

## STATE PROPERTIES REVIEW BOARD

### Minutes of Meeting Held On June 14, 2018 450 Columbus Boulevard, Hartford, Connecticut

The State Properties Review Board held its regular meeting on June 14, 2018 in Suite 2035, 450 Columbus Boulevard, Hartford, Connecticut.

**Members Present:** Edwin S. Greenberg, Chairman  
Bruce Josephy, Vice Chairman  
Jack Halpert

**Members Absent:** John P. Valengavich, Secretary

**Staff Present:** Dimple Desai  
Thomas Jerram

**Guests Present:** Garret Healy, DAS Intern  
Matthew Hoberman

Chairman Greenberg called the meeting to order.

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

### OPEN SESSION

### ACCEPTANCE OF MINUTES OF June 5, 2018.

Mr. Halpert moved and Mr. Josephy seconded a motion to accept the minutes of June 5, 2018. The motion passed unanimously.

### COMMUNICATIONS

Staff presented communications from James Mason of DOT providing existing contracts in place for the TMA functional replacement project; from Kevin Kopetz, Esq. DCS and a draft of the Staff response to Mr. Kopetz's memo; Staff distribution of a handout detailing the Design-Build process for Board review; an email communication from Antinozzi regarding a file before the Board that was forwarded to DCS for their action; and an email to Mark Kohler, Esquire, regarding the AG's representation of SPRB legal matters.

### REAL ESTATE- UNFINISHED BUSINESS

### REAL ESTATE – NEW BUSINESS

### ARCHITECT-ENGINEER - UNFINISHED BUSINESS

<b>PRB #</b>	<b>18-073</b>
<b>Origin/Client:</b>	DCS/CCSU
<b>Transaction/Contract Type</b>	CA / Amendment #1
<b>Project Number</b>	BI-RC-393
<b>Contract</b>	BI-RC-393-CA
<b>Consultant:</b>	Downes Construction Company, LLC
<b>Property</b>	Central Connecticut State University

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<b>Project Purpose:</b>	Kaiser Hall New Annex & Renovation Project
<b>Item Purpose</b>	Construction Administrator's Contract Amendment

This file was originally suspended from the May 24, 2018 SPRB meeting seeking additional information. DCS provided responses to the five issues brought forth at the May 24<sup>th</sup> meeting, of which four of the five provided explanation of the prior request. The one issue that is questioned by Staff is the following question and response:

Issue #3. Increase Project Superintendent's time to manage pre-construction submittals and close out \$35,774.00 – Review of Administration and technical submissions and shop drawings are routine for these types of projects and would have to be reviewed regardless of the timing. Provide details as to what changes necessitated increase in the Superintendent's time. The contract and purchase order with the General Contractor (Lawrence Brunoli, Inc.) was executed on December 11, 2017. Construction activities could not begin until the General Contractor submitted and received the stormwater management permit for construction activities from DEEP. The permit was issued by DEEP on February 14, 2018. 2 plus months period was used by the General Contractor to begin submittal preparation, coordination and approval. The project superintendent was needed during this time to process these submittals. Construction began with the notice to proceed dated February 14, 2018; the 16 –month construction duration began with this February notice to proceed. The construction phase duration for the superintendent's services matches the 16-month construction period. A 2 – month extension of the superintendent's time is needed to cover this pre-notice period and provide coverage for the final 2 – months of construction. The 90-day close out period for construction is in addition to the aforementioned time periods.

Staff has reviewed the responses and finds that the responses to items 1, 2, 4, 5 are acceptable. However, response to item 3 is not acceptable. Just because the General Contractor started reviewing the submittals 2 months before the notice to proceed for Construction does not warrant additional compensation for this time. Again, these reviews are not for "additional services". These reviews would have been conducted regardless of the start date. The coverage for the final 2-months of Construction is part of the original contract. Therefore, there should not be additional compensation for this "pre-construction" submittals.

It is recommended that the Board **SUSPEND** this file **PRB # 18-073**. DCS may wish to submit revised proposal.

## ARCHITECT-ENGINEER – NEW BUSINESS

<b>PRB #</b>	<b>18-090</b>
<b>Origin/Client:</b>	DCS/DOC
<b>Transaction/Contract Type</b>	AE / New Contract
<b>Project Number</b>	BI-JA-465
<b>Contract</b>	BI-RT-465-CA-2
<b>Consultant:</b>	Downes Construction Company, LLC
<b>Property</b>	York Correctional Institution, Niantic, CT
<b>Project Purpose:</b>	Central Plant & subsurface distribution upgrades
<b>Item Purpose</b>	Consulting Construction Administrator

In general this project involves the complete renovation and equipment replacement of the existing 9,700-GSF Central Plant. The project will include the replacement of existing boilers and chillers with high efficiency boilers and chillers and the replacement of all associated required pumps, valves and chemical treatment accessories. Due to the ongoing system failures the project includes the complete replacement of all 32,000-LF of 10-inch hot water and chilled water supply and return underground piping that services the system. This work will include all the required valve replacements and vault connections to

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connect all eighteen buildings located on the campus. Atypical expenses incurred for this project, and part of the CA Contract, include \$158,193 for commissioning services and \$435,960 for testing the integrity of the pipe welding and piping insulation jacket.

