

**The following is a copy of Connecticut General Statutes Section 4e-36. Immediately following the text of the statute are the policies and procedures that were adopted by the State Contracting Standards Board's Contested Solicitations and Awards Subcommittee on January 8, 2015. Additional updates will be forthcoming. Please check back monthly for revisions.**

**Sec. 4e-36. Contest of the solicitation or award of a contract by bidder or proposer.** (a) Any bidder or proposer on a state contract may contest the solicitation or award of a contract to a subcommittee of the State Contracting Standards Board which shall be appointed by the chairperson of the board and consist of three members, at least one of whom shall be a legislative appointee. Such contest shall be submitted, in writing, not later than fourteen days after such bidder or proposer knew or should have known of the facts giving rise to such contest and shall be limited to the procedural elements of the solicitation or award process, or claims of an unauthorized or unwarranted, noncompetitive selection process.

(b) The filing of a contest pursuant to this section shall not, alone, be deemed to prohibit the award or execution of any such contested contract.

(c) The assigned subcommittee of the State Contracting Standards Board may settle and resolve any such contest.

(d) In the event such contest is not resolved by mutual agreement, the assigned subcommittee of the State Contracting Standards Board shall issue a decision, in writing, not later than thirty days after receipt of any such contest. Such decision shall:

(1) Describe the procedure used by such agency in soliciting and awarding such contract;

(2) Indicate such agency's finding as to the merits of such bidder or proposer's contest; and

(3) Inform such bidder or proposer of the right to review.

(e) A copy of such decision shall be provided to such bidder or proposer.

(Sept. Sp. Sess. P.A. 07-1, S. 36.)

History: Sept. Sp. Sess. P.A. 07-1 effective June 1, 2010.

## Policies and Procedures

- 1) The Chair of the Board shall appoint three Board members, at least one of whom shall be a legislative appointee, to serve as the Contested Solicitations and Awards Subcommittee.
- 2) Any bidder or proposer on a state contract may contest the solicitation or award of a contract to the subcommittee in writing. "In writing" shall mean a written document submitted by email, postal mail, hand-delivery, or fax.
- 3) Such writing shall be directed to Julia Marquis, Esq., Chief Procurement Officer, preferably via email to [julia.marquis@ct.gov](mailto:julia.marquis@ct.gov), via hand-delivery or postal mail to at 999 Asylum Avenue, 1<sup>st</sup> floor, Hartford, CT 06106, or via fax at 860-566-2251.
- 4) Such writing must be submitted within 14 days of the time the bidder or proposer knew or should have known of the facts giving rise to such contest.
- 5) The Chief Procurement Officer shall receive each submission, acknowledge receipt of the document(s), and determine whether the submission is timely. If it is not timely, it shall be referred to the subcommittee.
- 6) If the submission is timely, the CPO shall review the contest to ensure that it is challenging only procedural elements of the solicitation or award, or that it claims an unauthorized, unwarranted noncompetitive solicitation process.
- 7) If the submission is timely and states a claim appropriate for the Board's review, the CPO shall forward the contest to the subcommittee, at which time the contest will be deemed "received" by the subcommittee.
- 8) The assigned subcommittee may attempt to settle and resolve any such contest and may ask the CPO to obtain additional information on the Subcommittee's behalf.
- 9) If resolution is successful, the matter will be closed.
- 10) If resolution is unsuccessful, the subcommittee shall issue a decision on the matter, in writing, within thirty days of receipt of the contest.

Such decision shall:

- (a) Describe the procedure used by such agency in soliciting and awarding such contract;
  - (b) Indicate such agency's finding as to the merits of such bidder or proposer's contest; and
  - (c) Inform such bidder or proposer of the right to review the agency's findings.
- 11) A copy of such decision shall be provided to such bidder or proposer.