

## STATE PROPERTIES REVIEW BOARD

### Minutes of Meeting Held On June 21, 2018 450 Columbus Boulevard, Hartford, Connecticut

The State Properties Review Board held its regular meeting on June 21, 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  
James Mason, DOT Principal Property Agent  
Terry Obey, DOT Director of Rights of Way  
Patrick O'Brien, JUD  
Brian Dillon, JUD

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 11, 2018.

Mr. Halpert moved and Mr. Josephy seconded a motion to accept the minutes of June 11, 2018. The motion passed unanimously.

### COMMUNICATIONS

Director Desai summarized communications with DAS/DCS Deputy Commissioner Salemi.

### REAL ESTATE- UNFINISHED BUSINESS

Mr. Halpert moved and Mr. Josephy seconded a motion to go out of Open Session and into Executive Session at 10:35. The motion passed unanimously.

#### EXECUTIVE SESSION

**PRB #** 18-068-A **Transaction/Contract Type:** AG/PDR  
**Origin/Client:** DoAG/DoAG

Mr. Halpert moved and Mr. Josephy seconded a motion to go out of Executive Session and into Open Session at 10:55. The motion passed unanimously.

#### OPEN SESSION

### REAL ESTATE – NEW BUSINESS

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<b>PRB #</b>	<b>18-095</b>
<b>Transaction/Contract Type:</b>	RE/Voucher
<b>Origin/Client:</b>	DOT/DOT
<b>Project Number:</b>	004-118-006B
<b>Grantor:</b>	Sharon Weintraub
<b>Property:</b>	117 Cider Brook Rd, Avon, CT
<b>Project Purpose:</b>	Replacement of Bridge #04470 & Reconstruction Old Farms Rd and Route 10 Intersection
<b>Item Purpose:</b>	Defined Easement for Highway Purposes (3,103 sf), Easement for Highway Purposes and appurtenances; Defined traffic easement (344 sf); and easement for install and maintain traffic signalization devices.

Defined Easement for Highway Purposes (3,103 sf), Easement for Highway Purposes and appurtenances; and a defined traffic easement (344 sf) to install and maintain traffic signalization devices and appurtenances.

**Project:** At this location, DOT will be installing new telephone type poles in conjunction with the replacement of Bridge #04470 and the relocation of the Old Farms Rd intersection with Waterville Road (Route 10). The state is acquiring a 3,103± defined easement for highway purposes, and to assist in an aerial encroachment for the proximity of the tree limbs to the utility wires. This aerial encroachment will assist DOT in future tree-trimming efforts. An additional defined traffic easement (344 sf) to install and maintain traffic signalization devices and appurtenances (guy wires).

**Valuation:** The subject property is a 3.00 acre site with frontage on both Cider Brook Road and Waterville Road (Route 10) improved with a 1.5-story cape-cod style dwelling containing 1,895 square feet of gross building area, constructed in 1931.

**EOC Valuation:** Consistent with DOT's agreement with FHWA an estimate of compensation (EOC) worksheet has been prepared for the subject taking. This process is used for simple acquisitions related to minor site improvements where the total cost is typically less than \$10,000. In this instance, the appraiser valued the site at 117 Cider Brook Road in Avon at \$2.00/SF. The following table indicates the results of the DOT Estimate of Compensation, prepared as of 03/23/2018:

<b>Item</b>	<b>Calculation</b>	<b>Damages</b>
Defined Easement for HWY purposes	3,103± SF @ \$2.00/SF x 90%	\$5,585.40
Defined Traffic Easement	344± SF @ \$2.00/SF x 50%	\$344.00
<b>Total:</b>	<b>rounded</b>	<b>\$6,000.00</b>

**Recommendation:** Board approval is recommended. The acquisition complies with Section 13a-73(c) of the CGS which governs the acquisition of property by the commissioner of transportation required for highway purposes.

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<b>PRB #</b>	<b>18-102</b>
<b>Transaction/Contract Type:</b>	RE / Assignment
<b>Origin/Client:</b>	DAS/DVA/DRS
<b>Project Purpose:</b>	Assignment of Agencies to Space within State Facilities
<b>Item Purpose:</b>	Approval pursuant to CGS 4b-29 for a MOU between the Department of Veterans Affairs and Department of Revenue Services for the use of Garage #44 on the Campus.

The Department of Administrative Services (“DAS”) is requesting SPRB approval pursuant to CGS 4b-29 for a Memorandum of Understanding (“MOU”) between the Department of Veterans Affairs (“DVA”) and the Department of Revenue Services (“DRS”). The purpose of the MOU is to allow DRS the utilize Garage #44 for storage in support of DRS’ mission. DRS will have 24/7/365 access to the garage space.

