

May 25, 2004

Dear Commissioner :

As you are aware, the Connecticut General Assembly passed Public Act 04-245 (<http://www.cga.ct.gov/2004/act/Pa/2004PA-00245-R00HB-05025-PA.htm>) establishing an affidavit and certification requirement for large state contracts and leases. When Public Act 04-245 is signed by the Governor, the affidavit and certification requirements set forth in Public Act 04-245 will become law and will immediately replace the affidavits required under my Integrity in State Contracting Policy. The new affidavit requirements will remain in effect until July 1, 2006.

The highlights of Public Act 04-245 are as follows:

1. Affidavits are required for all "large" contracts and leases between the state and private entities. "Large state contracts" have a total cost to the state of more than \$500,000 in a calendar or fiscal year and include amendments to contracts. Affidavits are not required for contracts between the state and quasi-public agencies, municipalities or other political subdivisions of the state.
2. Affidavits must accompany each bid or proposal for a large state contract or lease.
3. Affidavits must also be presented at the execution of each large state contract or lease, covering the period of time between the submission of a bid or proposal and the execution of the contract or lease.
4. The state official authorized to execute the contract or lease must certify that the selection of the contractor or lessor was not the result of collusion, gift giving, compensation, fraud or inappropriate influence from any person.
5. Affidavits are not required from state employees.
6. If a contractor fails to provide the required affidavit, the contract cannot be awarded to the contractor. The agency can award the contract to the next lower bidder or highest ranked proposer or seek new bids or proposals.

For your convenience and the convenience of prospective state contractors, my office has developed form affidavits and a form certification which comply with the provisions of Public Act 04-

May 27, 2004  
Page 2

245 and which may be used when the act is signed by the Governor. They are attached to this letter and may also be found at my web site under "Hot Topics," "New Affidavits." Please ask your staff to begin preparation for this new contract procedure.

If I can be of further assistance, do not hesitate to contact me.

Very truly yours,

RICHARD BLUMENTHAL

RB:sd