STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On January 16, 2020
450 Columbus Boulevard, Hartford, Connecticut

The State Properties Review Board held a Regular Meeting on January 16, 2020 in Suite 2035, 450 Columbus Boulevard, Hartford, Connecticut.

Members Present:
Edwin S. Greenberg, Chairman
Bruce Josephy, Vice Chairman
John P. Valengavich, Secretary
Jack Halpert
Jeffrey Berger
William Cianci

Members Absent:

Staff Present:
Dimple Desai
Thomas Jerram

Guests Present
Kevin Kopetz, Esquire DAS/DCS (9:36AM-10:15AM)
Joel Baranowski, PM, DAS/DCS (9:36AM-10:15AM)

Chairman Greenberg 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 and Mr. Berger seconded a motion to approve the minutes of the January 9, 2020 Meeting and January 13, 2020 Special Meeting. The motion passed unanimously.

2. COMMUNICATIONS

3. REAL ESTATE- UNFINISHED BUSINESS

Mr. Valengavich moved and Mr. Berger seconded a motion to go out of Open Session and into Executive Session at 10:19. The motion passed unanimously.

EXECUTIVE SESSION

PRB #:	**19-253**
Transaction/Contract Type:	RE/ Purchase & Sale Agreement
Origin/Client:	DAS/BOR

Statutory Disclosure Exemption: 1-210(b)(24)

The Board concluded is review of PRB #19-253 and continued the Execution Session for matters considered in Real Estate – New Business.

4. REAL ESTATE – NEW BUSINESS

PRB #:	**19-271**
Transaction/Contract Type:	RE/ New Lease
Origin/Client:	DAS/DDS

Statutory Disclosure Exemptions: 4b-23(e), 1-200(6)(D) & 1-210(b)(24)

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Executive Session and into Open Session at 10:21. The motion passed unanimously.

PRB #	**20-004**
Transaction/Contract Type:	RE/ Voucher
Origin/Client:	DOT/DOT
Project Number:	134-147-011
Grantor:	Mackenzie Enterprises, LLC
Property:	Stafford, West Stafford Rd (110)
Project Purpose:	Modern Roundabout at Route 190 and Route 319, Stafford
Item Purpose:	Voucher

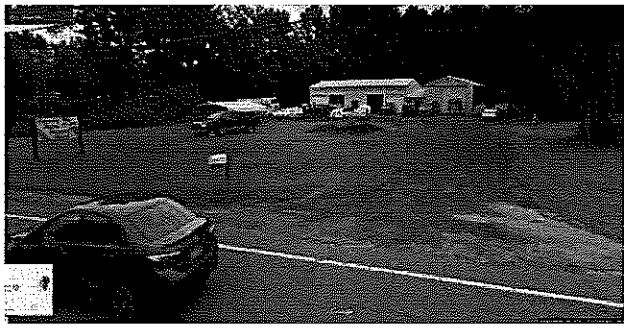
DAMAGES: $327,500.00

DOT PROJECT: The purpose of this project is to improve safety by normalizing the intersection geometry. This will be accomplished by replacing the skewed three point "Y" intersection with a modern roundabout. The existing intersection forms a triangle configuration with Route 319 intersecting Route 190 at a 30-degree angle. This skewed intersection creates an abnormal driving environment leading to driver uncertainty and crashes.

Under the proposed design the skewed intersection will be converted to a modern roundabout. The approach geometry will be modified to reduce the severe skew while gradually calming traffic as it approaches the roundabout. Raised splitter islands will be constructed to channelize traffic and alert drivers of the upcoming roundabout. The center island will be raised and landscaped to increase visibility from the approaches. These improvements, along with new signing, are intended to gradually slow vehicles to the lower speeds of the circulating traffic, resulting in a safer intersection.

Construction of the modern roundabout is anticipated to begin in spring 2019. The estimated construction cost for this project is $5 million and will be undertaken with eighty percent (80%) federal funding and twenty (20%) state funding.

SITE & TAKING DESCRIPTION: The property at 110 West Stafford Road consists of an irregularly-shaped, 1.50 commercially-zoned lot, with 274 feet of frontage on the southerly side of the road. The parcel has a depth of about 230 feet. The taking includes a one-story steel construction automotive building constructed in 1991, containing 3,060 square feet of gross building area, asphalt-paved and gravel parking area. The overall condition of the property is considered "average" by the Appraiser. The Appraiser concluded the Highest and Best Use of the site is for demolition of the existing improvement to permit redevelopment of the site.



