

CONTRACT COMPLIANCE



The Commission on Human Rights and Opportunities

**CONTRACT COMPLIANCE
REQUIREMENTS FOR
MUNICIPAL PUBLIC
WORKS CONTRACTS**

WHAT MUNICIPAL CONTRACTS ARE COVERED BY THE CONTRACT COMPLIANCE REQUIREMENTS?

Municipal Public Works contracts funded in whole or in part by the state are the contracts subject to the contract compliance requirements and set-aside goals. Other municipal contracts are not subject to these requirements.

EXAMPLES

- STEAP
- Urban Act
- LoCIP
- LOTCIP
- Town Aid Road
- School Construction and Improvement Program
- Brownfield Municipal Grant Program

If you are unsure, ask.

HOW CAN A MUNICIPALITY MEET CONTRACT COMPLIANCE REQUIREMENTS AND SET-ASIDE GOALS?

The municipality solicits bids for a General Contractor (GC) or a Construction Manager at Risk (CMR). It is the GC or CMR who is responsible for meeting the set-aside goals and vetting the SBE/MBE subcontractors.

Municipalities must include contract compliance and set-aside language in all bid documents for a municipal public works contract to inform contractors of their obligation to meet contract compliance requirements and demonstrate good faith effort to achieve set-aside goals. All contracts must also contain contract compliance and set-aside language. It is the responsibility of the CONTRACTORS to meet the requirements.

IF A MUNICIPAL PUBLIC WORKS
CONTRACT IS CONTRACTED FOR LESS
THAN \$50,000, BUT CHANGE ORDERS
PUSH THE CONTRACT VALUE GREATER
THAN \$50,000, WILL THE SET-ASIDE
REQUIREMENTS APPLY?

Projects under \$50,000 are not subject to set-aside requirements. Change orders that increase a contract over \$50,000 may be subject to further review by the CHRO when the change orders substantially increase the value of the contract.

If the contract is less than \$50,000, a municipality must still include the anti-discrimination language in the contract.

HOW OFTEN ARE MUNICIPALITIES REQUIRED TO REPORT TO CHRO?

Municipalities should contact CHRO:

- When a municipal public works contract is funded in whole or in part by the state.
- When the municipality selects a bidder.

SINCE THE STATE IS REQUIRING MUNICIPALITIES TO USE SUBS ON THE DAS SBE/MBE CERTIFICATION LIST, ARE THE SUBS VETTED AND ARE THERE ENOUGH BUSINESSES TO MEET DEMAND?

There is no requirement that a municipality use subcontractors on the DAS certification list.

It is the GC or CMR that is responsible for vetting the subcontractors and making a good faith effort to meet the set-aside goals.

Any small or minority owned business that is currently doing business with a municipality should be encouraged to apply to DAS for SBE/MBE certification. There is no charge for certification.

CAN THE REQUIREMENT BE WAIVED
WHEN A GOOD FAITH EFFORT IS MADE,
BUT NO CONTRACTOR IS AVAILABLE TO
COMPLETE THE WORK DURING A
SCHEDULE FOR A SPECIFIC PROJECT?

Good faith effort is mandatory and cannot be waived; however, there are no quotas. Factors such as non-availability can be considered in evaluating good faith effort.

WHAT CONSTITUTES A “GOOD FAITH EFFORT” BY CONTRACTORS?

Contractors awarded a municipal public works contract must file an Affirmative Action Plan or a Set-Aside Plan with CHRO. CHRO staff review these plans to ensure contractors comply with contract compliance requirements. To determine good faith effort to meet the set-aside goals, CHRO reviews the procedures used to solicit bids from SBE and MBE certified contractors for the projects by examining (a) the trades required on the project, (b) the list of contractors solicited for bids, (c) the location of the project in relation to the subcontractors solicited, and (d) other project-specific factors.

IS THERE SPECIFIC LANGUAGE THAT
MUST BE INCLUDED IN THE BID
DOCUMENTS AND CONTRACTS?

Yes. The language is available on the CHRO website.

COVID-19: Get the latest updates on COVID-19 at [covid19.legis.ga.gov](#). Find a vaccination site near you at [covid19.vaccine.ga.gov](#)



Commission on Human Rights and Opportunities

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- Commission Meeting Dates, Agendas & Minutes
- Public Hearings Calendar
- PHRO's Two Hour Online Sexual Harassment Prevention Training Course
- Contract Compliance Forms and Reports**
- Registration for Contract Compliance TA Sessions



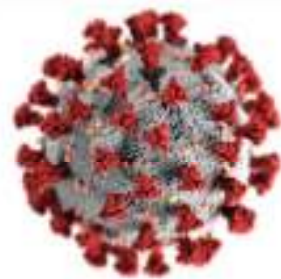
CHRO Sexual Harassment Prevention Training Course

Take the free online training course to meet the statutory requirements.



