

# STATE PROPERTIES REVIEW BOARD

## Minutes of Meeting Held On August 16, 2012 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on August 16, 2012 in the State Office Building.

**Members Present:** Edwin S. Greenberg, Chairman  
Bennett Millstein, Vice-Chairman  
Bruce Josephy, Secretary  
Mark A. Norman  
Pasquale A. Pepe  
John P. Valengavich

**Staff Present:** Brian A. Dillon, Director  
Mary Goodhouse, Real Estate Examiner

Chairman Greenberg called the meeting to order.

Mr. Josephy moved and Mr. Norman seconded a motion to enter into Open Session. The motion passed unanimously.

### OPEN SESSION

**ACCEPTANCE OF MINUTES OF August 9, 2012.** Mr. Norman moved and Mr. Valengavich seconded a motion to approve the minutes of August 9, 2012. The motion passed unanimously.

### COMMUNICATIONS

**Freedom of Information Commission.** Board members each received a letter dated August 7, 2012 from Cynthia A. Cannata, Acting Clerk of the Freedom of Information Commission, regarding Docket #FIC 2012-314. The correspondence has been referred to the Board's DAS counsel for response.

### REAL ESTATE- UNFINISHED BUSINESS

#### REAL ESTATE- NEW BUSINESS

**PRB #** 12-205 **Transaction/Contract Type:** RE / Sale  
**Origin/Client:** DOT / DOT  
**Project Number:** (004)091-010-008A  
**Grantee:** Nod Brook, LLC  
**Property:** Located along the southwesterly side of Route 44 and east of Bailey Rd, Avon  
**Project Purpose:** DOT, Sale of Excess Property  
**Item Purpose:** Release of approximately 15,471+/- SF of vacant land to Grantee as a result of a sole-abutter bid.

Ms. Goodhouse reported that the release parcel of 15,471 SF was requested by Midwood Management Corporation, representing Nod Brook, LLC, owners of Nod Brook Mall. Because the parcel does not meet the spatial requirements of the zone, CGS §13a-80(c) allows DOT to offer the parcel to the sole abutter.

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The triangular shaped parcel lies between the abutter's 21.19 acre parcel at 287-315 West Main Street, Avon. The abutter's parcel is approved for additions to the existing mall, including an expansion of 51 parking spaces resulting in 627 parking spaces for approximately 100,602 SF, gross floor area commercial development, according to Certificate No. 142 B, issued April 19, 2011 by the State Traffic Commission, reference: Nod Brook Mall Expansion (The Fresh Market).

There are two existing driveways which will be reconfigured. The easterly driveway has a curb cut at the easterly boundary of the release parcel. It appears that the release parcel is not included in the STC approved site plan, and therefore not needed for site plan approval. For example, the parking lot design does not encroach upon the release parcel. Nod Brook, LLC is required to construct a sidewalk which will be in the state highway right of way, but not in the release parcel. It does appear from the site plan, dated March 29, 2011 that there are landscaping improvements (trees, ornamental shrubbery) in the release parcel.

The appraisal completed by Kenneth N. Goldberg as of December 9, 2011 was a "before and after" analysis value of the subject 21.19 acre commercial site. Mr. Goldberg relied on three sales of commercial land. Sale #1 is part of the subject property. Mr. Goldberg valued the release parcel at \$45,000. The proposed deed conveys to release parcel to Nod Brook, LLC for \$45,000 plus an administrative fee of \$1,000 for a total of \$46,000 to the State. The State retains a full and perpetual easement for existing utilities.

The sale complies with Sections 3-14b and 13a-80 of the CGS that govern the sale of non-conforming surplus property. The legislative delegation received notice as required. The town did not exercise a first right to purchase the property. The sale was approved by OPM on August 3, 2012. The content and form of the Quit Claim Deed are congruent with the compilation plan.

After reviewing the appraisal report, Board members recommended that staff collect additional information from Transportation regarding the appraisal process and the valuation of the subject release parcel.

**ARCHITECT-ENGINEER - UNFINISHED BUSINESS**

<b>PRB#</b>	<b>12-198</b>	<b>Transaction/Contract Type:</b>	AE / New Contract
<b>Project Number:</b>	BI-RT-842	<b>Origin/Client:</b>	DCS/DOE
<b>Contract:</b>	BI-RT-842-OR		
<b>Consultant:</b>	Turner Construction, Inc.		
<b>Property:</b>	J.M. Wright Technical High School, Stamford		
<b>Project Purpose:</b>	Additions and Renovations to J.M. Wright Technical High School		
<b>Item Purpose:</b>	New contract for the consultant to provide <i>Owners Representative</i> services from the construction document phase until the completion of construction		

According to the Master Plan dated 2001, the initial project scope at the J. M. Wright Technical High School included the renovation of the entire existing school plant consisting of 196,667± GSF and the addition of a new 3,700± GSF fitness center and chiller plant (on slab) for a total project area of 200,367 GSF. In June 2005 Northeast Collaborative Architects, LLC ("NCA") formerly known as Bianco Giolitto Weston Architects, LLC were selected by DCS for the project. NCA's initial total fee for the above work was \$1,910,580 based on a \$21,929,000 Construction Budget (PRB #05-121). The revisions to project scope requested by the Agency to meet new programmatic needs increased the Architect's total

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fee to \$2,442,384 and the Construction and Total Project Budgets to \$28,190,000 and \$40,023,991 respectively.

In May 2011 the Department of Construction Services (“DCS”) issued an RFP for Owners Representative Consultant Teams related to the J.M. Wright Renovations and Improvements Project. At the conclusion of the process DCS identified Turner Construction, Inc. as the most qualified firm.

PRB #12-198 is a contract for Owners Representative Consultant Services from CMR Procurement until the completion of construction. The contract initially presented for the Board’s review awarded an overall compensation rate for this basic service is \$1,512,010 with an additional \$294,245 for special consultant services and \$223,000 in contract alternates for a total contract of \$2,029,255.

Based upon the Board’s concerns over the total construction phase fee and contract alternates the contract was suspended by the Board on July 26, 2012. As such the Department of Construction Services (“DCS”) proceeded to contact Turner Construction Inc. (“TCI”) and renegotiate the contract. As a consequence of those discussions and consistent with the Board’s suspension, DCS has resubmitted the contract at a revised fee amount of \$1,806,255. This fee amount eliminates all the alternate and additional staffing plans for the project and reduces the initial contract amount by \$223,000. Based on this revised contract amount, SPRB staff recommends approval of this contract in the amount of \$1,806,255.

This contract is for Owners Representative Consultant Services from CMR Procurement until the completion of construction. DCS has confirmed for SPRB that funding is available for this contract. Project funding was approved pursuant to FY 2006 & 2009 State School Construction funding by the State Bond Commission.

**ARCHITECT-ENGINEER – NEW BUSINESS**

**OTHER BUSINESS**

The Board took the following votes in Open Session:

**PRB FILE #12-198** - Mr. Norman moved and Mr. Valengavich seconded a motion to approve PRB File #12-198. The motion passed unanimously.

**PRB FILE #12-205** - Mr. Valengavich moved and Mr. Norman seconded a motion to suspend PRB File #12-205, pending receipt of additional information regarding the project. The motion passed unanimously.

The meeting adjourned.

**APPROVED:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
Bruce Josephy, Secretary