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Workers: State wasted millions on I-84

Democrats say Rell could have avoided trouble by signing contracting reform bill

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SOUTHINGTON — Members of the Connecticut Department of Transportation and several Democratic candidates said the hundreds of faulty storm drains in the newly reconstructed sections of Interstate 84 in Waterbury and Cheshire are the latest reason why the state needs to overhaul the way it awards construction projects.

During a press conference at a rest stop on I-84 between exits 28 and 30, state Rep. Donald J. De Fronzo, D-New Britain, criticized Gov. M. Jodi Rell's recent announcement that she would propose a new law holding state contractors more accountable for their work during the next General Assembly session after she had vetoed three versions of a contracting reform bill that he and the rest of the Assembly had proposed.

De Fronzo said Democrats had been proposing contracting reforms for the last 18 months, after the State of Connecticut Auditors of Public Accounts, a bipartisan watchdog group, said in 2003 that the state should establish standards to prevent the abuses in the way contracts are awarded.

Had the governor signed the bill, the failed inspection of I-84 could have been prevented, De Fronzo said.

Last month it was reported that 270 of the 300 catch basins, or drains, installed during the \$54 million widening and improvement project along a 3 mile portion of I-84 in Cheshire and Waterbury were defective and needed to be reworked.

Fixing the basins, which are connected by a system of underground pipes and designed to remove water from the roadway, will require tearing up newly paved portions of the road. Though DOT officials expect to have all lanes open by December, the additional repairs are not expected to be finished until spring.

"We all know when there's a construction project, there is some amount of inconvenience that has to be endured, but when you have to endure that for a longer period of time or endure it again to perform repairs, it does not sit well with us," said state Rep. Joseph Aresimowicz, D-Berlin.

Rich Harris, Rell's campaign spokesman, said Rell vetoed the contracting bills because they included language that would have forced nonprofit agencies, small businesses and minority owned businesses to pay state employee wage levels.

Businesses bidding for state contracts would also be required to match the benefit package provided to state employees, which costs taxpayers an average 47 percent above hourly salaries, Harris said.

“Those benefits are fairly generous and smaller businesses cannot afford to pay them,” said Judd Everhart, a spokesman for Rell.

After a third veto, the governor, in a July press release, said “What began as a thoughtful proposal to create a Contracting Standards Board to review and revise Connecticut’s policies for conducting state business was undermined by the inclusion of unreasonable constraints on the state’s ability to contract for services under the disingenuous misnomer of ‘privatization.’ ” De Fronzo said the three bills called for a preset wage determined by the state Department of Labor and based on market conditions or the bottom rung of state employee salaries, whichever was less.

Michael O’ Brien, the executive president of Connecticut State Employees Association/Service Employees International Union Local 2001, the DOT’s union, said the cost of paying benefits for state or private contractors was about the same as in 1994, the last time the department reviewed whether it was cost effective to hire in-house staff or contract out engineering work.

Democrats spoke in front of 18 people carrying signs with slogans including “Sewergate” and “Clean Contracting — Now.”

“We are here to bring about change with Mayor (John) De Stefano, (the Democratic candidate for governor). We feel if we keep up the trail on Rell like this she will be forced to address the problem,” said Jared Tester, 25, who held a sign that read “Give back the money.”

After the vetoes, Rell established the Contracting Standards Board, charged with crafting standards for awarding state contracts until a final law could be passed. It held its first meeting in November 2005.

On Monday, Rell said that, under her proposed act, companies would be disqualified from bidding on state projects for up to five years, instead of two, if they are negligent in the performance of state contracts or there is a violation of state ethics laws for continuing a formal or informal business relationship with a contractor who has been disqualified, a disqualification by another governmental agency, or fraudulent, criminal or seriously improper conduct.

Under the proposal, the departments of Transportation, Public Works, Administrative Services and Information Technology would have to name contractor responsibility officers to assure that contractors are properly screened before they are picked for state projects. The officers would also review and maintain contractor evaluations after a project is completed. Those responsibilities may now be held by more than one person.

De Fronzo said there was no need for contract responsibility officers with department commissioners already in place. He also said Rell had not answered the fundamental question of when is outsourcing appropriate and how can the state benefit by it.

“I want you to know I want the governor to know that we already have contract responsibility officers in the state. ... If they don’t do their job, they ought to be fired and new people ought to be put in their spot,” he said.

Harris said the Contracting Standards Board would determine that.

L.G. De Felice of New Haven, which ran out of money and stopped construction on I-84 last spring, was the contractor on the project. It is standard procedure to hire inspectors for all major projects, so the Maguire Group, a private consulting firm in New Britain, was hired to inspect the drains and other work under a \$6 million state contract. The Department of Transportation fired the Maguire Group in September, at Rell's direction.

Also at the governor's direction, the Office of Policy and Management will hire an independent auditing firm to review De Felice's and Maguire's projects, as well as DOT's processes for employing and monitoring the work of outside contractors. Monday was the deadline for firms to submit proposals to perform the audit; a selection will be made shortly after the proposals are reviewed.

The U.S. Department of Transportation's Federal Highway Administration and the FBI are making inquiries

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