

## Hartford fired consultant now at the center of state school construction scandal; cost a key factor, mayor says

By Edmund H. Mahony and Eliza Fawcett

The city of Hartford hired a new consultant on a school building project — even through it already had a different consultant under contract for the same work.

Elsewhere in the state, several cities and towns building new schools said they were told to reject low bids for demolition work and hire a contractor that charged more.

Similar issues are becoming public as federal investigators dig in on an investigation focused largely on the state's pricey school construction program — a program under which

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the state spends hundreds of millions of dollars annually to reimburse cities and towns for the costs of building and renovating schools.

At the center of the investigation, according to a federal grand jury subpoena served on the state in October, is former state Rep. Konstantinos Diamantis, a Bristol Democrat who ran the Connecticut Office of School Construction Grants & Review. Gov. Ned Lamont fired Diamantis from his position of deputy secretary of the Office of Policy and Management on Oct. 28, days after the

subpoena was served.

Municipal school officials have alleged that Diamantis, who had substantial control over how school construction grants were awarded and at what rate cities and towns were reimbursed, used threats to withhold state financing as leverage to press them to hire builders and other contractors of his choice.

Hartford officials said Diamantis inserted himself into the city's Bulkeley High School reconstruction project to press the city to hire a consultant. The city hired Construction Advocacy Professionals, an eastern Connecticut consultant that acts as the owner's representative on construction projects.

At the time of the Diamantis intervention, Hartford had the firm ARCADIS/O&G under contract as its owner's representative. The ARCADIS joint venture had been hired in 2010 when the city school system was under state control and had been supervising a massive, city-wide school renovation program for a decade.

People familiar with the event said Diamantis was critical of work done by ARCADIS/O&G. The city also believed it would be reimbursed by the state, through Diamantis, for the cost of CAP's services.

When Hartford learned from Diamantis' old office — after his dismissal in October — that the city would not be reimbursed for work by CAP, the city terminated the contract, Mayor Luke Bronin said.

“Since the state covers the overwhelming share of school construction costs, the city's school building committee gave a great deal of deference to the state official in charge of school construction — including his direction that an additional owner's representative should be hired to oversee project costs, at the state's expense,” Bronin said.

“When it was recently made clear that the state would not reimburse the costs for that firm, the contract with that firm was immediately terminated,” Bronin said.

Attorney Craig Raabe, who represents CAP owner Antonietta DiBenedetto Roy, said she declined comment.

Municipal officials and contractors across the state have complained about being pressed by Diamantis over who to hire and the suspension of competitive bidding or other project issues, including in Groton, New London, Manchester, Tolland, Hartford, New Britain, Danbury and Norwalk.

State representative and former Tolland

Town Council Chairman Tammy Nuccio said recently that Diamantis used his control over state financing to bully her town into skipping competitive bidding and hiring CAP and a construction manager of his choice.

“It was, ‘Do what we want or you are not going to have emergency status,’ “ Nuccio said. “ ‘Do what we want or you are not going to have funding. Do what we want or you are going to go over and you are going to have to pay that amount.’ Kosta said, point blank, ‘I own this project.’ ”

In New Britain, officials said Diamantis’ recommendation that the city hire a consultant led to the hiring of CAP and touched off a dispute between Mayor Erin Stewart and the school board. The Stewart administration wanted to supervise the project in-house. The board however, followed Diamantis’ advice.

At the time, in 2019, New Britain had a dozen or so school projects that had been completed but needed to be closed out in order to obtain state reimbursement. Merrill Gay, vice president of the school board, said “the state” recommended hiring CAP as a consultant to complete the work. Gay said he did not recall pressure to hire CAP.

“It didn’t seem unreasonable to get a consultant on this, and that the state was

saying, ‘Here’s somebody qualified who can get it done for you.’ It didn’t seem that unrealistic,” he said. “I don’t know if there was any pressure from the state that the administration was getting. We didn’t hear about it in the board.”

Disputes also surfaced elsewhere over the intervention of Diamantis’ office in the award of demolition work, which occurs early in the construction process and can involve unexpected costs arising from discovery and removal of hazardous materials. The construction industry has complained to the towns, the Lamont administration and to state Attorney General William Tong about decisions by Diamantis to waive competitive bidding and award contracts on school jobs in Groton and Bristol.

According to correspondence, both towns were instructed by Diamantis or his office to reject contractors selected after submitting the low price in competitive bidding in 2020 and hire contractors who had submitted higher bids, but were on a state list of companies pre-selected to do emergency work. The towns initially followed the instructions, but ultimately reversed themselves and hired the low bidders.

The state intervention and ultimate reversal is demonstrated in a long letter, obtained by

the Courant, from an attorney for the city of Bristol to Diamantis on May 5, 2020. Corporation Counsel Wyland Dale Clift asks Diamantis to clarify his instruction to scrap the low bid in favor of a higher price and give the city “assurance and confirmation” that doing so would not put it and its general contractor in “legal jeopardy.”

The letter claimed, among other things, that a former Diamantis assistant “represented that you were directing all bids for abatement and demolition to be rejected. This directive came so late in the process and was so surprising, the project personnel sought and received verbal reinforcement and validation of your directive over the next several days.”

Diamantis’ lawyer, Norm Pattis, said disagreement over bidding for the demolition work may arise from different accounting practices for the costs of construction and hazardous material abatement.

“The lines between abatement and school construction projects were not entirely clear to many local school administrators,” Pattis said. “And the local administrators ended up with the lowest bidder. We reject the suggestion that Mr. Diamantis did anything inconsistent with his duties as a state administrator.”

In another letter obtained by the Courant, a construction industry lawyer, Ray Garcia, working with a trade group, asked Tong to intervene “to stop the persistent effort by the Office of Policy and Management and municipalities to circumvent statutory public bidding requirements for Connecticut financed school construction projects.”

Tong said Thursday he arranged a series of meetings with Garcia and a variety of state officials and believes the specific concerns of bid procedures in Groton and Bristol were resolved. ■