



State of Connecticut COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

Central Office ~ 25 Sigourney Street, Hartford, CT 06106

Promoting Equality and Justice for all People

Effective January 1, 2015 a new temporary policy was put in to place to address the 2% retainage on Public Works projects. All requests must be made via email by the Requestor (Awarding Agency/Construction Manager at Risk) and sent to Kristen Daniels at kristen.daniels@ct.gov. Due to the volume of requests, emails received from anyone other than the Requestor will not receive a response. Please be patient as we undoubtedly will receive numerous requests at one time. Thank you in advance for your patience and cooperation.

Dear Awarding Agency/CMR:

A temporary policy and practice related to the 2% retainage on Public Works' projects has been put into place while the Commission on Human Rights and Opportunities (CHRO) works diligently to eliminate its backlog. If an Affirmative Action/Set-Aside Plan has been timely submitted and the CHRO has not had an opportunity to fully review and approve, disapprove or conditionally approve an Affirmative Action Plan (AAP) or Set-Aside Plan (SAP) within 120 days, the following procedures will be utilized until further notice by CHRO:

1. Requestor should send an email to CHRO indicating the Requestor's Prime has a Plan that was submitted 120 days ago which has not been reviewed by the Commission. Further, the requestor should request a release of the 2% retainage.
 - a. For Projects considered a "\$20 Million Project", the Construction Manager at Risk (CMR) is the Requestor (a copy of the request should also be sent to the Awarding Agency)
 - b. For Projects over \$50,000 but not considered a "\$20 Million Project", the Awarding Agency is the Requestor
2. CHRO may issue written notification to the Awarding agency to release the 2% based on the Requestor's Prime agreeing to comply with all CHRO requests for documentation (including close-out documents, reporting, etc.) through the close-out of the project file at CHRO.
3. Once the written agreement by the Requestor's Prime has been received, CHRO will then notify the Awarding Agency to release the 2%.
4. The Awarding Agency may then release the 2%.

NOTE 1: It is expected that once released of the 2% retainage, the Requestor's Prime will also release the 2% retainage on all subcontractors who have completed their portion of the project (100%).

NOTE 2: There will be no file close-out at CHRO until all close-out documents, reporting, etc. have been received by CHRO.

Effective: January 1, 2015