

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On October 31, 2019 450 Columbus Boulevard, Hartford, Connecticut

The State Properties Review Board held a Meeting on October 31, 2019 in Suite 2035, 450 Columbus Boulevard, Hartford, Connecticut.

Members Present:

Bruce Josephy, Vice Chairman
John P. Valengavich, Secretary
Jack Halpert
Jeffrey Berger
William Cianci

Members Absent:

Edwin S. Greenberg, Chairman

Staff Present:

Dimple Desai
Thomas Jerram

Guests Present

Vice Chairman Josephy called the meeting to order.

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

OPEN SESSION

1. ACCEPTANCE OF MINUTES

Mr. Valengavich moved and Mr. Berger seconded a motion to approve the minutes of the October 28, 2019 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

PRB #	19-215
Transaction/Contract Type:	RE/ Administrative Settlement
Origin/Client:	DOT/DOT
Project Number:	041-118-001
Grantor:	American Equities I, LLC
Property:	East Hampton, East High St (31)
Project Purpose:	Replacement of Bridge 02018 Route 66 over Pocotopaug Creek
Item Purpose:	Administrative Settlement

Damages: \$18,725

PROJECT: This project involves the replacement of Bridge No. 02018, which was originally constructed in 1913 and widened in 1925. The structure consists of a single-span reinforced-

concrete deck slab atop both reinforced concrete and masonry abutments, with a total length of 11 feet. The original plan is for a full replacement of the existing bridge with a wider concrete box culvert, having a total length of 13 feet. The clear hydraulic opening will be increased from approximately 5 feet to 13 feet. The proposed bridge will consist of precast box culvert sections with cast in place wingwalls. Other work consists of replacing the existing guide rail, transitions, and bridge attachments.

Maintenance and protection of traffic over Bridge No. 02018 may be accomplished by using a staged construction sequence with alternating one-way traffic over a period of one weekend. A detour may be used for trucks or larger through traffic vehicles.

Environmental permitting will be required for this project. Additionally, coordination will be required with DEEP Inland Fisheries and time constraints may be placed on construction seasons based on stream flows. Additionally, a drainage analysis may be performed as part of this project.

Existing utility poles may need to be relocated as necessary to avoid conflict with the bridge construction. A gas main carried by the existing bridge will be temporarily relocated north of the bridge during construction and attached to the north parapet after construction has been completed.

No permanent impacts to right-of-way are anticipated through this project; however temporary easements will be required for construction areas and pedestrian access.

SITE & TAKING DESCRIPTION: The subject site consists of a 2.54+/- acre (110,642 sq.ft.) industrially zoned site improved with a 39,482 sq. ft. masonry construction industrial/office building of very good quality. The site is improved with site improvements including but not limited to paving, parking, extensive landscaping and site lighting.

The property is located in the I Industrial zone and appears to conform to zoning. Average daily traffic counts (ADT) were between 11,400 and 12,200 cars/day in 2012.

The building improvements are not impacted by the easement.

The Appraiser opined the highest and best use of the property is for the continued present use, as improved.

Before Valuation: An appraisal was done by independent fee appraiser Howard Russ, as of 05/20/2019.

In the valuation of the land, *before the taking*, the appraiser considered three comparable sales in East Hampton and the greater market area and concluded that the fair market value of the entire property (land only) is \$8.50/sf of land area. The value of the land, before the taking, is then 110,642 sf x \$8.50/sf = \$940,457, rounded to \$940,500.

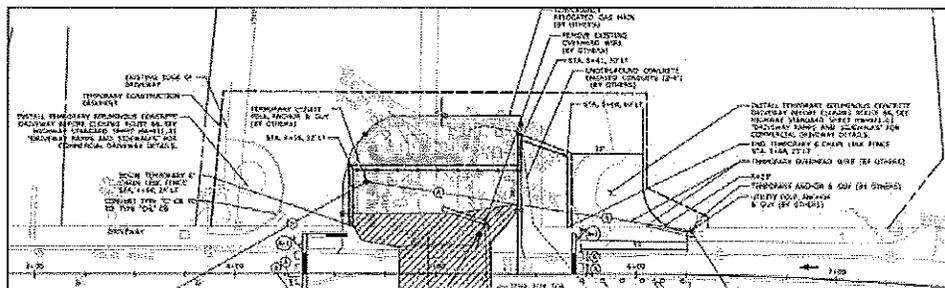
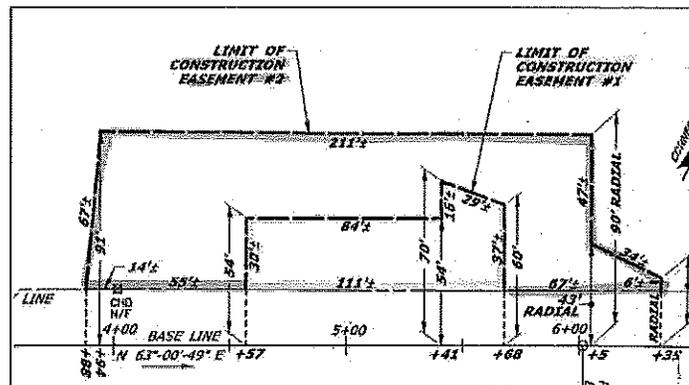
The East Hampton Assessor valued the land, as of October 2019, at \$637,210.

