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Set-Aside Program

Sec. 4a-60h-1. Definitions

As used in sections 4a-60h-1 to 4a-60h-6, inclusive, of the Regulations of Connecticut State Agencies:

(1) “Applicant” means any person or entity applying for certification as a “small business enterprise” or a “minority business enterprise” pursuant to section 4a-60g of the Connecticut General Statutes;

(2) “Commissioner” means the Commissioner of Administrative Services or the Commissioner’s designee;

(3) “Individual with a disability” means “individual with a disability,” as defined in subdivision (7) of subsection (a) of section 4a-60g of the Connecticut General Statutes;

(4) “Minority business enterprise” means “minority business enterprise,” as defined in subdivision (3) of subsection (a) of section 4a-60g of the Connecticut General Statutes; and

(5) “Small business enterprise” means “small contractor,” as defined in subdivision (1) of subsection (a) of section 4a-60g of the Connecticut General Statutes.

(Adopted effective December 30, 2008)

Sec. 4a-60h-2. Application of program to individuals with a disability

An applicant seeking certification as a minority business enterprise pursuant to subsection (k) of section 4a-60g of the Connecticut General Statutes based on a disability shall provide documentation substantiating that the applicant’s owner is an individual who (1) has a physical or mental impairment that substantially limits one or more of the individual’s major life activities or (2) has a record of such impairment. The documentation shall be from a licensed physician.

(Adopted effective December 30, 2008)

Sec. 4a-60h-3. Letters of credit

(a) A letter of credit submitted pursuant to subsection (i) of section 4a-60g of the Connecticut General Statutes shall be clean, irrevocable, unconditional and issued or confirmed by a qualified United States financial institution, as defined in subsection (a) of section 38a-87 of the Connecticut General Statutes.

(b) The letter of credit shall comply with the requirements established in subsections (a) through (h), inclusive, of section 38a-88-8 of the Regulations of Connecticut State Agencies.

(Adopted effective December 30, 2008)

Sec. 4a-60h-4. Random site visits

(a) At the Commissioner’s discretion, he or she may conduct on-site visits during the initial application or re-certification process or at any time while the certification is valid.

(b) An automated random selection process will determine which applicants, minority business enterprises and small business enterprises shall be subject to an on-site visit unless an on-site visit is otherwise required by state or federal statute or regulation.

(c) The Commissioner shall conduct the visit during regular business hours at the principal place of business of the applicant, minority business enterprise or small business enterprise or at the project site or both. The Commissioner shall not be required to provide advance notice of the on-site visit.

(d) The Commissioner may examine all books, records and files that the Commissioner deems relevant in determining eligibility for certification pursuant to section 4a-60g of the Connecticut General Statutes.

(e) The Commissioner may question any employee of the applicant, minority business enterprise or small business enterprise when, in the discretion of the Commissioner, such questioning will assist the Commissioner in determining the eligibility for certification.

(Adopted effective December 30, 2008)

Sec. 4a-60h-5. Time limits for approval or disapproval of applications

The Commissioner shall notify the applicant if he or she has approved or disapproved its application for certification not later than 30 days after the Commissioner begins his or her review of the application.

(Adopted effective December 30, 2008)

Sec. 4a-60h-6. Access to competitive contracts outside of the set-aside program

The Commissioner shall notify all applicants, small business enterprises and minority business enterprises of the existence of the State Contracting Portal and shall provide instructions about registering to receive notification of all contracting opportunities posted on the State Contracting Portal.

(Adopted effective December 30, 2008)