Human Rights Conference

Join us on Oct. 20th for the Human Rights Conference.



Covid-19 Webinars

Join us for a series of webinars on issues surrounding discrimination and the Covid-19 Pandemic.

LOCATION OF BID LANGUAGE ON THE CONTRACT COMPLIANCE PAGE

The screenshot shows the Commission on Human Rights and Opportunity website. A red box highlights the 'Bidding Requirements' section. A white arrow points to the 'Bidding Requirements' link in the 'Bidding Requirements' section.

Commission on Human Rights and Opportunity

Bidding Requirements

- Bidding Requirements
- Contract Documents
- Contract Administration
- Contract Compliance
- Contract Dispute Resolution
- Contract Management
- Contract Performance
- Contract Risk Management
- Contract Security
- Contract Termination
- Contract Variation

Bidding Requirements

- Bidding Requirements
- Contract Documents
- Contract Administration
- Contract Compliance
- Contract Dispute Resolution
- Contract Management
- Contract Performance
- Contract Risk Management
- Contract Security
- Contract Termination
- Contract Variation

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BID LANGUAGE

BID LANGUAGE (for DAS Contracting Portal Bid Notice)

This contract is subject to state contract compliance requirements, including non-discrimination statutes and set-aside requirements. State law requires a minimum of twenty-five (25%) percent of the state-funded portion of the contract be set aside for award to subcontractors holding current certification from the Connecticut Department of Administrative Services. The contractor must demonstrate good faith effort to meet the 25% set-aside goals.

BID NOTICE LANGUAGE (for print media)

This contract is subject to state set-aside and contract compliance requirements.

BID LANGUAGE (for bid documents)

The contractor who is selected to perform this State project must comply with CONN. GEN. STAT. §§ 4a-60, 4a-60a, 4a-60g, and 46a-68b through 46a-68f, inclusive, as amended by June 2015 Special Session Public Act 15-5.

State law requires a minimum of twenty-five (25%) percent of the state-funded portion of the contract for award to subcontractors holding current certification from the Connecticut Department of Administrative Services ("DAS") under the provisions of CONN. GEN. STAT. § 4a-60g. (25% of the work with DAS certified Small and Minority owned businesses and 25% of that work with DAS certified Minority, Women and/or Disabled owned businesses.) The contractor must demonstrate good faith effort to meet the 25% set-aside goals.

For municipal public works contracts and quasi-public agency projects, the contractor must file a written or electronic non-discrimination certification with the Commission on Human Rights and Opportunities. Forms can be found at:

http://www.ct.gov/opm/cwp/view.asp?a=2982&q=390923&opmNav_GID=1806

ARE THERE SPECIFIC FORMS THAT MUST BE COMPLETED?

Yes.

For project amounts with **between \$50,000 and \$500,000 of state funding**, you must submit (a) the Notification of Bid Award for Municipalities on municipal letterhead and, (b) if not current or on file, the contractor's Non-Discrimination Certification – Affidavit by Entity.

For project amounts with **over \$500,000 of state funding**, you must complete (a) the Intent to Award Letter, (b) the Request to Execute Contract, and, (c) if not current or on file, the contractor's Non-Discrimination Certification – Affidavit by Entity.

*****MUST BE ON MUNICIPAL LETTERHEAD*****

FOR MUNICIPALITIES ONLY
For Public Works Projects with \$50,000 - to \$500,000 in State Funding

TO: Contract Compliance Unit
Commission on Human Rights and Opportunities
CHRO Form CC05Z

FROM: [Click here to enter text.](#)

DATE: [Click here to enter a date.](#)

SUBJECT: Notification of Contract Award for Municipalities

As required by Connecticut Contract Compliance Regulations Sec. 46a-68-31 this is to notify the Commission that the following contract has been awarded. This is a public works contract (if the contract in question is not a public works contract, this form does not need to be filled out and the Commission does not need to be notified).

