

DOCKET NUMBER 2017-32	:	OFFICE OF STATE ETHICS
	:	
IN THE MATTER OF A	:	18-20 TRINITY STREET
	:	
COMPLAINT AGAINST	:	HARTFORD, CT 06106
	:	
KOZAK & SALINA, LLC	:	MARCH 20, 2019

### **STIPULATION AND CONSENT ORDER**

Pursuant to the Code of Ethics, General Statutes §§ 1-79, et seq., Thomas K. Jones, Ethics Enforcement Officer for the Office of State Ethics (“OSE”), issued a Complaint against the Respondent Kozak & Salina, LLC (“K&S” or “Respondent”) for violations of Part IV of the Code of Ethics (“Ethical Considerations Concerning Bidding and State Contracts”), Connecticut General Statutes §§ 1-101mm *et seq.* Based on the preliminary investigation by the Enforcement Division of the OSE, the OSE finds there is probable cause to believe that the Respondent violated the Code of Ethics as set forth in the Complaint.

The Parties have entered into this Stipulation and Consent Order following the issuance of the Complaint, but without any adjudication of any issue of fact or law herein.

#### **I. STIPULATION**

The Office of State Ethics and the Respondent stipulate to the following facts:

1. At all times relevant hereto, K&S was a limited liability company registered to conduct business in the state of Connecticut.

2. On or about October 2014, K&S entered into a contract with the Connecticut Technical High School System (“CTHSS”) whereby K&S would provide “external relations and strategic consulting services” to CTHSS through June 30, 2015.
3. On or about August 2015, K&S entered into a contract with CTHSS whereby K&S would provide “external relations and strategic consulting services” to CTHSS through June 30, 2016.
4. From no later than October 2014 to no earlier than June 30, 2016 (the “relevant time period”), K&S was a “party to a consultant services contract” with a state agency as contemplated by General Statutes § 1-101nn (a).
5. On or about December 2014, K&S entered into a private contract with a North Branford business to provide “government relations and strategic consulting services,” for a term beginning on January 1, 2015 and ending on December 31, 2015 in the amount of twenty one thousand dollars (\$21,000.00).
6. During the relevant time period and simultaneous to the work performed under its contract with CTHSS, K&S represented the North Branford business before CTHSS pursuant to K&S’ contract with the North Branford business.
7. During the relevant time period, K&S submitted invoices to be paid by CTHSS, which CTHSS paid.
8. The invoices submitted by K&S to CTHSS included work that K&S performed on behalf of the North Branford business in representing the North Branford business before CTHSS.
9. In submitting said invoices to the CTHSS, and receiving payment therefore, K&S

violated General Statutes § 1-101nn by including work performed on behalf of the North Branford company in the description of work performed on behalf of CTHSS.

10. Each time K&S submitted invoices to CTHSS that included work performed for its private client constitutes a separate and distinct violation of General Statutes §1-101nn.

11. Respondent admits to the facts as set forth herein and admits such facts constitute violations of § 1-101nn (a) (B) of Part IV of the Code of Ethics.

## **II. RESPONDENT'S POSITION**

1. Respondent states that its violation was inadvertent and based on what Respondent believed was a good faith attempt at full disclosure to CTHSS.

2. Respondent states that its contract with CTHSS only required that it "recap the services rendered" on its invoices but that the contract did not state that Respondent needed to itemize the services that it performed on CTHSS' behalf. Nevertheless, Respondent states that it attempted to provide such an itemization for CTHSS on its invoices.

3. Respondent states that it believed that its work on behalf of the North Branford business was a benefit to the state because the North Branford business was seeking to donate equipment to the state.

4. Respondent states that, irrespective of its work on behalf of its private clients, Respondent fully performed its services under its contract with CTHSS.

## **III. JURISDICTION**

1. The Ethics Enforcement Officer is authorized to investigate the Respondent's acts as set forth herein, and to issue a Complaint against the Respondent.

2. The Office of State Ethics, through the Citizen's Ethics Advisory Board, is authorized to enter into this Stipulation and Consent Order.
3. The provisions of this Stipulation and Consent Order apply to and are binding upon the Respondent.
4. The Respondent hereby waives all objections and defenses to the jurisdiction of the Ethics Enforcement Officer over matters addressed in this Stipulation and Consent Order.
5. The Respondent waives any rights it may have under General Statutes §§ 1-80, 1-82, 1-82a, 1-87, 1-88, 1-89 and 4-183, including the right to a hearing or appeal in this case, and agrees with the Office of State Ethics to an informal disposition of this matter as authorized by General Statutes § 4-177 (c).
6. Except as otherwise expressly set forth herein, the Respondent consents to jurisdiction and venue in the Connecticut Superior Court, Judicial District of Hartford, in the event that the State of Connecticut seeks to enforce this Stipulation and Consent Order. The Respondent recognizes that the Connecticut Superior Court has the authority to specifically enforce the provisions of this Stipulation and Consent Order, including the authority to award equitable relief.
7. The terms set forth herein are in addition to, and not in lieu of, any other existing or future statutory, regulatory, or other legal obligation that may be applicable to the Respondent.
8. The undersigned signatory on behalf of Respondent states, under penalty of false statement, that he is authorized by Respondent to sign this Stipulation and Order on its

behalf.

9. The Respondent understands that it has the right to counsel and has been represented by counsel throughout the investigation of the Complaint, and the negotiation of this Stipulation and Consent Order.

**IV. ORDER**

**NOW THEREFORE**, pursuant to General Statutes § 4-177 (c), the Office of State Ethics hereby **ORDERS**, and the Respondent agrees, that:

1. Pursuant to General Statutes § 1-88 (a) (1), the Respondent will heretofore cease and desist from any future violation of General Statutes § 1-101nn.
2. Pursuant to General Statutes § 1-88 (a) (3), the Respondent will pay civil penalties to the State in the amount of ten thousand dollars (\$10,000.00) for its violations of General Statutes § 1-101nn as set forth in the Complaint and herein.

**WHEREFORE**, the Ethics Enforcement Officer and the Respondent hereby execute this Stipulation and Consent Order dated March 21, 2019.

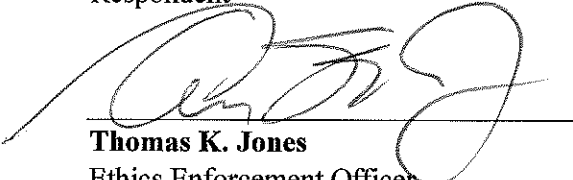
Dated: \_\_\_\_\_

3/21/19

  
\_\_\_\_\_  
**Kozak & Salina, LLC**  
Respondent

Dated: \_\_\_\_\_

3/21/19

  
\_\_\_\_\_  
**Thomas K. Jones**  
Ethics Enforcement Officer  
Connecticut Office of State Ethics  
18-20 Trinity Street  
Hartford, CT 06106  
(860) 263-2390