This contract is for Construction Administrator (CA) Consultant Services for the completion of the York Correctional Central Plant and Distribution Project. The scope of work for this contract includes both preconstruction and construction phase services as well as mechanical and building envelope commissioning. The overall compensation rate for basic services is **\$2,251,257** with an additional **\$594,153** for special services. DCS has confirmed for SPRB that funding is available for this contract through PA 13-239, Section 2(m), a bonding allocation totaling \$10 million. The costs of basic and special services are as follows:

	<u><b>COST (\$) (BASIC)</b></u>	<u><b>COST (\$) (SPECIAL)</b></u>	<u><b>C. Budget (\$)</b></u>	<u><b>(%) Budget</b></u>
<i>DCC Fee Design Phase CA Services. (Separate Contract) (PRB #18-090)</i>	<b>\$2,251,257</b>		<b>\$45,800,000</b>	<b>4.92%</b>
<b>DCC Fee Basic Services (PRB #18-090) (A)</b>	<b>\$2,251,257</b>		<b>\$45,800,000</b>	<b>4.92%</b>
<i>BVH Integrated Services– Commissioning</i>		<b>\$158,193</b>		
<i>Construction Phase Pipe Testing - TBD</i>		<b>+\$435,960</b>		
<b>Total Special Services Fee (B)</b>		<b>\$594,153</b>	<b>\$45,800,000</b>	<b>1.3%</b>
<b>TOTAL PROJECT FEE (A) + (B)</b>		<b>\$2,845,410</b>	<b>\$45,800,000</b>	<b>6.21%</b>

It is recommended that SPRB **APPROVE** this contract amendment as all the required documents have been submitted by DCS and the basic service fee will remain at \$2,251,257 which amounts to 4.92% of the construction budget which is generally consistent with the DCS Guideline of 5%. The CA contract includes additional fees for commissioning (\$158,193) and pipe weld testing (\$435,960), both considered a priority by DOC to ensure the integrity of the subsurface piping welds and insulation, as the existing system is failing after 24 years.

<b>PRB #</b>	<b>18-084</b>
<b>Origin/Client:</b>	DCS/SCSU
<b>Transaction/Contract Type</b>	AE / Amendment #1
<b>Project Number</b>	BI-RS-283
<b>Contract</b>	BI-RS-283-ARC
<b>Consultant:</b>	Centerbrook Architects and Planners, LLP
<b>Property</b>	Southern Connecticut State University
<b>Project Purpose:</b>	New Academic and Laboratory Building
<b>Item Purpose</b>	Architect Contract Amendment

The original contract was approved by the Board under file **PRB # 09-320**.

This amendment is to compensate the architect for the additional duration of the construction phase of the project. The original construction duration, defined in the Notice to Proceed to the Construction Manager at Risk, encompassed the period between May 13, 2013, and February 9, 2015 (substantial completion), for a total of 637 days. The duration of construction was modified by change order to July 13, 2015, extending the construction period by 172 days to a total of 809 days. This amendment acknowledges the adjusted construction period and necessary services by the Architect for a negotiated total of 110 days.

Staff recommends to **SUSPEND** this file for the following reason/s:

- Provide documentation that justify the need for additional compensation

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- Which component of work of the Architect contract was impacted by the extension of the duration
- Provide a CPM schedule with impacts on Architect's schedule of the substantial completion date

<b>PRB #</b>	<b>18-088</b>
<b>Origin/Client:</b>	DCS/MIL
<b>Transaction/Contract Type</b>	AE / Task Letter #2
<b>Project Number</b>	BI-Q-693
<b>Contract</b>	OC-DCS-MEP-0043
<b>Consultant:</b>	A/Z Corporation
<b>Property</b>	Camp Niantic, Niantic, CT
<b>Project Purpose:</b>	HVAC and BMS Upgrades
<b>Item Purpose</b>	Task Letter #2 to remove existing oil-fired furnace, replace with LP-fired direct vent system, provide split-unit air-conditioning systems, remove oil-fired water heaters, replace with indirect-fired water heater/storage, new Building Management Systems.