CONTRACT NUMBER: [Click here to enter text.](#)

PROJECT NAME: [Click here to enter text.](#)

PROJECT LOCATION: [Click here to enter text.](#)

DURATION OF CONTRACT: [Click here to enter text.](#)

DOLLAR VALUE OF CONTRACT: [Click here to enter text.](#)

STATE FUNDED PORTION
OF CONTRACT: [Click here to enter text.](#)

SET-ASIDE VALUE OF
STATE FUNDED PORTION
OF THE CONTRACT: SBE [Click here.](#) % [Click here.](#)

MBE [Click here.](#) % [Click here.](#)

CONTRACTOR INFORMATION

NAME OF CONTRACTOR: [Click here to enter text.](#)

MAIN OFFICE ADDRESS: [Click here to enter text.](#)
[Click here to enter text.](#)

*****MUST BE ON MUNICIPAL LETTERHEAD*****

TELEPHONE NUMBER: [Click here to enter text.](#)

NUMBER OF EMPLOYEES: [Click here to enter text.](#)
(if known)

SUBCONTRACTOR INFORMATION: Please list any subcontractors who were listed by the Contractor for this project.

[Click here to enter text.](#)

WERE THE FOLLOWING FACTORS CONSIDERED IN THE SELECTION OF THIS CONTRACTOR?

1. The bidder's success in implementing an affirmative action plan:
 Yes No Unknown
2. The bidder's success in developing an apprenticeship program complying with Sections 46a-68-1 to 46a-68-17, inclusive:
 Yes No Unknown
3. The bidder's promise to develop and implement a successful affirmative action plan:
 Yes No Unknown
4. The bidder's submission of EEO-1 data indicating that the composition of the workforce is at or near parity when compared to the racial and gender composition of the workforce in the relevant labor market area:
 Yes No Unknown
5. The bidder's promise to set aside a portion of the contract for legitimate minority business enterprises:
 Yes No Unknown

AGENCY CONTACT PERSON

NAME: [Click here to enter text.](#)

JOB TITLE: [Click here to enter text.](#)

ADDRESS: [Click here to enter text.](#)

TELEPHONE: [Click here to enter text.](#)

CHECK WHETHER
AFFIDAVIT IS
ALREADY ON FILE

Commission on Human Rights and Opportunities

Figure 1. Commission on Human Rights and Opportunities - Total and Sample Cases in Florida

Download all of the affidavits received by the Commission along with the date of their receipt and the date they were offered into evidence (see Affidavit) and you will see the dates when a year expiration of an affidavit may appear on the list below. If the affidavit is expired, no way is available (please contact Spouse HRG at gov/THROAffidavit.html for more information) can be found there.

When you have a file for an affidavit, you can print it out and use it for your own use. If you are working on a multiple project that requires an affidavit to be filed, the computer will indicate the date that a file is available and if not, the affidavit is already on file.

Company Name	Date of Affidavit	Affidavit Expiration
Advent Health Inc.	10/20/19	10/20/20
A. Von Dorn LLC	10/14/2019	10/14/2020
A. Von Dorn LLC	10/14/2020	10/14/2021
ABC Insurance Services Inc.	1/14/2019	1/14/2020
ABC Insurance	1/14/2019	1/14/2020
ABC Insurance	1/14/2020	1/14/2021
ABC Insurance	1/14/2021	1/14/2022
ABC Insurance	1/14/2022	1/14/2023
ABC Insurance	1/14/2023	1/14/2024
ABC Insurance	1/14/2024	1/14/2025
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ABC Insurance	1/14/2094	1/14/2095
ABC Insurance	1/14/2095	1/14/2096
ABC Insurance	1/14/2096	1/14/2097
ABC Insurance	1/14/2097	1/14/2098
ABC Insurance	1/14/2098	1/14/2099
ABC Insurance	1/14/2099	1/14/2100

WHEN AFFIDAVIT IS NOT CURRENT OR NOT ON FILE



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by keyword

Below is a list of all affidavits received by the Commission along with the date of their receipt and the date they are effective until. To view the affidavit, simply click on the company's name. If your organization's name does not appear on the list when it should, or if the affidavit displayed requires updating, please contact Spencer.Hill@ct.gov. **Fillable affidavit forms for contractors can be [found here](#).**

Please note that affidavits are not project specific and are valid for one year. If a contractor is working on multiple projects that require an affidavit to be filed, the contractor can indicate that their affidavit is up-to-date and direct the awarding body to this website.

