)
578 the standards or requirements established in regulations adopted in
579 accordance with section 10-287c, or (B) school building categorization
580 requirements described in section 10-283, as amended by this act, (5) the
581 estimated construction cost exceeds the per square foot cost for schools

582 established in regulations adopted by the Commissioner of
583 Administrative Services for the county in which the project is proposed
584 to be located, (6) on and after July 1, 2014, the application does not
585 comply with the school safety infrastructure criteria [developed by the
586 School Safety Infrastructure Council, pursuant to] described in section
587 10-292r, as amended by this act, except the Commissioner of
588 Administrative Services may waive any of the provisions of the school
589 safety infrastructure criteria if the commissioner determines that the
590 application demonstrates that the applicant has made a good faith effort
591 to address such criteria and that compliance with such criteria would be
592 infeasible, unreasonable or excessively expensive, (7) the Commissioner
593 of Education determines that the proposed educational specifications
594 for or theme of the project for which the applicant requests a state grant
595 duplicates a program offered by a technical education and career school
596 or an interdistrict magnet school in the same region, or (8) on and after
597 July 1, 2018, a regional educational service center is designated as the
598 project manager in the application.

599 Sec. 11. Subsection (a) of section 10-292 of the 2022 supplement to the
600 general statutes is repealed and the following is substituted in lieu
601 thereof (*Effective July 1, 2022*):

602 (a) Upon receipt by the Commissioner of Administrative Services of
603 the final plans for any phase of a school building project as provided in
604 section 10-291, said commissioner shall promptly review such plans and
605 check them to the extent appropriate for the phase of development or
606 construction for which final plans have been submitted to determine
607 whether they conform with the requirements of the Fire Safety Code,
608 the Department of Public Health, the life-cycle cost analysis approved
609 by the Commissioner of Administrative Services, the State Building
610 Code and the state and federal standards for design and construction of
611 public buildings to meet the needs of persons with disabilities and the
612 school safety infrastructure criteria, [developed by the School Safety
613 Infrastructure Council, pursuant to] described in section 10-292r, as
614 amended by this act, and if acceptable a final written approval of such

615 phase shall be sent to the town or regional board of education and the
616 school building committee. No phase of a school building project,
617 subject to the provisions of subsection (c) or (d) of this section, shall go
618 out for bidding purposes prior to such written approval.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	New section
Sec. 2	<i>July 1, 2022</i>	10-286(c)
Sec. 3	<i>July 1, 2022</i>	10-283(a)(1) and (2)
Sec. 4	<i>July 1, 2022</i>	10-283(b)
Sec. 5	<i>July 1, 2022</i>	10-287(d)
Sec. 6	<i>July 1, 2022</i>	10-292q(b)
Sec. 7	<i>July 1, 2022</i>	10-292r
Sec. 8	<i>July 1, 2022</i>	10-287(b)
Sec. 9	<i>July 1, 2022</i>	10-265h(a)
Sec. 10	<i>July 1, 2022</i>	10-284(a)
Sec. 11	<i>July 1, 2022</i>	10-292(a)

Statement of Legislative Commissioners:

In Section 3, added Subsec. (a)(1) for consistency, and added new Sections 9 to 11, inclusive, for consistency.

ED *Joint Favorable Subst.*