BEFORE VALUATION: The DOT appraisal was completed as of April 3, 2019 by Independent Fee Appraiser Steven MacCormack.

Land Valuation:

Based on the sales data comparison approach, the appraiser analyzed the following three sales of similarly zoned parcels:

LAND SALES SUMMARY						
Sale	Location	Area (acres)	Zone	Sale Date	Sale Price	Sale Price Per Acre
1	31 & 39 Main Street Stafford Springs, CT	0.20	CB	2/3/16	$61,500	$307,500
2	111 West Main Street Stafford Springs, CT	1.139	LB	8/19/15	$500,000	$438,982
3	63 West Stafford Road Stafford Springs, CT	1.4	HB	6/5/15	$575,000	$410,714
Subject: 110 West Stafford Road Stafford Springs, CT		1.50	HB			

The adjusted sales indicated a range from $138,375 to $290,375/acre. Mr. MacCormack recommended $225,000/acre or $337,500, less $10,000 for demolition = **$327,500.**

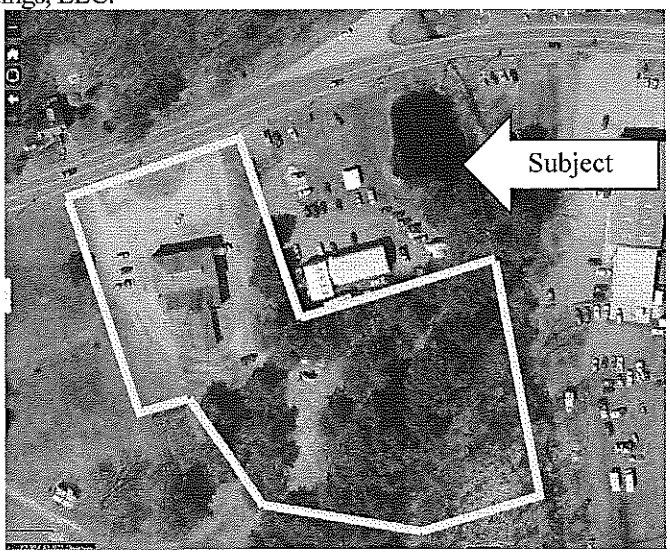
The Grantor has agreed to DOT's taking price of $327,500.

Staff asked DOT to clarify the following:

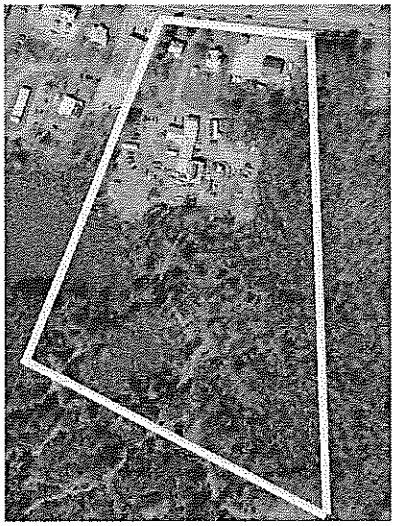
1. The Independent Fee Appraiser valued the property (April 2019) in its entirety at $337,500 and supported damages of $79,500 for partial take (.40 acre & easements). The DOT Review Appraiser agreed with $79,500 damages for partial take. In December 2019, the DOT Map was revised to a Total Take, but there is no explanation from DOT regarding the change to Total Take from Partial Take. There is a 12-20-19 Addendum to the Independent Appraisal reducing the value by $10,000 ($327,000) to reflect demolition costs to reflect the Highest and Best Use – for redevelopment of the site. Can you provide us the reasoning for transitioning to a Total Take? What changed in the project from the April 2019 appraisal to the December change in the DOT Map and Appraisal Addendum?
   DOT Response: Due to septic system impacts, the decision was been made to acquire the subject property in total. The initially proposed partial taking line relative to the existing septic system lies within an area where soil conditions do not meet the minimum requirements as set forth for Subsurface Sewage Disposal Systems per Section 19-13-B103e(a)(3) & (4) of CT Public Health Code per North Central District Health Department's Stafford Field Office. A connection to the public sewer is required for full compliance with a future replacement septic system, thus necessitating a DOT Map revision and corresponding Appraisal Addendum. The septic system impact is achieved with a Total Take.