Company Name	Date of Affidavit	Affidavit Expires
A. Secondino & Son Inc.	10/8/2019	10/8/2020
A. Vets Demo LLC	12/14/2018	12/14/2019
A. Vittit Excavators LLC	10/16/2020	10/16/2021
A&S Electrical Services Inc.	7/10/2018	7/10/2019
A&R Electric Inc.	7/9/2019	7/9/2020
A.L. Fire Protection LLC	3/16/2018	3/16/2019





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- Search Office of Policy and Management
- by Keyword

ALL NONDISCRIMINATION FORMS RESCINDED AS OF JULY 1 2021

REQUIRED FOR ALL CONTRACT TYPES

Non-Discrimination Certification

Effective Date: January 13, 2016

Non-Discrimination Certification Forms		
Form A: Representation by Individual	Form A: A - Word format	Form A: A - pdf format
Form B: Representation by Entity	Form B: B - Word format	Form B: B - pdf format
Form C: Affidavit by Entity	Form C: C - Word format	Form C: C - pdf format
Form D: New Resolution by Entity	Form D: D - Word format	Form D: D - pdf format
Form E: Prior Resolution by Entity	Form E: E - Word format	Form E: E - pdf format

DESCRIPTION

The above non-discrimination certification forms have been approved as an additional search application for compliance with the State's anti-discrimination laws. See Department of General Services' anti-discrimination manual.

By law, a contractor must provide an awarding state agency with a non-discrimination certification prior to awarding any contract with the State. If after the initial submission of state may change its award decision and the contractor will provide the updated non-discrimination certification to each potential bidder within ten days of the award change process the execution of a new contract with the state or potential violation of the state's anti-discrimination laws. Such contractor shall also notify a state law enforcement agency within ten days after the award that may be a violation of the law, and file a complaint with the appropriate state agency.

A non-discrimination certification is generally required for all state contracts - www.fiscal.state.ct.gov, www.ct.gov/procurement (tab 6)

FORMAT

When a contractor provides a non-discrimination form, it must be submitted in an .rtf or .doc format. Form A is a [Word document](#) used for contracts with an individual who is not a party, regardless of the number of bidders. Form C is a [Word document](#) used for contracts with an entity when the contract value is less than \$10,000. Form E is a [Word document](#) for contracts to use as a form for a contractor to file with an entity. If forms are submitted, please use Form C with [Word](#) file name: [Form C - Non-Discrimination Form](#) or [Form D](#).



STATE OF CONNECTICUT
NONDISCRIMINATION CERTIFICATION – Affidavit
By Entity
For Contracts Valued at \$50,000 or More

Documentation in the form of an affidavit signed under penalty of false statement by a chief executive officer, president, chairperson, member, or other corporate officer duly authorized to adopt corporate, company, or partnership policy that certifies the contractor complies with the nondiscrimination agreements and warranties under Connecticut General Statutes §§ 4a-60 and 4a-60a, as amended

INSTRUCTIONS:

For use by an entity (corporation, limited liability company, or partnership) when entering into any contract type with the State of Connecticut valued at \$50,000 or more for any year of the contract. Complete all sections of the form. Sign form in the presence of a Commissioner of Superior Court or Notary Public. Submit to the awarding State agency prior to contract execution.

AFFIDAVIT:

I, the undersigned, am over the age of eighteen (18) and understand and appreciate the obligations of an oath. I am _____ of _____, an entity
Signatory's Title Name of Entity
duly formed and existing under the laws of _____
Name of State or Commonwealth

I certify that I am authorized to execute and deliver this affidavit on behalf of _____
Name of Entity and that _____
Name of Entity

has a policy in place that complies with the nondiscrimination agreements and warranties of Connecticut General Statutes §§ 4a-60 and 4a-60a, as amended.

Authorized Signatory

Printed Name

Sworn and subscribed to before me on this _____ day of _____, 20____.

Commissioner of the Superior Court/ Notary Public

Commission Expiration Date

*****MUST BE ON MUNICIPAL LETTERHEAD*****

Public Works Projects Over \$500,000 in State Funding

Company Name
Street Address
City, State, ZIP Code

RE: Project number and name
Project location
Contract award amount
State funded portion of contract value
SBE/MBE Set-Aside Requirement (Choose an item by clicking here)

Attn: Bidder Company Official

Date: Date of transmittal

Subject: Affirmative Action Plan Requirements/ Intent to Award Contract

Dear **Bidder Company**,

Your company has been identified as the bidder of choice for the above referenced project. The work for this project falls under the provisions of CONN. GEN. STAT. Sections 46a-68c and 46a-68d which requires that prior to the award of this contract by this agency, you must have your company affirmative action plan approved by the Commission on Human Rights and Opportunities. Enclosed for your convenience is the suggested format for an affirmative action plan to assist in the preparation of your company plan. Should you have any questions regarding the preparation of your plan, you may contact the Contract Compliance Unit at the Commission on Human Rights and Opportunities at (860) 541-4709.