DAS and DVA have concurred with this agreement to provide this space to DRS at no charge. Any alterations by DRS to Garage #44 must be approved in advance by DVA, and at the expense of DRS. The term of the license agreement is one-year with automatic one-year renewals and the right for either party with 60-days advance notice.

The MOU has been signed by Commissioner Currey, DAS, Thomas J. Saadi, DVA Commissioner and Kevin Sullivan, DRS Commission. OPM has also approved the MOU.

**RECOMMENDATION:** Board approval is recommended.

## ARCHITECT-ENGINEER - UNFINISHED BUSINESS

## ARCHITECT-ENGINEER - NEW BUSINESS

<b>PRB #</b>	<b>18-099</b>
<b>Origin/Client:</b>	DCS/DESPP
<b>Transaction/Contract Type</b>	AE / First Amendment
<b>Project Number</b>	BI-FP-14
<b>Contract</b>	BI-FP-14 DB
<b>Consultant:</b>	Consigli Construction Co., Inc.
<b>Property</b>	Fairfield Regional Fire School
<b>Project Purpose:</b>	New Regional Fire Training School – D-B Agreement
<b>Item Purpose</b>	Architect Amendment One

On August 20, 2015, SPRB approved the contract for CCC to act as the design-build entity for the Fairfield Regional Fire Training School. This contract was approved in the amount of **\$10,582,247** under **PRB File #15-168**.

On October 15, 2015, SPRB approved the contract for Consigli Construction Company (“CCC”) in the amount of **\$10,670,074** under **File # 15-241**.

This **Amendment # 1** is for adjustments to **Contract Time** and accepted **Contract Credits**.

**Contract Time** – The negotiated impact on Contract Time equals 124 days. The primary reason of this impact was the time associated with designing and

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constructing the necessary ground improvement for the fire school building and the burn building on the site.

This project was built on Town of Fairfield property. The property is adjacent to the town's Water Pollution Control Authority facility. The town was successful in securing funding to harden this site and the adjacent WPCA site from coastal flooding. This hardening project would be constructed on the south boundary of the site. Therefore, meetings with Town Engineer of Fairfield were scheduled to see how the projects could be coordinated. The discussions took place through the summer of 2016 and included the Design-Builder, CCC after bond funds were appropriated for the DB Agreement. A plan was developed for the southern edge of the property including the construction of an earthen berm. The timing of the berm construction was identified for the end of the Fire Training School project right before final site work.

Unfortunately, Fairfield could not keep up with the design of their project and it became clear in March 2016 when this project was designed and ready for building permit submission that their project would not be ready. The effect of the berm not being ready for this project at the end of 2015 was that additional ground improvement needed to be engineered and documented for the building permit submission. DCS calculated the impact of 124 days (as negotiated) for CCC to engineer the ground improvements, including the construction documents, and adjust the scope of work for the site contractor. The costs associated with this impact was **\$241,848.76**. Breakdown of this cost is as follows:

- A. Extended project supervision - **\$110,190.00**
- B. Builder's Risk and Owner's Protective Insurance extension - **\$45,439.00**
- C. General Site Subcontractor – differential in prevailing wage rates for extension - **\$15,094.00**
- D. Winter conditions and temporary heat - **\$36,705.00**; and
- E. Architectural Consultant - **\$34,421.00**

**Contract Credits** – The other adjustments made to the overall cost of the work were contract credits in the amount of **(\$57,712.00)**. The credits included are:

- F. A drafting pit of 20,000 gallons which was smaller than the specified structure: **(\$5,258.00)**
- G. Delete paint at the apparatus bay ceiling: **(\$2,454.00)**
- H. Return Builders Risk Insurance deductible allowance: **(\$50,000)**

The sum total of additions and credits equals **\$184,136.76**, which is the amount for this **Amendment # 1**.

**RECOMMENDATION:**

It is recommended that the Board **SUSPEND** this item to seek further clarification as to why CCC is entitled to additional compensation:

- Was this scope (engineering the ground improvements including construction documents) part of the original CCC's scope of work?
- Was CCC supposed to coordinate this work as per of their D-B contract and make sure that it is completed on time?

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- Was there a PCO approved in March 2015 or thereabouts when it became clear that the Town of Fairfield cannot complete this design?
- Please provide CCC's scope of work for this work.
- Why was the Board not notified at that time about this delay and additional compensation?
- What is the actual delay as it relates to this work? Please provide documentation justifying 124 days delay.
- Please provide a CPM schedule that shows the delay related to this work from March 2015 or thereabouts and inclusion of this activity in the CPM.
- Did the Town of Fairfield eliminate this design from their engineer's scope? Did the Town utilize the engineering documents prepared by CCC for their project?
- Is the Town of Fairfield in any way responsible for this delay?