In the valuation of the building, *before the taking*, the appraiser considered three comparable sales in the greater East Hampton market area and concluded that the fair market value of the entire property (building & land) is \$95.00/sf of gross building area. The value of the property (land & building), before the taking, is then 39,428 sf x \$95.00/sf = \$3,745,660, rounded to \$3,750,000.

The East Hampton Assessor valued the property in its entirety, as of October 2019, at \$3,053,770.

DOT requires acquiring the following:

- Easement to install, construct and maintain metal beam rail and end anchorage - 8+/- LF.
- Construction Easement #1 for the purpose of grading, storage of construction and materials, placement of rip rap, removal of wood fence and end anchor and installation of temporary chain link fence, temporary cofferdam, temporary water diversion pump and pipe, temporary drainage pipe and temporary sedimentation control system – 3,685+/- sq ft.
- Construction Easement #2 for the purpose of construction of temporary bituminous driveways and permanent concrete curbing, installation of catch basins, drainage pipe and underground utility conduit and installation of temporary gas main...Said easement is limited to use only between the 60 hour period beginning at 7PM on Friday and ending at 7AM the following Monday. Said easement is not to be used for storage of materials or equipment and shall be used solely for the work listed herewithin – 11,042+/- sq ft.



The Appraiser summarized the effects of the taking as follows:

1. Within Construction Easement #1, much of the area is a detention and drainage basin feeding Pocotopaug Creek under the highway bridge. Landscaping within this area will be removed and after construction will be replaced with loam, grading sod, or seed.
2. Within Construction Easement #2, loss of landscaping, plantings, curbing, use of 12 parking spaces and relocation of sprinkler system (by owner), described by the Appraiser as follows:

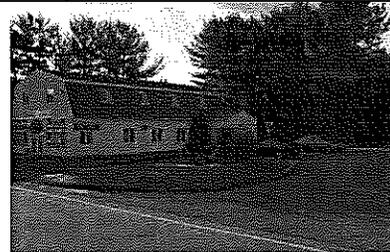
The landscaping along the easterly and westerly driveway approach consists of shrubs, plantings and trees. The landscaping in Construction Easement #1 consists of shrubs and trees. Approximately 12 arborvitae, 1 pine and significant shrubs and plantings are found in Easement #1. A wood post fence is found along the easterly portion of Construction Easement #1. Shrubs, sod and sprinkler systems are found at the easterly driveway approach to be taken in Easement #2. Shrubs, ornamental grasses, sod and sprinkler system are found at the west side of the semi circular driveway to be removed in Easement #2.



Birch trees and arborvitae are not impacted.



Loss of landscaping in foreground, curbing & 5 parking spaces and owner relocation of sprinkler system.



Loss of landscaping in foreground, curbing & 3 parking spaces and owner relocation of sprinkler system.



In the After valuation, the Appraiser opined the highest and best use of the property is for the continued present use, as improved.

After Valuation: In the valuation of the land, *after the taking*, the appraiser considered the same three comparable sales in East Hampton and the greater market area and concluded that the fair market value of the entire property (land only) is \$8.50/sf of land area. The value of the land, after the taking, is then 110,642 sf x \$8.50/sf = \$940,457, rounded to \$940,500.

In the valuation of the building, *after the taking*, the appraiser considered the same three comparable sales greater East Hampton market area and concluded that the fair market value of the entire property (building & land) is \$95.00/sf of gross building area. The value of the property (land & building), before the taking, is then 39,428 sf x \$95.00/sf = \$3,745,660, rounded to \$3,750,000.