A copy of your plan must be submitted to the Commission on Human Rights and Opportunities within 30 days of your receipt of this letter. The Commission will review your affirmative action plan as required by Sections 46a-68j-25 through 29 of the Administrative Regulations of Connecticut State Agencies within 60 days of submission. When the plan is approved, the Commission will notify you and this agency so the contract can be awarded. Please send your affirmative action plan to:

Commission on Human Rights and Opportunities
450 Columbus Boulevard, Suite 2,
Hartford, CT 06103
Attn: Contract Compliance Unit

*****MUST BE ON MUNICIPAL LETTERHEAD*****

Optional: You are also instructed to send a copy of the letter transmitting your plan to the Commission on Human Rights and Opportunities to:

Contract Awarding Agency Name

If you have any other questions concerning this matter, please contact the undersigned at **(your contact information)**.

Sincerely,

Your Name

copy: Contract Compliance Unit, CHRO

STATE FUNDS = OVER \$500K →

(B) REQUEST TO EXECUTE CONTRACT

The screenshot displays the website of the Commission on Human Rights and Opportunities. The page features a navigation menu on the left with options like 'Home', 'About Us', 'FAQ', and 'Contact Us'. The main content area is titled 'REQUEST FOR PROPOSALS' and contains a list of requests for funding. A large white arrow points to a specific entry in the list, which is highlighted with a black box. The entry is for a request for funding for a project related to the 'National Human Rights Commission'. The list includes various details such as the request number, the name of the organization, and the amount of funding requested.

Request No.	Request Title	Requesting Organization	Amount
1	Request for funding for the National Human Rights Commission	National Human Rights Commission	\$500,000
2	Request for funding for the National Human Rights Commission	National Human Rights Commission	\$500,000
3	Request for funding for the National Human Rights Commission	National Human Rights Commission	\$500,000
4	Request for funding for the National Human Rights Commission	National Human Rights Commission	\$500,000
5	Request for funding for the National Human Rights Commission	National Human Rights Commission	\$500,000

*****MUST BE ON MUNICIPAL LETTERHEAD*****

FOR CONTRACTS WITH OVER \$500,000 IN STATE FUNDING

TO: Contract Compliance Unit

FROM: [Click here to enter text.](#)

DATE: [Click here to enter a date.](#)

SUBJECT: Request to Execute Contract

We are requesting approval to execute the following contract immediately.

Intent to Award Notice:

[Click here to enter a date.](#) Date sent to CHRO
[Click here to enter text.](#) Included with this Request

Name of Project: [Click here to enter text.](#)

Contract Number: [Click here to enter text.](#)

Contract Value: [Click here to enter text.](#)

State Funded Portion
of Contract Value: [Click here to enter text.](#)

Contractor Name: [Click here to enter text.](#)

Contractor Address: [Click here to enter text.](#)

We agree to hold 2% of the State funded portion of the contract value each month, pending the review and approval of the Contractor's Affirmative Action Plan by CHRO. This retainage will not be released until CHRO notifies us that the contractor is in compliance with the statutory and regulatory requirements.

Thank you for your assistance.

STATE FUNDS = OVER \$500K →

(C) NONDISCRIMINATION
CERTIFICATION – AFFIDAVIT
BY ENTITY

The screenshot shows the website of the Commission on Human Rights and Opportunities. At the top, there is a navigation menu with options like 'Home', 'About Us', 'Services', 'Contact Us', and 'Resources'. Below the menu, there is a search bar and a list of entities. The entities are listed in a table with columns for 'Entity Name', 'Address', 'City', 'State', and 'Zip Code'. The 'City of San Francisco' is highlighted with a black box, and a white arrow points to it from the left. Below the list, there is a section for 'Additional Information' with a 'View All' button. The footer contains contact information for the Commission, including the address '1000 Market Street, Suite 1000, San Francisco, CA 94102' and the phone number '(415) 398-7000'.

