

**Sec. 26-194-2. Bidding Procedures for Shellfish Grounds Leases**

(a) The commissioner, in leasing shellfish grounds under the jurisdiction of the department, shall solicit bids for all leases which are not otherwise subject to preference, pursuant to section 26-194 of the Connecticut General Statutes, in reletting.

(b) Bids shall be made on a form that is supplied by the commissioner and approved by the Attorney General, in accordance with section 26-194 of the Connecticut General Statutes, and shall contain the following information:

(1) Name and address of the person or organization seeking to lease the shellfish grounds;

(2) The annual lease fee the bidder proposes to pay to lease the shellfish grounds, provided the bid amount shall be at least the minimum fee of four dollars per acre;

(3) A certification that the bidder applies for such shellfish grounds lease solely for the purpose of cultivating and harvesting shellfish. Each bidder shall certify that the bid is not made for the benefit of another, and that the bidder is the sole party in interest; and

(4) A certification that the bidder shall not interfere with any established rights of fishing.

(c) Notice of invitation to bid shall be published in a newspaper having a general circulation in the state of Connecticut at least two weeks prior to the closing of the acceptance of bids.

(d) The commissioner, or an agent designated pursuant to subsection (f) of section 26-194 of the Connecticut General Statutes, shall review the bids, and then award the lease to the highest responsible bidder based upon the following criteria:

(1) The amount of the bid offered for use of the shellfish grounds;

(2) The compliance history of the bidder with respect to any lease previously issued to the bidder pursuant to chapter 491 of the Connecticut General Statutes; and

(3) The compliance history of the bidder with respect to compliance with state laws including, but not limited to: business registration, the payment of any state taxes, or payment upon debt or contract with the state. The bidder may not be in default as surety, contractor, or otherwise on any obligation to the state.

(e) The commissioner reserves the right to reject any and all bids based on one or more of the criteria in subsection (d) of this section. In the event a bidder has a bid rejected by the commissioner, the bidder shall be notified, in writing, within fifteen (15) days of the rejection.

(f) The selected highest responsible bidder shall hold a valid Shellstock Shipper I license within twenty (20) days of notification by the department that a lease will be offered to such bidder and such bidder shall maintain the license throughout the term of any lease. Any such lease or lease renewal shall comply with section 26-194 of the Connecticut General Statutes.

(g) Upon receipt of notification of a written award notice for any lease with an annual payment greater than five thousand dollars to the state for use of such shellfish grounds, the selected highest responsible bidder shall, at or before the time set by the department for signing the lease, deposit with the department a surety company bond for two-thirds of the total amount of the lease payments due for the term of the lease as security for payment of the lease rent and performance of the covenants of the lease. The surety bond shall be obtained from a corporate surety licensed to sign bonds in the state. The bond shall be valid and in effect throughout the term of the lease and for a period of ninety (90) days after the

*Regulations of Connecticut State Agencies*

---

---

termination of the lease and of any renewal of the lease.

(Effective February 4, 2021)