



General Assembly

**Substitute Bill No. 1081**

January Session, 2019



**AN ACT CONCERNING MUNICIPAL SET-ASIDE REQUIREMENTS.**

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

1 Section 1. Subdivision (14) of subsection (a) of section 4a-60g of the  
2 general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2019*):

4 (14) "Municipal public works contract" means that portion of an  
5 agreement entered into on or after October 1, [2015] 2019, between any  
6 individual, firm or corporation and a municipality for the construction,  
7 rehabilitation, conversion, extension, demolition or repair of a public  
8 building, highway or other changes or improvements in real property,  
9 which is financed in whole or in part by the state, including, but not  
10 limited to, matching expenditures, grants, loans, insurance or  
11 guarantees, [but excluding any project of an alliance district, as defined  
12 in section 10-262u, financed by state funding in an amount equal to  
13 fifty thousand dollars or less] in an amount greater than five hundred  
14 thousand dollars.

15 Sec. 2. Subsection (h) of section 4a-60g of the general statutes is  
16 repealed and the following is substituted in lieu thereof (*Effective*  
17 *October 1, 2019*):

18 (h) The provisions of this section shall not apply to (1) any awarding

19 agency for which the total value of all contracts or portions of contracts  
20 of the types enumerated in subdivision (2) of subsection (b) of this  
21 section is anticipated to be equal to ten thousand dollars or less, or (2)  
22 any [municipal public works contract or] contract for a quasi-public  
23 agency project for which the total value of the contract is anticipated to  
24 be equal to fifty thousand dollars or less.

25 Sec. 3. Section 46a-68c of the general statutes is repealed and the  
26 following is substituted in lieu thereof (*Effective October 1, 2019*):

27 In addition to the provisions of section 4a-60, each contractor with  
28 fifty or more employees awarded either a public works contract [,  
29 municipal public works contract] or contract for a quasi-public agency  
30 project in excess of fifty thousand dollars, or a municipal public works  
31 contract, in any fiscal year, but not subject to the provisions of section  
32 46a-68d, shall develop and file with the Commission on Human Rights  
33 and Opportunities an affirmative action plan which shall comply with  
34 regulations adopted by the commission. Failure to develop an  
35 approved affirmative action plan pursuant to this section shall act as a  
36 bar to bidding on or the award of future contracts until such  
37 requirement has been met. When the commission approves an  
38 affirmative action plan pursuant to this section, it shall issue a  
39 certificate of compliance to the contractor. This certificate shall be  
40 prima facie proof of the contractor's eligibility to bid or be awarded  
41 contracts for a period of two years from the date of the certificate. Such  
42 certificate shall not excuse the contractor from monitoring by the  
43 commission or from the reporting and record-keeping requirements of  
44 sections 46a-68e and 46a-68f. The commission may revoke the  
45 certificate of a contractor if the contractor does not implement its  
46 affirmative action plan in compliance with this section and sections 4a-  
47 60, 4a-60g, as amended by this act, 4a-62, 46a-56, 46a-68b, 46a-68d, and  
48 46a-68e to 46a-68k, inclusive.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2019</i>	4a-60g(a)(14)
Sec. 2	<i>October 1, 2019</i>	4a-60g(h)
Sec. 3	<i>October 1, 2019</i>	46a-68c

***Statement of Legislative Commissioners:***

In Sec. 3, "in excess of five hundred thousand dollars" was deleted for clarity and to avoid repetition, and "as amended by this act," was moved for accuracy.

***PD***      *Joint Favorable Subst. -LCO*