WHEN AFFIDAVIT IS NOT CURRENT OR NOT ON FILE



[CT.gov Home](#) / [Commission on Human Rights and Opportunities](#) / [Contract Compliance Contractor Affidavits](#)

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Search Commission on Human Rights and Opportunities

by keyword

Below is a list of all affidavits received by the Commission along with the date of their receipt and the date they are effective until. To view the affidavit, simply click on the company's name. If your organization's name does not appear on the list when it should, or if the affidavit displayed requires updating, please contact Spencer.Hill@ct.gov. **Fillable affidavit forms for contractors can be [found here](#).**

Please note that affidavits are not project specific and are valid for one year. If a contractor is working on multiple projects that require an affidavit to be filed, the contractor can indicate that their affidavit is up-to-date and direct the awarding body to this website.

Company Name	Date of Affidavit	Affidavit Expires
A. Secondino & Son Inc.	10/8/2019	10/8/2020
A. Vets Demo LLC	12/14/2018	12/14/2019
A. Vittit Excavators LLC	10/16/2020	10/16/2021
A&S Electrical Services Inc.	7/10/2018	7/10/2019
A&R Electric Inc.	7/9/2019	7/9/2020
A.L. Fire Protection LLC	3/16/2018	3/16/2019





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- Resources and Data >
- Request for Proposals >
- Employment Opportunities >
- Procurement & Contracting >
- Other Links >
- Division Links >
- Connecticut Budget & Fiscal Policy >

Search Office of Policy and Management

by Keyword

ALL NONDISCRIMINATION FORMS RESCINDED AS OF JULY 1 2021

REQUIRED FOR ALL CONTRACT TYPES

Nondiscrimination Certification

Effective Date: January 13, 2016

Nondiscrimination Certification Forms

Form A: Representation by Individual	Form A: A: Word format	Form A: A: pdf format
Form B: Representation by Entity	Form B: B: Word format	Form B: B: pdf format
Form C: Affidavit by Entity	Form C: C: Word format	Form C: C: pdf format
Form D: New Resolution by Entity	Form D: D: Word format	Form D: D: pdf format
Form E: Prior Resolution by Entity	Form E: E: Word format	Form E: E: pdf format

DESCRIPTION

The above nondiscrimination certification forms have been approved as a condition of award for all contracts awarded by the State of Connecticut. The State's anti-discrimination laws are contained in the Connecticut General Statutes 38a-281 and 38a-282, et seq.

By law, a contractor must provide an awarding state agency with a non-discrimination certification prior to award. A contractor must provide a non-discrimination certification to the awarding state agency prior to award. If the contractor fails to provide a non-discrimination certification, the contractor will provide a non-discrimination certification to the awarding state agency within 10 business days of the date of award. If the contractor fails to provide a non-discrimination certification within 10 business days of the date of award, the contractor will be considered to have provided a non-discrimination certification to the awarding state agency. Such contractor shall be subject to a civil penalty of \$10,000 for each day after the date of award that the contractor fails to provide a non-discrimination certification to the awarding state agency.

A non-discrimination certification is generally required for all state contracts - www.fiscal.state.ct.us, www.ct.gov/procurement (tab 6)

REMARKS

When a contractor provides a non-discrimination form, it must be submitted in all applicable electronic formats. Form A is a [Word document](#) and the contractor must submit it with an individual who is the contractor's representative of the contractor. Form B is a [Word document](#) and the contractor must submit it with an individual who is the contractor's representative of the contractor. Form C is a [Word document](#) and the contractor must submit it with an individual who is the contractor's representative of the contractor. Form D is a [Word document](#) and the contractor must submit it with an individual who is the contractor's representative of the contractor. Form E is a [Word document](#) and the contractor must submit it with an individual who is the contractor's representative of the contractor.



STATE OF CONNECTICUT
NONDISCRIMINATION CERTIFICATION – Affidavit
By Entity
For Contracts Valued at \$50,000 or More

Documentation in the form of an affidavit signed under penalty of false statement by a chief executive officer, president, chairperson, member, or other corporate officer duly authorized to adopt corporate, company, or partnership policy that certifies the contractor complies with the nondiscrimination agreements and warranties under Connecticut General Statutes §§ 4a-60 and 4a-60a, as amended

INSTRUCTIONS:

For use by an entity (corporation, limited liability company, or partnership) when entering into any contract type with the State of Connecticut valued at \$50,000 or more for any year of the contract. Complete all sections of the form. Sign form in the presence of a Commissioner of Superior Court or Notary Public. Submit to the awarding State agency prior to contract execution.

AFFIDAVIT:

I, the undersigned, am over the age of eighteen (18) and understand and appreciate the obligations of

an oath. I am _____ of _____, an entity
Signatory's Title Name of Entity

duly formed and existing under the laws of _____
Name of State or Commonwealth

I certify that I am authorized to execute and deliver this affidavit on behalf of

_____ and that _____
Name of Entity Name of Entity

has a policy in place that complies with the nondiscrimination agreements and warranties of Connecticut General Statutes §§ 4a-60 and 4a-60a, as amended.