<b>PRB #</b>	<b>18-112</b>
<b>Origin/Client:</b>	DCS/DAS
<b>Transaction/Contract Type</b>	AE / Task Letter
<b>Project Number</b>	BI-2B-393
<b>Contract</b>	OC-DCS-MBE-CIV-0004
<b>Consultant:</b>	AI Engineers, Inc.
<b>Property</b>	231 Capitol Avenue, Hartford
<b>Project Purpose:</b>	CAS Lafayette Street Extension Project
<b>Item Purpose</b>	Task Letter #2C to compensate the consultant for additional special services.

**PROJECT BRIEF**— In general, this project involves the required site-civil, geotechnical and mechanical engineering design services for the extension to the Capital Area System (“CAS”) from Lafayette Street to the Judicial Branch GA 14 Courthouse. In general the scope of services will include the design and construction administration required for the replacement of a 6” chilled water line on Oak Street to the junction connection at 231 Capitol Avenue. The line will then be extended along Russ Street, through the Judicial Branch Parking Lot and into the GA 14 Courthouse. The project scope will also include the transition of the line from underground to above ground at the perimeter of the Courthouse Parking Garage and into the building mechanical room. This portion of the project will also require the design of a heat exchanger to manage water system flows and pressure drops in the system from changes in cooling water temperatures and impacts from the existing internal chilled water distribution system. The total project is envisioned to include over 1,600 LF of new chilled water infrastructure, installation of new district loop and heat exchanger at the GA 14 Courthouse and demolition of the existing chillers and piping system. More recently in August 2016 the Board approved Task Letter 2A for additional design services on this project (**PRB File #16-191**) and Task Letter 2B for extended CA Services (658 hours of on-site inspection and 180 hours of project administration), management of on-site project progress meeting, and ongoing schedule reviews, monthly payment requisitions, submittal reviews, RFIs and PM Web Updates and standard project close-out services

The Project was advertised for bid in June 2017 and upon completion of the bidding period; All State Mechanical, Inc. was identified as the lowest responsible bidder with a bid totaling \$1,312,000. The construction contract is currently being drafted for internal review and approval by DCS.

*In April 2014, SPRB approved AI Engineers, Inc. (“AIE”) as one of six firms under the first On-Call MBE Civil Engineering Services consultant contracts. This is the second Task Letter that AIE has been assigned under this series. AIE has previously been assigned the following tasks under this contract:*

Task Letter #1	Hartford Armory Bridge Investigation	\$ 17,350 (Informal)
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<i>Project</i>		
<i>Task Letter #2</i>	<i>CAS Lafayette Street Extension Project</i>	<i>\$131,278 (#15-088)</i>
<i>Task Letter #2A</i>	<i>CAS Lafayette Street Extension Project</i>	<i>\$ 16,100 (#16-191)</i>
<i>Task Letter #2B</i>	<i>CAS Lafayette Street Extension Project</i>	<i>\$102,240 (#17-264)</i>
<i>Task Letter #2C</i>	<i>CAS Lafayette Street Extension Project</i>	<i>\$22,700 (#18-112)</i>
	<b><i>Total Fees To Date</i></b>	<b><i>\$289,668</i></b>

**TASK LETTER #2C** is a new formal task letter and subject to SPRB approval because the task letters is an extension of Task Letter #1 previously approved by the Board (#15-088) and the cumulative value of task letters for this project exceeds \$100,000. The scope of the Task Letter #2C is as follows: The Construction Budget and total Project Budget which were originally established at \$990,000 and \$1,300,000 respectively for this project have been revised to \$1,312,000 and \$1,717,810. As detailed in the scope letter from AIE to DCS dated June 15, 2018 the \$22,700 is intended to compensate AEI for the following project scope:

- Design for removal of the existing bituminous concrete pavement (40,000 sf) and curbing for the south portion of the lot. New design to include degrading of the subbase material, repaving, installation of granite curbing, replacement of electrical conduit, and reconstruction of gated access (Total = \$13,900).
- The consultant will provide on-site supervision for the replacement of the parking lot, be responsible for daily evaluation and monitoring of contractor performance, monitor all tests and inspections, provide daily reports, and shall act as an interface between the contractor and DAS/DCS Project Manager. Supervision will take place during evenings and on weekends. Actual on-site hours will be based on a budgeted 60 hours (\$100/hr) and budgeted 20 hours (\$140/hour OT), or a total budgeted fee of \$8,800.