#1. Direct damages for the loss of site improvements, described by the Appraiser as follows:

Considering the shrubs and trees affected and reviewing data on landscaping replacement and discussing landscaping costs with professionals I estimate the replacement cost for the affected extensive landscaping at \$30,000. Additionally the existing in-ground sprinkler system will be partially disconnected by the property owner for later reinstallation. An additional lump sum figure of \$5,000 will be allocated for the effort and time necessary for this.

#2. Direct damages for the permanent metal beam rail easement or $\$8.50/\text{sf} \times 8 = \68 , rounded to \$100.

#3. Temporary damages for the use of land in Construction areas #1 and #2, as follows:

Area #1: $3,685 \text{ sf} @ \$8.5/\text{sf} \times 10\% \times 1 \text{ year} = \$3,132$

Area #2: $11,042 \text{ sf} @ \$8.5/\text{sf} \times 10\% \times 1 \text{ year} \times 50\% \text{ fractional use} = \$4,693$

Area #2: Loss of 12 parking spaces @ $\$75/\text{space}/\text{month} \times 12 \text{ months} = \$10,800$

Total damages are calculated as follows:

Item	Estimated Value
Metal beam rail easement	\$100
Land rental: 3,685 sf @ $\$8.5/\text{sf} \times 10\% \times 1 \text{ year}$	\$3,132
Land rental: 11,042 sf @ $\$8.5/\text{sf} \times 10\% \times 1 \text{ year} \times 50\% \text{ fractional use}$	\$4,693
Loss of 12 parking spaces for one year	\$10,800
Replacement cost of Site Improvements	\$30,000
Owner-relocation of sprinkler system	\$5,000
Total Damages	\$53,725

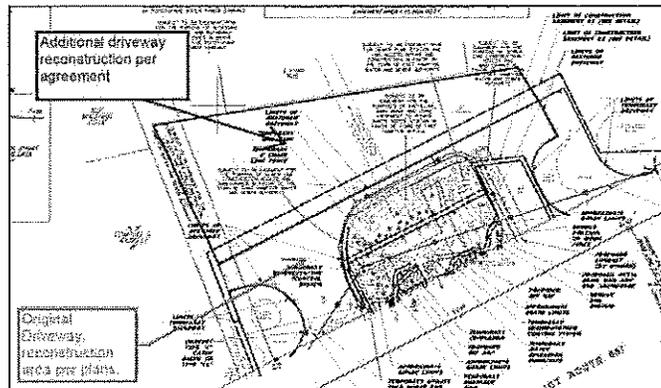
From the Administrative Settlement narrative.

The Department's formal offer of \$53,725 was made via certified mail to the property owner, American Equities I, LLC on July 16, 2019. The Owner rejected the offer claiming that the proposed driveway design is inadequate to support the property's heavy industrial use.

The project, as designed, includes driveway reconstruction within the areas of the proposed construction easements. This design leaves a large seam across the driveway where the new and existing driveway meet. The Owner explained that approximately 35 tractor-trailers utilize the subject driveway on a daily basis. They typically drive in through the easterly driveway, make a slow and deliberate turn to the west and then back into the two loading docks on the west side of the building. The owner consulted with his own engineer who opined that the daily volume of heavy trucks, combined with the typical turning movements, risks a rapid deterioration of the driveway at the proposed seam and beyond. Based on the concerns represented by his engineer, the Owner requested that the Department reconstruct the entire driveway up to the face of the building to avoid leaving a seam.

DOT consulted with Department/Consultant Engineering staff to better understand the Owner's concerns and to determine if any changes were warranted. Our discussions confirmed that the volume of tractor-trailers and their movements were not considered in the design of the project. This being the case, it was requested that the design be revisited considering this new information. As a result, the design was revised slightly to include measures that strengthen the seam but no additional driveway reconstruction was included. While the Department believes these revisions appropriately address the situation, the potential does exist that the seam will weaken over time.

The revisions were explained to the Owner however he, and his engineer, remained adamant that the seam would create a problem and demanded further consideration. For negotiation purposes, this office requested an estimate for the additional cost of reconstructing the driveway up to the front of the building; which totaled \$44,000.



After extensive discussions, a settlement was reached wherein the Owner agreed to waive \$35,000 in compensation from the original \$53,725 offer, in return for the State agreeing to reconstruct the driveway up to the front of the building to prevent creating a seam between the new and old paved areas.

