



STATE OF CONNECTICUT OFFICE OF GOVERNMENTAL ACCOUNTABILITY STATE CONTRACTING STANDARDS BOARD

Chief Procurement Officer

- Primary position within the State Contracting Standards Board
- Responsible for almost every aspect of the State Contracting Standards Board
- Statutory position

Sec. 4e-2. State Contracting Standards Board. Established. Members. Chairperson. Executive director. Chief Procurement Officer. Duties. Prohibited activities of employees. Rules of the board. Quorum. (g) The board shall appoint a Chief Procurement Officer for a term not to exceed six years, unless reappointed pursuant to the provisions of this subsection. The Chief Procurement Officer shall report to the board and annually be evaluated by, and serve at the pleasure of, the board. For administrative purposes only, the Chief Procurement Officer shall be supervised by the executive director.

(1) The Chief Procurement Officer shall be responsible for carrying out the policies of the board relating to procurement including, but not limited to, oversight, investigation, auditing, agency procurement certification and procurement and project management training and enforcement of said policies as well as the application of such policies to the screening and evaluation of current and prospective contractors. The Chief Procurement Officer may enter into such contractual agreements as may be necessary for the discharge of the duties as set forth in this subsection and by the board, including, but not limited to, recommending best practices and providing operational and administrative assistance to state agencies determined, by the board, to be in violation of sections 4e-16 to 4e-47, inclusive.

(2) In addition to the duties set forth by the board, the Chief Procurement Officer shall (A) oversee state contracting agency compliance with the provisions of statutes and regulations concerning procurement; (B) monitor and assess the performance of the procurement duties of each agency procurement officer; (C) administer the certification system and monitor the level of agency compliance with the requirements of statutes and regulations concerning procurement, including, but not limited to, the education and training, performance and qualifications of agency procurement officers; (D) review and monitor the procurement processes of each state contracting agency, quasi-public agencies and institutions of higher education; and (E) serve as chairperson of the Contracting Standards Advisory Council and an ex-officio member of the Vendor and Citizen Advisory Panel.

Data Analyst

- The State has a tremendous amount of raw data on procurement
- Provide accurate oversight and complete and unbiased analysis of the raw data
- Examples of Data Analysis
 - i. Move forward on UCONN benchmarking study
 - ii. Move forward on projects not completed due to COVID-19 (Public Act 19-117)
 - 1. Analysis of posting all waiver requests on state contracting portal
 - 2. Analysis of yearly OPM report on how many waiver requests received during the year and justification for granting or denying the request
 - 3. Analysis of three-year procurement plans for PSA and POS contracts from agencies submitted to OPM as of January 1, 2020
 - iii. Other issues raised because of our studies
 - 1. Analysis of the impact of Governor's order to suspend competitive bidding on Covid-19 related procurement – scope, compliance, cost, termination, etc.
 - 2. Analysis of contracts under \$20k by contractor to determine if contractors are taking advantage on Under \$20k not being subject to competitive bidding
 - 3. Study of staffing agency contracts – agency, contractor, name, position, renewal, years employed, etc.
 - 4. IT contracts
 - 5. Study of the aging of contracts – number of years including renewals
 - 6. Analysis of auditor Findings
 - 7. Analysis of contracts where the contractor is selected and then the price is negotiated
 - 8. Analysis of significant contracts not included in OPM's annual PSA report to the legislature such as Anthem and UnitedHealthcare/Oxford
 - 9. Analysis design/build projects
 - iv. Other Current issues
 - 1. Competitive bidding study on all quasi-governmental agencies of the State

Attorney

- Advise the Board and the Chief Procurement Officer
- The State Contracting Standards Board is all about the application of the law and regulations
- Draft process for adoption Regulations.
 - The Clean Contracting Act left most of the details of the law up to regulations. Regulations are required to be written. To date only one regulation is in the process of approval and adoption. One regulation has been drafted, but adoption has not been initiated
 - The Attorney position would correct the inability of the Board to draft and process regulations for adoption
- The two statutory standing committees and special complaints and studies are heavily reliant on legal advice. The Attorney position would provide the required legal advice and counsel

Accounts Examiner

- The Board is required to Audit and certify agencies

Sec. 4e-6. Triennial audits of state contracting agencies. Compliance report. (a) The board shall conduct audits of state contracting agencies, triennially, to ensure compliance with statutes and regulations concerning procurement. In conducting each such audit, the board shall have access to all contracting and procurement records, may interview any and all personnel responsible for contracting, contract negotiations or procurement and may enter into an agreement with the Auditors of Public Accounts to effectuate such audit.

(b) Upon completion of any such audit, the board shall prepare and issue a compliance report for the state contracting agency. Such report shall identify any process or procedure that is inconsistent with statutes and regulations concerning procurement and indicate those corrective measures the board deems necessary to comply with statutes and regulations concerning procurement requirements. Such report shall be issued and delivered not later than thirty days after completion of such audit and shall be a public record.

Trainer

- The Board is required to train

Sec. 4e-5. Appointment of agency procurement officers. Responsibilities. State procurement and project management education and training program. Regulations. (a)(1) The head of each state contracting agency shall appoint an agency procurement officer. Such officer shall serve as the liaison between the agency and the Chief Procurement Officer on all matters relating to the agency's procurement activity, including, but not limited to, implementation and compliance with the provisions of statutes and regulations concerning procurement and any policies or regulations adopted by the board, coordination of the training and education of

agency procurement employees and any person serving on the Contracting Standards Advisory Council;

(2) The agency procurement officer shall be responsible for assuring that contractors are properly screened prior to the award of a contract, evaluating contractor performance during and at the conclusion of a contract, submitting written evaluations to a central data repository to be designated by the board and creating a project management plan for the agency with annual reports to the board pertaining to procurement projects within the agency.

(b) The State Contracting Standards Board, with the advice and assistance of the Commissioner of Administrative Services, shall develop a standardized state procurement and project management education and training program. Such education and training program shall develop education, training and professional development opportunities for employees of state contracting agencies charged with procurement responsibilities. The program shall educate such employees in general business acumen and on proper purchasing procedures as established in statutes and regulations concerning procurement with an emphasis on ethics, fairness, consistency and project management. Participation in the program shall be required of any supervisory and nonsupervisory state employees in state contracting agencies with responsibility for buying, purchasing, renting, leasing or otherwise acquiring any supplies, service or construction, including the preparation of the description of requirements, selection and solicitation of sources, preparation and award of contracts and all phases of contract administration.

(c) The program shall include, but shall not be limited to (1) training and education concerning federal, state and municipal procurement processes, including the statutes and regulations concerning procurement; (2) training and education courses developed in cooperation with the Office of State Ethics, the Freedom of Information Commission, the State Elections Enforcement Commission, the Commission on Human Rights and Opportunities, the office of the Attorney General and any other state agency the board determines is necessary in carrying out statutes and regulations concerning procurement; (3) providing technical assistance to state contracting agencies and municipalities for implementing statutes and regulations concerning procurement, regulations, policies and standards developed by the board; (4) training to current and prospective contractors and vendors and others seeking to do business with the state; and (5) training and education of state employees in the area of best procurement practices in state purchasing with the goal of achieving the level of acumen necessary to achieve the objectives of statutes and regulations concerning procurement.

(d) Any employee who completes the program established under subsection (b) of this section shall be issued documentation by the board acknowledging such employee's participation in the program. The board shall submit an annual report to the Governor and the General Assembly on the status of such program in accordance with section 11-4a.

(e) The board shall adopt regulations, in accordance with the provisions of chapter 54, to develop and implement the training and education program established under subsection (b) of this section.