



STATE of CONNECTICUT  
Office of Governmental Accountability  
State Contracting Standards Board

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**Regular Meeting**

Friday, January 10, 2025 - 10:00 A.M.

Location: 165 Capitol Avenue, Hartford, CT

Conference Room G009F and *Virtual*

**MINUTES**

**Board Members in Attendance:**

Rochelle N. Palache, Chairperson (in person)

Thomas G. Ahneman (in person)

Albert Bertoline (in person)

Keith Brothers (in person)

Lauren C. Gauthier (in person)

Salvatore Luciano (in person)

Stuart L. Mahler (in person)

Daniel S. Rovero, Board Member (virtually)

Brenda S. Sisco, Board Member (in person)

Gregory F. Daniels, Esq., Executive Director, ex-officio Board Member (in person)

**Staff Members in Attendance:**

Samson Anderson, Research Analyst (in person)

Aaron I. Felman, Staff Attorney (in person)

Carmen Hufcut, Trainer Specialist (in person)

Maritza Lopez, Accounts Examiner (in person)

Aleshia M. Hall, Administrative Assistant (in person)

1. Call to Order: Chair Palache called the meeting to order at 10:02 a.m.

Roll Call of Board Members

At conclusion of roll call, Chair Palache introduced her guest, Union 32BJ Political Director Jose Miranda.

2. Approval of Minutes

- a. Approval of the minutes from the December 13, 2024, SCSB Regular Meeting

A motion to approve the minutes as written was made by: Al Bertoline

The motion was seconded by: Keith Brothers

The motion passed unanimously with three abstentions: Lauren Gauthier, Brenda Sisco, and Stuart Mahler.

3. Executive Session

a. Purpose: Discuss Interpersonal Board Relationships

At the request of Chair Palache, a motion to enter Executive Session was made by:  
Thomas Ahneman

The motion was seconded by: James Marpe

The motion was unanimously approved.

The meeting resumed at 11:45 a.m.

4. Communications and Petitions

a. Sec. 4e-36 Contested Solicitations and Awards Subcommittee Report – Stuart L. Mahler

Chair Palache reported on behalf Mr. Mahler that the subcommittee has not met.

b. Privatization Contract Committee Report – Chair Salvatore C. Luciano

Chair Palache reported on behalf of Mr. Luciano that the subcommittee has not met.

c. Audit/Data Analysis Work Group – Chair Alfred W. Bertoline

i. Audit/Data Analysis Work Group Report – Chair Alfred W. Bertoline

1. Triennial Audit Report for FY '24: Annual report was drafted, and Mr. Bertoline feels it is a nice product that represents the Board well.

Mr. Bertoline referenced an email that he received last night (referring to an email sent by a member of the public, Bryant Abbott, regarding the Triennial Audit Report). Mr. Bertoline shared that he only read the email briefly. He suggested Board approval of the audit based upon a final fact check being completed by staff members. The staff will go back on every number in our report, reference back to the source document and confirm that the data and the numbers are absolutely accurate. In reference to the content of the report, the recommendations in the report are solid and no letter is going to change that. Therefore, he recommended that we approve the report it based on that final fact check as it would be prudent to get out a report which represents our work and will make a positive impact on state contracting.

After making recommendations for administrative edits, a motion to approve the audit report, after completion of a fact check and inclusion of edits, was made by: Lauren Gauthier  
The motion was seconded by: Salvatore Luciano  
The motion passed unanimously.

2. 60-day letter: This letter is being authored to identify the areas of noncompliance and put the burden on the agencies to produce a written document noting the corrective actions that have been put in place to mitigate the areas of noncompliance, so if those same concerns arise in future audits, we have their documented approach to correcting those issues. This letter would be sent upon completion of each audit. Mr. Bertoline requested input from Board members on the language of the letter.
  
3. Audit Status
  - a. Department of Energy and Environmental Protection Audit:
    - Mr. Bertoline stated that the content of the audit is fine. (Again, reflecting on the email received from Bryant Abbott), Mr. Bertoline requested approval to issue the audit based upon a final fact check of the numbers by staff.
    - In reference to our note in the DEEP audit that referred to the APA finding some of the same issues in their audit. APA issued their report with those findings. DEEP later proved that they were, in fact, in compliance; however, APA did not amend their report to reflect the change. Mr. Bertoline asserted that these same issues are still existing two years later and that is unacceptable; therefore, he thinks our report should go out with that paragraph in it.
    - Accounts Examiner Maritza Lopez shared that DEEP submitted their response to the findings this morning. Although she has not had time to review it, she forwarded their email and updated the audit, which includes the DEEP response, to Board members this morning.
    - There was a clarifying discussion on several issues.
    - Ms. Gauthier recommended moving the items separately. She would like to approve DEEP audit today, since their response does not change ours. DEEP denoted that they remediated the APA audit, but that does not change our findings.

