

3.6	Contracts and Procurement Policy (Red Tape Guidelines)	19-106	2019-10-24
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3.6 CONTRACTS AND PROCUREMENT POLICY (RED TAPE GUIDELINES) - IMPLEMENTATION OF PUBLIC ACT NO. 17-130

Statement of Policy

The Board of Regents for Higher education permits its institutions to simplify certain procurements as detailed in Public Act No. 17-130, “An Act Authorizing Guidelines for Programs to Reduce Student Costs and Exempting Constituent Unit Qualified, Revenue and Non-monetary Contract From certain Statutory Requirements”.

Purpose

The purpose of this policy is to avail Connecticut State Colleges & Universities (CSCU) of simplified procedures when entering into agreement which are (1) revenue-generating contracts, (2) non-monetary arrangements, and (3) “certain other agreements”. Certain other agreements is defined as (excerpted from PA 17-130):

Any qualified contract entered into or amended on or after July 1, 2017, that: (A) Does not involve the expenditure of state and certain other institutional funds, (B) is for the purchase of equipment, supplies or services or the lease of personal property (i) to be used outside of the United States, and (ii) where the other party to the contract is located outside of the United States, or (C) is a collaboration with another entity and involves at least two of the following: (i) Philanthropic support, (ii) sponsored research, (iii) research collaboration, (iv) employment opportunities for students, or (v) some other substantial value to the constituent unit or the state.

"Qualified contract" means a purchase contract entered into (A) pursuant to subsection (a) of section 10a-151b of the general statutes, and (B) by the chief executive officer of a constituent unit of the state system of higher education or the chief executive officer of an institution within the jurisdiction of such a unit.

PA 17-130 was enacted to simplify these types of purchases made by public institutions of higher education by eliminating excessive contracting formality from low-risk agreements. This would accordingly take the fiscal burden off the cost of education borne by students.

Implementation

The policy will allow agreements listed above to be procured differently than general purchasing defined under Conn. Gen. Stat. § 10a-151b(b). Specifically, such purchases will not require a competitive bidding or competitive negotiation process, exemption from summary and affirmation requirements regarding state ethic law summary and permit an affirmation in lieu of representation requirements regarding nondiscrimination and affirmative action. Other purchases not defined above will follow requirements detailed in Conn. Gen. Stat. § 10a-151b(b).

Implementation (cont.)

On an annual basis, CSCU will submit a report in accordance with the provisions of section 11-4a of the general statutes to the joint standing committees of the General Assembly having cognizance of matters relating to the joint standing committees of the General Assembly having cognizance of matters relating to higher education and government administration. Such report shall include, but need not be limited to, (1) any policies adopted pursuant to this section, (2) a description of any revisions or amendments made in the previous fiscal year to any previously adopted policies, and (3) a description of each contract entered into or amended in the previous fiscal year pursuant to such policies.

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