In summary, the owner agreed to waive \$35,000 in compensation for Direct Damages, from DOT's original \$53,725 offer, accepting final payment of \$18,725 for Direct Damages. In return, DOT incurs the additional construction cost to replace approximately 8,343 sf of asphalt-pavement, outside the Construction Areas, subject to heavy tractor-trailer movement through the property.

Staff asked DOT to clarify the following issues:

1. Please identify the location of the 12 parking spaces identified by the Appraiser within Construction Easement #2.

DOT Response: The site is an industrial plant producing product that is delivered to the site on the north or rear of the building with finished produce shipped from the south face of the plant looking at RT 66. Large scale 18 wheel tractor trailer trucks and tanker trucks access the site from the east driveway and cue up to the loading docks on the west side of the building and exit when loaded from the westerly driveway. I have viewed multiple trailer and tanker trucks entering and cueing on site simultaneously, which is a frequent occurrence. Parking on site is very congested.

Owners and employees current park at a 90 degree angle north of the radiused entrance and exit driveways.

The 12 parking spaces affected are partially in and partially outside the defined limits of Construction Easement #2, but will be impacted by the relocated truck access and egress routes.

As depicted on the 3/26/2019 plan "Easement Acquired from American Equities 1, LLC" Construction Easement #2 will remove the existing radiused curb, well-manicured lawn and landscaping at both the east and west driveways to the property. Construction Easement #2 will occupy 20 feet X 30 feet of depth of current parking area on the east side of the access driveway and will occupy 20 feet by 25 feet depth of

current parking area on the westerly exit driveway, both these sections are north of the presently landscaped areas to be removed.

Construction Easement #1 will move the access to the easterly entry driveway which will be compensated by the temporary driveway exiting the site from the east. The extensive daily access to the industrial facility will be driving over 30 feet of depth of the existing 90 degree parking spaces when driving north into the site, and the radius of the trucks turning west will impact the remaining parking spaces in this area. In addition the radiused curb and landscaping at the west side egress driveway will be temporarily removed and the trucks will shift west occupying additional area currently used for parking on this area. I estimate 6 parking spaces impacted in both areas, or a total of 12 parking spaces temporarily displaced.

2. Please provide a breakdown of the lump sum site improvements to include seeded lawn area, shrubs and trees to support the \$30,000 replacement cost of the site improvements provided by the Appraiser.

DOT Response: Breakdown of estimated extensive mature landscaping costs to be removed by State Contractors:

Landscaping from Marshal Valuation Section 66 page 8

	SF	Unit	Unit in place	
Lawn Area East side sod / sprinklers	1,125	\$1.64	1.0500	\$1,937
Lawn Area West side sod / sprinklers	3,100	\$1.64	1.0500	<u>\$5,338</u>
				\$7,275
shrubs	50	\$225.00	1.0500	\$11,813
trees	15	\$750.00	1.0500	<u>\$11,813</u>
				\$30,900

3. How many sprinkler heads are affected?

DOT Response: Sprinkler system included in sodded lawn cost.

RECOMMENDATION: Board approval of \$18,725 is recommended for the following reasons:

1. 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.
2. The damages award is supported by the DOT appraiser's opinion of market value.
3. The negotiated settlement resulted in the Owner waiving \$35,000 in Direct Damages, in order for the DOT to repave approximately 8,343 sf in front of the Owner's building.
4. The DOT Appraiser's estimated land value is within the range of the land values established by the local Assessor:

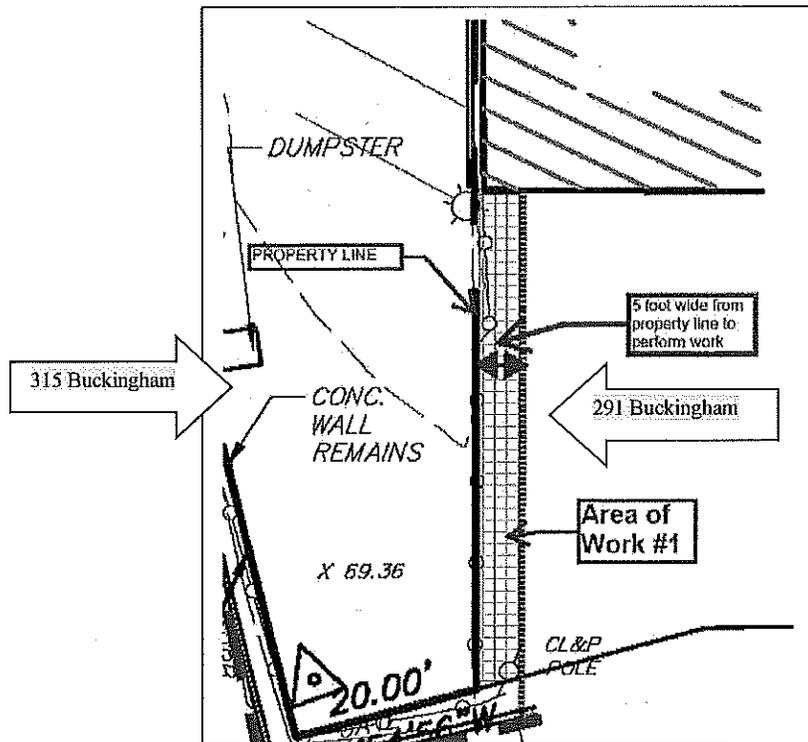
Address	Land Area	Appraisal	App./sf
42 East High St	1.7	\$504,010	\$6.81
37 East High St	0.43	\$304,500	\$16.26
36 East High St	0.51	\$221,550	\$9.97
34 East High St	0.84	\$375,600	\$10.26
31 East High St	2.54	\$637,210	\$5.76
26 East High St	0.45	\$307,500	\$15.69
25 East High St	1.85	\$861,290	\$10.69
40 East High St	0.72	\$244,440	\$7.79

PRB # 19-231
Transaction/Contract Type: RE/ Easement
Origin/Client: DAS/DCS
Project Number: BI-2B-381
Grantor: Mochica Apartments, LLC
Property: Hartford, Buckingham St (291)
Item Purpose: Temporary Construction Easement pursuant to CGS 4b-22a(2)

Damages: \$0

DAS is seeking Board approval pursuant to CGS 4b-22a(2) for this 5-foot wide temporary construction easement for the purposes of permitting the State, and its contractors, access over land of the easterly abutter to construct an 18-inch high retaining wall on state-owned property at 315 Buckingham Street.

Upon completion of the construction of the retaining wall, DAS will restore the easement area to substantially similar condition as that which existed prior to Grantee's work. The Temporary Construction Easement will automatically termination upon completion of Grantee's work.



There is no compensation to the Grantor for this short-term construction easement. The Temporary Construction Easement was reviewed by the Office of Attorney General prior to execution by Grantor and Grantee. CGS 4b-22a(2) does not require approval by OPM.

RECOMMENDATION: Staff recommend Board approval for DAS obtaining a Temporary Construction Easement over land of the easterly abutter – 291 Buckingham Street pursuant to CGS 4b-22a(2), for the following reasons:

1. The conveyance of the easements is consistent with CGS 4b-22a(2), which allows the Commissioner of DAS to obtain easements in conjunction with a DAS project, subject to SPRB approval. Section 4b-22a of the Connecticut General Statutes is as follows:

Sec. 4b-22a. Easements. Grant and acquisition. Notwithstanding any provision of the general statutes, the Commissioner of Administrative Services may (1) grant easements with respect to land owned by the state to a public service company, as defined in section 16-1, the owner of a district heating and cooling system, a municipal water or sewer authority or a telecommunications company, as defined in section 16-1, subject to the approval of the Office of Policy and Management, the agency having supervision of the care and control of such land and the State Properties Review Board, and (2) acquire easements with respect to land not owned by the state in connection with a Department of Administrative Services project, subject to the approval of the State Properties Review Board. No easement granted under subdivision (1) of this section shall be for the disposal or storage of radioactive or hazardous waste materials. The commissioner shall provide notice of any easement granted under said subdivision to the chief executive official of the municipality, and the members of the General Assembly representing the municipality, in which the land is located.

The temporary easement will extinguish upon completion of Grantee's improvements which are projected to be complete within two weeks.

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB #	19-227
Transaction/Contract Type:	AE/ Task Letter #3
Origin/Client:	DCS / DOC
Project Number:	BI-JA-491
Contract:	OC-DCS-MEP-0043
Consultant:	A/Z Corporation
Property:	Somers, Bilton Rd (287) – Northern CI
Project Purpose:	Fire Alarm Replacement
Item Purpose:	Task Letter #3

PROPOSED AMOUNT: \$139,603

PROJECT BRIEF – The Northern CI campus consists of eighteen different building sections which comprise approximately 166,700 square-feet of gross building area. The current Edwards fire alarm is obsolete and no longer supported and parts are not available. The system is experiencing numerous issues and could potentially fail completely.