2. The Appraisal utilized three sales, one from 2016 and two from 2015, indicating a value of $327,500. Our question is does this new information have any impact on the DOT taking in light of the sale prices and dates of sale.

   a) May 7, 2019 sale ($250,000) of the westerly abutter at 112 West Stafford Road to SPM Holdings, LLC.



   b) May 6, 2019 sale ($300,000) of 54 West Stafford Road (HB Zone) to Penny Lane, LLC (under contract as of 8-7-2018).



DOT Response: No, the n ew information does not propose an impact at the present time. If the board did not approve the transaction, the property rights would be condemned to maintain the project schedule. If the owner filed an appeal of the condemnation, we would update the appraisal. At that point, it would be possible that the appraiser chooses to utilize additional sales/comps.

Staff Response: Staff understand the effective date of the Appraisal is the date the value is registered for condemnation purposes. Changes after the effective date, positive or negative, are not considered unless DOT proceeded with condemnation and the property owner appealed, at which time a new appraisal would be obtained.

RECOMMENDATION: Board approval of damages in the amount of $327,500 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 acquisition value is supported by the DOT appraisal report completed by Steven MacCormack as of 4/03/19, wherein the Sales Comparison Approach to Value concludes $327,500.
3. The acquisition is consistent with damages in PRB #18-162.

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB #	19-272
Origin/Client:	DCS/DEEP
Transaction/Contract Type:	AE / Task Letter 2A
Project Number:	BI-N-349
Contract:	OC-DCS-CIV/SUR/LA-0035
Consultant:	Alfred Benesch & Company, Inc.
Property	Statewide, Four Potential Locations
Project purpose:	New CSP Forensic Laboratory
Item Purpose:	Task Letter 2A to compensate the consultant for pre-design studies

PROPOSED AMOUNT: $5,700

On October 11, 2018, under PRB File #18-196, the Board approved Task Letter #2 to the on-call contract to provide pre-design study services for four potential sites of a new Connecticut State Police Forensic Laboratory totaling $199,275.

Under this proposed **TASK LETTER #2A** with Alfred Benesch, the fee is intended to compensate the Consultant for the following project scope:

- Expanded Services totaling $5,700 to permit the Consultant and Sub-Consultant (SmithGroup) specializing in security and forensic laboratories, to present to new DESPP Commissioner Rovella and key Stakeholders the findings of the Pre-Design Study.

ABC has been selected for the following task(s) under this series:

• Task Letter #1	SCSU-Parking Lot #9 Renovation	$97,300	(Informal)
• Task Letter #2	CSP Forensic Lab Pre-Design	$199,275	(PRB #18-196)
• Task Letter#3	Eastern CT Fire School	$9,505	(Informal)
	Total Fee to Date:	$306,080	

DCS has confirmed funding is in place for this Task Letter #2A.

Staff has following question for clarification:

1. Has DCS looked into the option of a GoToMeeting or other services to reduce the cost of bringing the consultant from out of state?

We do consider Skype or other online meeting formats where appropriate, but for the initial, detailed meeting with the Commissioner, an in person meeting was not only requested by the Commissioner but was also appropriate for the content of the meeting.

2. What is the title of the employee who is going to present the report?
The new commissioner James Rovella requested a presentation. In order to have the presentation given in a timely manner a fee was negotiated and the consultant provided the presentation. The presentation was given by Brad Gildea a Senior Project Manager of Smithgroup on April 9th 2019.

This task letter amendment is to pay the consultant for work that they have already performed.

RECOMMENDATION: It is recommended that SPRB **APPROVE** Task Letter 2A for Alfred Benesch to provide expanded pre-design services for the planning of a new CSP Forensic Laboratory.

From PRB #18-196

PROPOSED AMOUNT: $199,275

PROJECT BRIEF –

Public Act 99-218 established the Division of Scientific Services within the Department of Public Safety (DPS) to consolidate DPS science laboratories at one location. The Division is made up of the *Forensic Science Laboratory, Controlled Substance & Toxicology Laboratory* and the *Computer Crimes & Electronic Evidence Unit*. The CSP Forensic Laboratory was re-located from the old State Police Academy Building in Bethany to the Col. Leo J. Mulcahy Complex at 278 Colony Street, Building 10 - the *Forensic Science Laboratory (FSL)*. The *FSL* consists of a total of 76,800 GSF of building area completed in three phases at a total cost of approximately $11.2+ million ($146/GSF).