Authorized Signatory

Printed Name

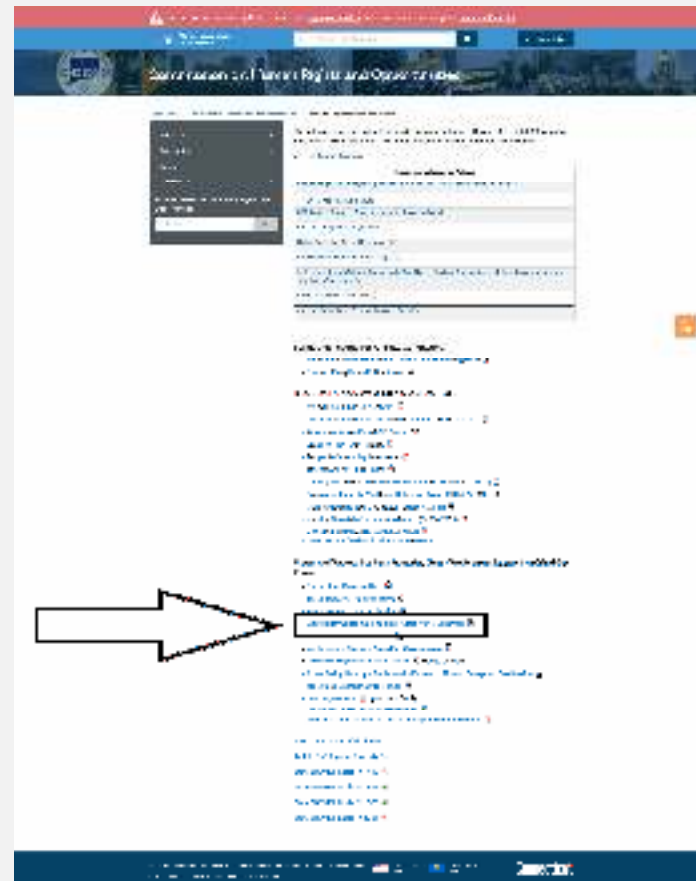
Sworn and subscribed to before me on this _____ day of _____, 20____.

Commissioner of the Superior Court/ Notary Public

Commission Expiration Date

IS THERE LANGUAGE TO BE INCLUDED IN THE CONTRACT ITSELF?

Yes.



Non-Discrimination and Affirmative Action Provisions

(A)(1) The Contractor agrees and warrants that in the performance of the Contract such Contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, sexual orientation, intellectual disability, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by such Contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the state of Connecticut. The Contractor further agrees to take affirmative action to assure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, intellectual disability, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by such Contractor that such disability prevents performance of the work involved; (2) the Contractor agrees, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, to state that it is an "affirmative action-equal opportunity employer" in accordance with regulations adopted by the commission; (3) the Contractor agrees to provide each labor union or representative of workers with which such Contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such Contractor has a contract or understanding, a notice to be provided by the commission advising the labor union or workers' representative of the Contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; (4) the Contractor agrees to comply with each provision of this section and sections 46a-58e and 46a-68f and with each regulation or relevant order issued by said commission pursuant to sections 46a-56, 46a-58e, 46a-68f and 46a-69; (5) the Contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the Contractor as relate to the provisions of this section and section 46a-56.

(B) Any Contractor who is a party to a municipal public works contract or quasi-public agency project, where any such contract is valued at less than \$50,000 for each year of the contract, shall provide the Commission on Human Rights and Opportunities with a written or electronic representation that complies with the nondiscrimination agreement and warranty under subsection (A)(1) above, provided if there is any change in such representation, the Contractor shall provide the updated representation to the Commission not later than 30 days after such change. Any Contractor who is a party to a municipal public works contract or a quasi-public agency project, where any such contract is valued at \$50,000 or more for any year of the contract, shall provide the Commission with any one of the following: (1) Documentation in the form of a company or corporate policy adopted by resolution of the board of directors, shareholders, managers, members or other governing body of such Contractor that complies with the nondiscrimination agreement and warranty under subsection (A)(1) of this section; (2) Documentation in the form of a company or corporate policy adopted by a prior resolution of the board of directors, shareholders, managers, members or other governing body of such contractor if (a) the prior resolution is certified by a duly authorized corporate officer of such contractor to be in effect on the date the documentation is submitted, and the executive director of the Commission on Human Rights and Opportunities or designee certifies that the prior resolution complies with the nondiscrimination agreement and warranty under subsection (A)(1) of this section, or (3) Documentation in the form of an affidavit signed under penalty of false statement by a chief executive officer, president, chairman or other corporate officer duly authorized to adopt company or corporate policy that certifies that the company or corporate policy of the contractor complies with the nondiscrimination agreement and warranty under subsection (A)(1) of this section and is in effect on the date the affidavit is signed.


