



General Assembly

February Session, 2006

Raised Bill No. 627

LCO No. 3004



Referred to Committee on

EDUCATION

Introduced by:

(ED)

AN ACT CONCERNING SCHOOL CONSTRUCTION PROJECTS AND REIMBURSEMENTS.

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

1 Section 1. Section 10-283b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2006*):

3 (a) On and after July 1, 1999, the Commissioner of Education shall
4 include school building projects for the regional vocational-technical
5 schools on the list developed pursuant to section 10-283. Prior to
6 inclusion on the list, such projects shall be reviewed by the Department
7 of Public Works. The adoption of the list by the General Assembly and
8 authorization by the State Bond Commission of the issuance of bonds
9 pursuant to section 10-287d, as amended, shall fund the full cost of the
10 projects. Funds for the projects shall be transferred to the Department
11 of Public Works and, upon such transfer, the projects shall be subject to
12 the requirements of chapters 59 and 60.

13 (b) The Department of Public Works shall ensure that no business
14 relationship between an architect and a construction manager hired to
15 work on a project pursuant to subsection (a) of this section exists.

16 except in the context of such project.

17 Sec. 2. Subdivision (2) of subsection (a) of section 10-283 of the
18 general statutes is repealed and the following is substituted in lieu
19 thereof (*Effective July 1, 2006*):

20 (2) Each school building project shall be assigned to a category on
21 the basis of whether such project is primarily required to: (A) Create
22 new facilities or alter existing facilities to provide for mandatory
23 instructional programs pursuant to this chapter, for physical education
24 facilities in compliance with Title IX of the Elementary and Secondary
25 Education Act of 1972 where such programs or such compliance
26 cannot be provided within existing facilities or for the correction of
27 code violations which cannot be reasonably addressed within existing
28 program space; (B) create new facilities or alter existing facilities to
29 enhance mandatory instructional programs pursuant to this chapter or
30 provide comparable facilities among schools to all students at the same
31 grade level or levels within the school district unless such project is
32 otherwise explicitly included in another category pursuant to this
33 section; and (C) create new facilities or alter existing facilities to
34 provide supportive services, provided in no event shall such
35 supportive services include swimming pools, auditoriums, outdoor
36 athletic facilities, tennis courts, elementary school playgrounds, site
37 improvement or garages or storage, parking or general recreation
38 areas. All applications submitted prior to the first day of July in any
39 year shall be reviewed promptly by the commissioner and the amount
40 of the grant for which such project is eligible shall be estimated. The
41 commissioner shall annually prepare a listing of all such eligible school
42 building projects listed by category together with the amount of the
43 estimated grants therefor and shall submit the same to the Governor
44 and the General Assembly on or before the fifteenth day of December,
45 except as provided in section 10-283a, with a request for authorization
46 to enter into grant commitments. Each such listing submitted after
47 December 1995 shall include a separate schedule of authorized projects
48 which have changed in scope or cost to a degree determined by the

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49 commissioner. Notwithstanding any provision of this chapter, no such
 50 project that has changed in scope or cost to the degree determined by
 51 the commissioner, shall be eligible for reimbursement under this
 52 chapter unless it appears on such list. Each such listing submitted after
 53 December 2005 shall include a separate schedule of authorized projects
 54 which have changed in scope or cost to a degree determined by the
 55 commissioner once, and a separate schedule of authorized projects
 56 which have changed in scope or cost to a degree determined by the
 57 commissioner twice. On and after July 1, 2006, no project may appear
 58 on the separate schedule of authorized projects which have changed in
 59 scope or cost more than twice. The percentage determined pursuant to
 60 section 10-285a, as amended, at the time a school building project on
 61 such schedule was originally authorized shall be used for purposes of
 62 the grant for such project. On and after July 1, 2006, no project that was
 63 not previously authorized as an interdistrict magnet school shall
 64 receive a higher percentage for reimbursement than that determined
 65 pursuant to section 10-285a, as amended, at the time a school building
 66 project on such schedule was originally authorized. The General
 67 Assembly shall annually authorize the commissioner to enter into
 68 grant commitments on behalf of the state in accordance with the
 69 commissioner's categorized listing for such projects as the General
 70 Assembly shall determine. The commissioner may not enter into any
 71 such grant commitments except pursuant to such legislative
 72 authorization. Any regional school district which assumes the
 73 responsibility for completion of a public school building project shall
 74 be eligible for a grant pursuant to subdivision (5) or (6), as the case
 75 may be, of subsection (a) of section 10-286, as amended, when such
 76 project is completed and accepted by such regional school district.

77 Sec. 3. Section 10-286f of the 2006 supplement to the general statutes
 78 is repealed and the following is substituted in lieu thereof (*Effective July*
 79 *1, 2006*):

80 (a) Any professional or consulting fee that is calculated as a
 81 proportion of total project costs for any school building project for

82 which state assistance is provided in accordance with the provisions of
83 this chapter shall not be increased as a result of increased prices for
84 construction materials.

85 (b) No calculation of total project costs for any school building
86 project for which state assistance is provided in accordance with the
87 provisions of this chapter may include professional management fees
88 that exceed fees paid to (1) one architect, and (2) one general contractor
89 or one project manager.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<u>July 1, 2006</u>	10-283b
Sec. 2	<u>July 1, 2006</u>	10-283(a)(2)
Sec. 3	<u>July 1, 2006</u>	10-286f

Statement of Purpose:

To increase transparency in the school construction bonding process.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]