A motion to approve the amended DEEP audit, after verification of the contract values stated in the report, was made by: Lauren Gauthier.

The motion was seconded by: Salvatore Luciano

The motion was unanimously approved.

2. Assistance with Audits: Was not discussed.
  
3. Current Auditing Processes: Was not discussed.

5. 60-day letter is being authored to ensure that the areas of noncompliance be mitigated to ensure that the issues are not recurring and that they have documented their approach to correcting those issues.

- ii. Budget Sub-Work Group Report – Chair Brenda L. Sisco
- d. Statutes, Regulations, Policies and Procedures Work Group – Chair Thomas G. Ahneman
  - i. Statutes, Regulations, Policies and Procedures Work Group Report – Chair Thomas G. Ahneman
    - 1. Regulations Report – Chair Thomas G. Ahneman

Mr. Ahneman reported that the inaugural meeting Work Group met yesterday, on January 9, 2025. It was attended by four Board members and six staff members. There was discussion of key provisions:

- Defining legislative goals
- Developing uniform procurement standards
- Establishing clear rules on competitive bidding, RFPs and contract awarding.
- Vendor performance suspension or disbarment policies
- A list of legislative goals was updated by Lauren Gauthier and disseminated to Board members.
- Senate Bill 391 passed on a bipartisan basis out of the GAE committee
- Regulation Reporting Table was circulated in December and a satisfactory explanation of the former delays was made and accepted. The table will be updated to reflect our current priorities.
- Three items were selected for immediate work. Outlines will be prepared for our next committee meeting next month.
  1. Rules of Practice
  2. Protection of Personal Data
  3. Section 4e-5, Education and Training

The Work Group objectives are twofold:

1. Identify *low-hanging fruit*
2. Identify duties that the Board is currently undertaking or executing.

Also discussed was a

- Creating a consistent reporting system that will inform everyone of our progress and identify watershed events.
- Coordinate and gather input from agencies, contractors, and the public.
- Establish timelines for deliverables.
- Communicate with agencies whose advice, assistance, or consultation is required. Including as it refers to eight regulations that require collaboration with the Department of Administrative Services informing them that we are starting work on those sections and will expect their assistance.

Mr. Luciano added:

- The staff have also been directed to collaboration with the Office of the Attorney General on the three regulations that require their input as well.

## 2. Legislative Report - Chair Thomas G. Ahneman

- SB391 moved as a committee bill last session and will be brought back this session along with SB389. It was clarified that two were consolidated into one bill (SB391). None of them were passed.
- Ms. Gauthier reviewed the updates made to the 13 legislative goals made on January 9, 2025, noting that we need to provide testimony and be organized to push this legislation and requested that these goals be consolidated into one concept bill for the current legislative session.
- Ms. Sisco asked what the process will be if this is approved. We would not be writing the legislation. Additionally, she does not support items 12 and 13 that address quasi-publics agencies and asked that they be considered separately. She believes this is an unwieldy step to take and we need to focus on the work we are currently supposed to be doing.

Ms. Gauthier made a motion that the Board support concepts 1-11 in the 2025 legislative session.

The motion was seconded by Sal Luciano

The motion was unanimously approved.

Ms. Gauthier made a motion that the Board support concepts 12 and 13 for the 2025 legislative session.

The motion was seconded by Sal Luciano

- Discussion included Ms. Sisco clarifying that these bills are moving. Chair Palache clarified that the bill has not been proposed yet, but the GA committee will be raising this bill which is likely to have bi-partisan support again this year. Ms. Sisco provided clarification regarding the details of the GAE legislative committee assignments. She would like to see legislation passed. In the last legislative session, the bill made it out of the Senate but was not supported or voted on in the House. There was a lot of opposition from the quasi-public side and believes that may stand in the way again.

The motion was voted on: 5 Yay (Sal Luciano, Al Bertoline, Rochelle Palache, Lauren Gauthier, and Stuart Mahler) 2 Nay (Keith Brothers and Brenda Sisco) and 2 Abstain (Thomas Ahneman and James Marpe)

The motion carried with a 5 majority Yay, 3 Nay and 2 Abstentions

ii. Personnel Review Sub-Work Group Report – Chair James S. Marpe

Jim Marpe reminded Board members that they have an opportunity to prepare and submit comments regarding an evaluation of the Executive Director by submitting comments on the form or in a memo to Chair Palache by January 27, 2025.

e. Training Work Group Report – Carmen Hufcut

Trainer Specialist Carmen Hufcut reported that we are awaiting a site visit from accreditation.