DOC requested DCS retain a consultant to design a fully code-compliant replacement to the existing fire alarm system at the Northern Correction institution in Somers, CT. The design will include fire alarm initiation and signal devices, transponders and associated fire alarm equipment.

Scope of Project:

As detailed in the scope of work in the proposed Task Letter #3 with A/Z Corporation (“A/Z”), the fee is intended to compensate the Consultant for the following design and construction phase services:

- Design a fully code-compliant replacement to the existing fire alarm (FA) system at the Northern Correction Institution in Somers, CT. The design will include fire alarm initiation and signal devices, transponders and associated FA equipment.
- Design FA system's interface to all other building systems, which may include, but not be limited to:
 - HVAC systems for smoke detection and control.
 - Smoke release hatches.
 - Fire sprinkler system (flow, tampering and fire pump monitoring as applicable).
 - Elevator control.
 - Security system.
 - Facility control room.
- Review all available construction and existing conditions drawings of the current FA system. Review existing building design plans and contractor as-built plans which impact, or interface with, the new FA system (*Note: in meeting with DOC, it was determined that as-built documentation is very limited and no AutoCAD files are available*).
- Investigate as-built conditions and develop base AutoCAD drawings only to the level of detail necessary to complete the design of the new FA system.
- Review and incorporate into the design all currently applicable code requirements for the FA system.
- Review the Schematic Design, Design Development, and Contract Documents with representatives of the DOC and the Department of Administrative Services/ of Construction Services (DAS/DCS) project manager. Address and incorporate review comments into the subsequent design package, ultimately into the final Tracings and Masters.
- Develop Design Narrative Report and Cost of the Work Estimate at each major milestone in the design (SD, DD and CD)
- Meet with local DOC staff and maintenance personnel to identify known issues and discuss preferences and potential obstacles / phasing issues anticipated during construction.
- Fire Alarm system plans will be prepared in AutoCAD format.
- Prepare signed and sealed fire alarm permit documents for submission to the State Fire Marshall to secure approval for construction of the project.
- Evaluate and approve or reject any formally submitted substitution requests during the Bidding Phase
- Develop Conformed Set of Bid Documents containing all pre-award addenda.
- Act as the DCS Construction Administrator during the construction phase.
- Review selected constructor's Schedule of Values and advise the owner of any concerns.
- Review the initial Project Schedule and advise the owner of any concerns.
- Provide timely review of Project Submittals and Requests for Information. For any RFI responses with cost implications, provide timely resolution via Supplemental Instructions, Proposal Request or as a Construction Change Directive.

The Consultant's fee for Task Letter #3 is \$139,603 and the Consultant's services were based on a total construction budget of \$1,250,000.

An executed Form 1105 has been submitted. DCS has confirmed funding is in place for ARC design services totaling \$110,000 (CA services not funded at this time).

In October 2017, SPRB approved A/Z Corporation ("A/Z") (PRB #17-289) as one of five firms under the latest *On-Call Mechanical, Electrical, Plumbing Support Services* series of consultant contracts. These contracts have a common expiration date of November 15, 2019 and have a maximum cumulative fee of \$500,000.

A/Z has been approved for the following task(s) under this series:

• Task Letter #1	HVAC/Boiler/BMS – Camp Niantic	\$127,924	PRB #19-039
• Task Letter #1A	UST Removal/Elec./Mess Hall ceiling – Camp Niantic	\$0	Cancelled
• Task Letter #2	HVAC/Boiler/BMS – Camp Niantic	\$30,867	PRB # 18-088
Total Fee to Date:		\$158,791	

The overall construction and total project budget for the fire alarm replacement is established at **\$1,250,000** and **\$1,690,000**.

Task Letter #3– A/Z (PRB #19-227)	Architect Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Design	\$50,690				
Design Development Phase	\$20,921				
Contract Documents	\$31,381				
Bidding	\$5,230				
Construction Administration	<u>\$31,381</u>				
A/Z BASE FEE	\$139,603			\$1,250,000	11.17%

RECOMMENDATION: It is recommended that the Board APPROVE this TL#3 in the amount of \$139,603. The overall basic service fee of 11.17% is within the established guideline rate of 12.0% for Group B Renovation Project.

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILE #19-215 – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #19-215. The motion passed unanimously.

PRB FILE #19-231 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #19-231. The motion passed unanimously.

PRB FILE #19-227 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #19-227. The motion passed unanimously.

9. NEXT MEETING – Monday, November 4, 2019

The meeting adjourned.

APPROVED: John Valengavich Date: 11/4/19
 John Valengavich, Secretary