The Project Budget remains unchanged as the design of the parking is not complete and the proposed project has not been bid. The additional fees requested are attributed to the Judicial Branch's desire to change the initial scope of the project from repaving the trench required to bury the CAS utility line to a complete redesign of the parking area to include regrading and repaving of 40,000 square feet of parking and installation of new granite curbing. DCS has confirmed that funding is in place and DAS will be reimbursed via an Agency transfer from Judicial Branch. As summarized in the following table, the engineer's base fee as a percentage of Construction Budget is as follows:

<b>Task Letter #2— AIE Fee (PRB #15-088)</b>	<b>Engineer Base Fees (\$)</b>	<b>Special Services</b>	<b>Total Fee</b>	<b>Construction Budget (\$)</b>	<b>% of Budget</b>
Schematic Design	5,000				
Design Development	28,000				
Contract Documents	24,000				
Tracing & Masters/Bidding	4,000				
Construction Administration	<b>\$24,000</b>				
<b>Architect's Base Fee (PRB #15-088)</b>	<b>\$85,000</b>			<b>\$990,000</b>	<b>8.59%</b>
<b>Special &amp; Sub-Consultant Services:</b>					
Geotechnical Engineering & Soil Borings		\$17,193			
Environmental Testing Allowance		\$10,000			
Site Survey & Final As Built Survey		\$19,085			
<b>Total Special Sub Consultants</b>		<b>\$46,278</b>			
TL # 2A - PRB File #16-191 – Additional design services	<b>\$16,100</b>				
<b>Total Basic Service Fee (A)</b>	<b>\$101,100</b>			<b>\$1,312,000</b>	<b>7.71%</b>

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<b>TL # 2B - PRB File #17-264 – Extended CA Services</b>		<b>\$102,240</b>		<b>\$1,312,000</b>	<b>7.79%</b>
<b>TL # 2C – PRB File # 18-112 – Special Services</b>		<b><u>\$22,700</u></b>			
<b>Total Special Services (B)</b>		<b>\$171,218</b>		<b>\$1,312,000</b>	<b>13.05%</b>
<b><i>TOTAL PROJECT FEE (A) + (B)</i></b>			<b>\$272,318</b>	<b>\$1,312,000</b>	<b>20.75%</b>

**RECOMMENDATION:** It is recommended that SPRB APPROVE Task Letter #2C for AI Engineers, Inc. to provide extended design services on this project. Prior to the current CAS project, the condition of the existing parking lot was deteriorating and the CAS project has only exacerbated the worsening condition.

The initial \$13,900 is for design and will be reimbursed by Judicial Branch. The additional \$8,800 for construction administration services will only be expended if the repaving project, and its related cost, is approved by the Judicial Branch. At that time any expended funds, not exceeding \$8,800 will be reimbursed by the Judicial Branch.

**OTHER BUSINESS**

DOT Transportation Principal Property Agent, James Mason and Terry Obey, Director Rights of Way presented a brief summary of the Functional Replacement project with the City of Norwalk related to the Walk Bridge Replacement. Mason explained that this is a unique project for DOT as the Federal Government has approved the Functional Replacement of portions of the Maritime Aquarium, which is owned by the city of Norwalk. The Agreement before the Board is requesting payment for \$2,165,000 in damages due the City, as well as an initial payment of \$10,365,718 to facilitate the functional replacement effort through design, acceptance of a construction contract via lowest bid and initial construction. Upon completion of the design, retention of the Construction Manager-At Risk and the bid process complete, DOT will submit a second Agreement for Board approval reflecting the DOT's final commitment in the Functional Replacement Project.

**VOTES ON PRB FILES:**

The Board took the following votes in Open Session:

**PRB FILE #18-095** – Mr. Halpert moved and Mr. Josephy seconded a motion to approve PRB FILE #18-095. The motion passed unanimously.

**PRB FILE #18-102** – Mr. Josephy moved and Mr. Halpert seconded a motion to approve PRB FILE #18-102. The motion passed unanimously.

**PRB FILE #18-099** – Mr. Halpert moved and Mr. Josephy seconded a motion to suspend PRB FILE #18-099, pending additional information from DCS. The motion passed unanimously.

**PRB FILE #18-112** – Mr. Josephy moved and Mr. Halpert seconded a motion to approve PRB FILE #18-112. The motion passed unanimously.

Next meeting Thursday, June 25, 2018.

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The meeting adjourned.

APPROVED: John P. Valengavich Date: 6/28/18  
John P. Valengavich, Secretary