The next meeting of the Training Work Group is scheduled to take place on January 22, 2025.

f. Staff Report

i. Administrative and Operations – Gregory F. Daniels, Executive Director

1. 2024 Annual Agency Report: Executive Director Daniels shared that the annual report was issued in lieu of the December monthly report. It has been posted on our website and shared with the Board. It is our first iteration of an Annual Report that provides a general sense of the agency and what occurred over the past year. The report highlights accomplishments and provides an overview of auditing, training, standing up new committee and work groups, etc. A more robust report is likely at the conclusion of 2025.

ii. Chief Procurement Officer Report: Chair Palache stated that there is no report.

iii. Legal Update – Aaron I. Felman, Staff Attorney

1. Contracting Standards Advisory Council – Council Chair Delegation

Staff Attorney Felman shared legal research that he has completed regarding the statute that stipulates that the CPO must chair this council; there are no regulations or bylaws that govern this in the absence of a CPO. Chapter 62 provides authority to other state agencies; therefore, it is not unreasonable or outside the spirit of the law for others to lead the council since they have no voting rights on our Board. The Advisory Council and potentially the Chair and Board could discuss pursuing this option.

2. UAPA vs. SCSB Statute Comparison Draft

Per request of Board Member Gauthier, Staff Attorney Felman is issuing an Advisory Memorandum regarding Chapter 62, UAPA, 4e-35, 4e-36, and 4e-37 and the most significant and glaring issues. That memorandum will be shared with the Board this afternoon.

5. Old Business

a. Temporary Chief Procurement Officer Hiring

Chair Palache did not discuss this agenda item.

6. New Business:

Chair Palache confirmed that there was no new business to discuss.

7. Opportunity for Citizens to Address the SCSB

DEEP representative Annie Decker, Chief of Legal Planning and Regulatory Affairs, and Jacob Rocco, Fiscal Administrative Manager responsible for DEEP's compliance activities, addressed comments to the Board:

Attorney Decker recognizes the Board's commitment to accuracy and thorough review of the information on record and wants to confirm that:

1. The findings in the SCSB and APA reports are distinct.
2. The findings in the SCSB report are related to procurements that began in the same time period of 2021 and 2022. Members mentioned that you are still finding the same conditions today; however, the contracts for both audits were executed in roughly the same time period of 2021 and 2022; not 2024.

Jacob Rocco elaborated on the specifics of the criteria examined by SCSB:

1. There is a similarity of ethics forms. SCSB looked at the forms that their staff internally complete to disclose conflicts of interest on any procurement activities. The APA report looked at forms filled out by the vendors that DEEP contracted with. They are not the same ethics forms, so the two should not be compared.
2. The contracts executed in the SCSB report are within the same time period as the APA audit. Even if they were executed in 2024, they were originated in the same time period. It is not accurate to say that the conditions still exist.
3. Although the APA did not officially amend their report, all documentation to address the conditions of their findings were located and produced. The missing contracts were executed on time. They found the quotes that were referenced along with the ethics forms. Those findings should not have existed. It was a result of the DEEP employee, who is no longer working there, failing to provide the documentation in a timely manner. Had they been provided timely, the findings would not have been in the report.

Attorney Decker stated that DEEP is committed to continually improving their processes and have developed a compliance unit within the legal office that she supervises to serves



as a transactional management unit. Regardless of their disagreement with our findings, they are committed to the spirit and goals of the audit.

Mr. Ahneman asked if their staff have signed up to take our training. Jacob Rocco responded that he has been in contact with Carmen Hufcut on the training and they will be moving forward with that. He wishes to resolve the issues with the Board, and it is their position that the findings of the APA and SCSB audits are not similar in nature and the APA findings were just inaccurate.

Chair Palache thanked them for sharing that helpful information and is glad to know they have already coordinated on the training piece.

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A member of the public, Paul Smith, addressed comments to the Board:

Mr. Smith noticed that when ethics training was being offered to the Board, it was passed over, and they did not want to do it. So, regarding the comments just made by DEEP staff about ethics forms signed in their agency, he would like to know if the Board was ever going to take the ethics training that was presented to them.

Chair Palache responded that as the new Chair and having many new members on the Board, that is going to be part of the process this year for the Board. The answer is yes.

8. Executive Session
  - a. Purpose: Discuss Interpersonal Board Relationships
9. Adjournment:

A motion to adjourn the meeting at 12:25 p.m. was made by: Chair Palache  
The motion was seconded by: Sal Luciano  
The motion passed unanimously

Respectfully submitted,

Aleshia Hall  
Administrative Assistant