This project involves design, bidding and construction administration services for the following construction work: The complete project for Building 802 and 803 is to provide all Design, Labor, Materials and Equipment for the replacement of the existing boiler/hot water systems, installation of new heating ventilation and air conditioning (HVAC) systems, and a new Building Management Systems (BMS) at Camp Niantic located in Niantic, Connecticut, including the following:

1. Remove existing oil-fired boiler, replace with propane-fired direct vented, high efficiency condensing boiler
2. Provide air conditioning with split unit variable refrigerant systems
3. Remove existing oil-fired domestic hot water heaters, replace with indirect-fired water heater/storage
4. Provide new BMS to provide remote control of building HVAC systems.

Previously under **PRB # 18-066**, the Board approved **Task Letter # 1** for two buildings for items listed below in the amount of \$127,924.00: Building 802 – Design, Bid, and Construction Administration – FY 2018; and Building 803 – Design up to and including Construction Documents – FY 2018.

In October 2017, SPRB approved A/Z Corporation (“AZC”) (**PRB #17-289**) as one of the five firms under the latest On-Call Mechanical – Electrical – Plumbing (“MEP”) Series of consultant contracts. This is the first task letter that AZC has received under this series.

**TASK LETTER #2** is a new task letter and is subject to SPRB approval because the cumulative project fee for this project over \$100,000.

The Construction Budget and Total Project Budget for both buildings 802 and 803 have been established at **\$1,545,706** and **\$1,741,806** respectively. As detailed in the scope letters from AZC to DCS dated March 15, 2018 for Bldg. 803 and March 20, 2018 for Bldg. 802 the project fee of **\$158,791** is intended to compensate the consultant for the following projects scope: The project includes the replacement of boilers, the addition of A/C, and the connection of both systems to BMS for buildings 802 and 803 at Camp Niantic in Niantic, CT. This proposal includes the MEP design services, bid phase support, and construction administration services for these buildings.

This Task Letter # 2 is for bidding and construction administration for Bldg. 803.

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Task Letters – Various Camp Niantic Projects	Engineer Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
<b>PRB #18-066 Bldg 802 &amp; 803 (TL#1)</b>					
Schematic Design	\$23,258				
Design Development	\$31,012				
Contract Documents	\$46,518				
Bidding (Tracing and Masters)	\$3,877				
Construction Administration	<u>\$23,259</u>				
<b>Engineer's Total Base Fee (PRB #18-066)</b>	<b>\$127,924</b>			<b>\$1,545,706</b>	<b>8.3%</b>
<b>TOTAL PROJECT FEE (TL #1)</b>			<b>\$127,924</b>	<b>\$1,545,706</b>	<b>8.3%</b>
<b>PRB #18-088 Bldg 803 (TL#2)</b>					
Bidding (Tracing and Masters)	\$5,281				
Construction Administration	\$25,586				
<b>TOTAL PROJECT FEE (TL #2)</b>	<b>\$30,867</b>		<b>\$158,791</b>	<b>\$1,545,706</b>	<b>10.27%</b>

**RECOMMENDATION:** It is recommended that SPRB approve Task Letter #2. As summarized in the table above, the engineer's base fee as a percentage of Construction Budget is 10.27% whereas the maximum guideline rate for this Group A renovation construction project is 11%.

**NOTE:** DCS should use appropriate line items in determining construction costs. In the submission from DCS, DCS included Overall project budget that includes A/E fees/Other/DCS Fee in determining the maximum percentage fees afforded to the consultant. It is also recommended that DCS upload Form 1105 on SharePoint for SPRB staff review.

<b>PRB #</b>	<b>18-089</b>
<b>Origin/Client:</b>	DCS/DEEP
<b>Transaction/Contract Type</b>	AE / New Contract
<b>Project Number</b>	BI-RT-615
<b>Contract</b>	BI-RT-615-ARC
<b>Consultant:</b>	TLB Architecture, LLC
<b>Property</b>	West District HQ, Black Rock St. Park, Watertown
<b>Project Purpose:</b>	New Facility
<b>Item Purpose</b>	Architect Contract

In general this project involves the design and construction of a new facility to serve the West District of the Department of Energy and Environmental Protection. The proposed facility will be located at Black Rock State Park in Watertown. The new facility will provide office and meeting space for the following divisions: State Parks, Inland Fisheries, Engineering and Field Support Services, Forestry, and Law Enforcement. A public counter/service area will be provided to sell fish and game licenses, boating certificates, Charter Oak Passes and other related items and provide park/state maps and other related outreach publications. Also provided will be space for the Black Rock State Park maintenance unit which is currently located away from the park. Laboratory space will be provided for Inland Fisheries. The overall construction and total project budget have been established at approximately **\$7,100,000** and **\$10,285,478** respectively.

In March 2017 the Department of Construction Services ("DCS") issued a Request for Qualifications (RFQ) for *Architect & Engineer (A/E) Consultant Services* related to the New West District

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**Headquarters at Black Rock State Park.** At the conclusion of the interview process DCS identified **TLB Architecture, LLC** ("TLB") as the most qualified firm, approved by DAS Commissioner Currey on June 6, 2017.