(C) If the Contract is a municipal public works contract or a quasi-public agency project, the Contractor agrees and warrants that s/he will make good faith efforts to employ minority business enterprises as subcontractors and suppliers of materials on such public works project. The Contractor shall include the provisions of subsection (A)(1) of this section in every subcontract or purchase order entered into to fulfill any obligation of a municipal public works contract or contract for a quasi-public agency project, and such provisions shall be binding on a subcontractor, vendor or manufacturer, unless excepted by regulations or orders of the Commission on Human Rights and Opportunities. The Contractor shall take such action with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions, including sanctions for noncompliance in accordance with section 46a-56; provided, if such Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Commission regarding a state contract, the contractor may request the state of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the state and the state may so enter.

(D) "Minority business enterprise" means any small contractor or supplier of materials fifty-one per cent or more of the capital stock, if any, or assets of which is owned by a person or persons: (1) Who are active in the daily affairs of the enterprise; (2) who have the power to direct the management and policies of the enterprise and (3) who are members of a minority, as such term is defined in subsection (a) of section 32-36; and "good faith" means that degree of diligence which a reasonable person would exercise in the performance of legal duties and obligations. "Good faith efforts" shall include, but not be limited to, those reasonable initial efforts necessary to comply with statutory or regulatory requirements and additional or substituted efforts when it is determined that such initial efforts will not be sufficient to comply with such requirements. Determination of the Contractor's good faith efforts shall include, but shall not be eliminated to, the following factors: The contractor's employment and subcontracting policies, patterns and practices; affirmative advertising recruitment and training, technical assistance activities and such other reasonable activities or efforts as the Commission on Human Rights and Opportunities may prescribe that are designed to assure the participation of minority business enterprises in municipal public works contracts or quasi-public agency projects. "Municipal public works project" means that portion of an agreement entered into on or after October 1, 2015, between any individual, firm or corporation and a municipality for the construction, rehabilitation, conversion, extension, demolition or repair of a public building, highway or other changes or improvements in real property, which is financed in whole or in part by the state, including, but not limited to, matching expenditures, grants, loans, insurance or guarantees but excluding any project of an alliance district, as defined in section 10-262a, financed by the state funding in an amount equal to fifty thousand dollars or less. "Quasi-public agency project" means the construction, rehabilitation, conversion, extension, demolition or repair of a building or other changes or improvements in real property pursuant to a contract entered into on or after October 1, 2015, which is financed in whole or in part by a quasi-public agency using state funds, including, but not limited to, matching expenditures, grants, loans, insurance or guarantees.

**CONTRACTS WITH STATE
FUNDING OF \$50K-\$500K
→ CONTRACTOR MUST
FILE SET-ASIDE PLAN**

Commission on Human Rights and Opportunities

Agencies that are required to submit a set-aside plan for state-funded contracts



- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000
- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000
- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000
- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000
- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000

Requirements for All State-Funded Contracts


- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000

Requirements for Construction Contracts

- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000
- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000
- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000
- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000
- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000

Requirements for State-Funded Contracts for Construction of Major Infrastructure

- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000
- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000
- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000
- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000
- Total value of contracts: \$50,000 - \$500,000
- State funding of \$50,000 - \$500,000



10/20/2023 10:00 AM

**A CONTRACTOR'S INITIAL SUBMISSION OF A SET-
ASIDE PLAN OR AN AFFIRMATIVE ACTION PLAN
MUST BE MAILED TO THE CHRO AND HAVE
ORIGINAL SIGNATURES**

Mailing address:

The CHRO recommends that you, as the municipality, request a transmittal letter from the contractor once the required plan has been sent.

Contract Compliance/Affirmative Action Unit
Commission on Human Rights and Opportunities
450 Columbus Boulevard, Suite 2
Hartford, CT 06103

Alvin Bingham
Contract Compliance Unit Supervisor

Alvin.Bingham@ct.gov

860-541-4709