This contract is for Architect/Engineer Consultant Design Team Services for the completion of the **New West District Headquarters at Black Rock State Park** from the initiation of a schematic design phase through the construction document phase, bidding and the subsequent completion of construction. The overall compensation rate for this basic service is \$762,435 with an additional \$389,044 for special services. As such the total project fee is \$1,151,479. The special services detailed in the project scope include wetlands crossing, permitting for utilities and Army Corp of Engineers, traffic engineering, geotechnical/environmental engineering, traffic control, LEED v4 Gold, LEED v4 Platinum, a Phase I & II and land survey consulting services, among others.

	<u>COST (\$) (BASIC)</u>	<u>COST (\$) (SPECIAL)</u>	<u>C. Budget (\$)</u>	<u>(%) Budget</u>
<b>TLB Fee for Basic Services (A)</b>			<b>\$7,100,000</b>	
Schematic Design	\$129,029			
Design Development	\$172,619			
Construction Documents Phase	\$228,339			
Bidding Phase	\$20,350			
Construction Administration Phase	\$212,098			
<b>TOTAL BASIC SERVICES Fee (A)</b>	<b>\$762,435</b>		<b>\$7,100,000</b>	<b>10.74%</b>
<b>SPECIAL SERVICES (B)</b>				
Wetlands Crossing Design		\$64,000		
Traffic Study		\$14,250		
Survey		\$3,325		
Geotechnical Services		\$22,573		
Environmental Services		\$41,549		
Utility Extension Design		\$43,355		
Utility Easement Services		\$14,250		
Permitting Services		\$33,242		
Traffic Control Services		\$7,500		
LEED v4 Gold/Platinum		\$145,000		
<b>TOTAL SPECIAL SERVICES (B)</b>		<b>\$389,044</b>		
<b>TOTAL PROJECT FEE (PRB #18-089)</b> <b>(A) + (B)</b>		<b>\$1,151,479</b>	<b>\$7,100,000</b>	<b>16.22%</b>

- The RFQ November 2017 elicited 13 responses. The Selection Panel interviewed three firms and ultimately recommended the appointment of TLB Architecture, LLC ("TLB"). The selection was approved by Commissioner Currey on 6/06/2017.
- DCC is locally located in New Britain. This firm was established in 1934 and has over 30 employees which includes registered Architects, professional engineers and construction professionals. (It was noted this paragraph was included in error)
- Smith Brothers Insurance, LLC reported that over the past 5 years DCC has been not been exposed to any general liability or professional liability claims.
- The submittal is accompanied by a Consulting Agreement Affidavit notarized on 5/04/2018.

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It is recommended that **SUSPEND** this new contract for the TLB Architecture, LLC at the West District Headquarters at Black Rock State Park for the following reasons:

- The total cost of the AE contract – Basic Services and Additional Services – total \$1,151,479, and DCS is requesting only \$1,087,479 for the Board approval on the memo. Please clarify what DCS is requesting; and
- Why does this fall under Group “C” for New Construction? Seems like this is a straight forward office building type of construction and should fall under Group “B”, which allows for 8.75% rate per DCS guidance. Based on this the basic fee seems high.
- Is the fee related to LEED certification in line with other projects? It about 20% of the total Basic Service Fees. What if the building does not achieve that certification? Does the State get credit for the fees charged?
- Confirm that funding for the AE contract is in place. There are several email communications stating funding is in place, but no specific communication regarding the total cost of the contract.
- Form 1105 does not have CD DAS Capital Project Request Approval

**OTHER BUSINESS**

**VOTES ON PRB FILES:**

The Board took the following votes in Open Session:

**PRB FILE #18-090** – Mr. Halpert moved and Mr. Josephy seconded a motion to approve PRB FILE #18-090. The motion passed unanimously.

**PRB FILE #18-073** – Mr. Josephy moved and Mr. Halpert seconded a motion to move this file from Architect-Engineer - New Business to Architect-Engineer - Unfinished Business. The motion passed unanimously. No other vote on this file was taken

**PRB FILE #18-084** – Mr. Halpert moved and Mr. Josephy seconded a motion to suspend PRB FILE #18-084, pending additional information from DCS. The motion passed unanimously.

**PRB FILE #18-088** – Mr. Halpert moved and Mr. Josephy seconded a motion to approve PRB FILE #18-088. The motion passed unanimously.

**PRB FILE #18-089** – Mr. Halpert moved and Mr. Josephy seconded a motion to suspend PRB FILE #18-089, pending additional information from DCS. The motion passed unanimously.

Next meeting Tuesday, June 18, 2018.

The meeting adjourned.

**APPROVED:**

  
John P. Valengavich, Secretary

Date: 6/28/18