Beginning in 2014 and concluding in 2016 a study was initiated to perform a work flow analysis of laboratory tasks per existing layout of work space built in three phases (1992, 1999 and 2011) and feasibility of adding a fourth phase. The conclusion was that the addition of a fourth phase would cost as much or more than a new facility on the same site. Added to the cost is the impact on the laboratory's daily operations.

DESPP has requested (in Form 1105) to complete a pre-design study for Mulcahy Campus realignment with the intent of constructing a new 100,000 square foot, 3 story facility to meet current and future needs for State of Connecticut forensic laboratory needs. Much of the campus was constructed in the 1930's and require utility systems upgrades and demolition of several buildings that have been condemned due to age and deteriorated condition.

In October 2017, SPRB approved Alfred Benesch & Company, Inc. ("ABC") (PRB #17-297) as one of five firms under the latest *On-Call Civil-Survey Series* of consultant contracts. These contracts have a common expiration date of October 30, 2019 and have a maximum cumulative fee of $500,000.

ABC has been selected for the following task(s) under this series:

- Task Letter #1 SCSU-Parking Lot #9 $97,300 (Informal)

• Task Letter#3	Renovation Eastern CT Fire School	$15,000	Pending 8/15/2018
	Total Fee to Date:	$112,300	

DCS has confirmed funding is in place for this Task Letter #2.

TASK LETTER #2 is a new task letter and is subject to SPRB approval because the total project fee exceeds the threshold cost of $100,000. No Construction Budget has been established. As detailed in the scope letter from ABC to DCS dated September 6, 2018 the scope is intended to compensate the Consultant (with assistance from specialized Sub-Consultant) for the following additional project scope in four phases:

Phase A – Data Gathering and Evaluations

Phase B – Analysis and Programming

Phase C – Conceptual Planning and Layout

Phase D – Report Preparation

To complete this ABC has retained the services of SmithGroup, PLLC as a Sub-Consultant as SmithGroup specializes in security and forensic laboratories.

The following questions were raised based on the review of the proposal.

- Please clarify how this Task Letter 2 is requesting a pre-design study services for four potential sites with DESPP's initial request in Form 1105 requesting pre-design study services for the "Mulcahy Complex realignment with the intent of constructing a new 100,000 square foot, 3 story facility.."
- Has the Commissioner of the Department of Administrative Services been informed of the site inspection of the former Cedar Crest and Altobello Campus and consented to the pre-design study and potential implication of future improvement with a Forensic Lab?
- Has the Commissioner of the Department of Veterans Affairs been informed of the site inspection of the DVA Campus and consented to the pre-design study and potential implication of future improvement with a Forensic Lab?

RECOMMENDATION:

Staff recommended that SPRB **APPROVE** Task Letter #2 for Alfred Benesch & Company, Inc. in the amount of $199,275 based on an email from David Barkin dated 10/10/2018 confirming that the Commissioners of DAS and DVA and OPM has agreed to study the 4 locations.

PRB #	**19-273**
Origin/Client:	DCS/DEEP
Transaction/Contract Type	AE / Task Letter 1B
Project Number:	BI-2B-346R
Contract:	OC-DCS-ENGY-0020
Consultant:	Fuss & O'Neill, Inc.
Property	Wethersfield, Wolcott Hill Rd (24) – DOC HQ
Project purpose:	Energy Upgrade Project
Item Purpose:	Task Letter 1B to compensate the consultant for design services

PROPOSED AMOUNT: $41,230

On November 15, 2018, under PRB File #18-216, the Board approved Task Letter #1A to the on-call contract to proceed with an Energy Update Project to bring the project up to current codes from 2012 and add for the design for the installation of a new centrifugal chiller and associated chilled water pumps. The total fee approved under #18-216 was $84,476.

Under this proposed **TASK LETTER #1B** with Fuss & O'Neill (FO), the fee is intended to compensate the Consultant for the following project scope:

- Further modernization of the lighting scope of work to include optimized photometric calculations, lighting layout and design based on the newly proposed LED fixtures, as well as advanced lighting control systems meeting the Utility's requirements for high performance lighting and its associated incentive program.
- Separation of the project deliverables into two bid packages: one for the aforementioned lighting and controls work and the one for the remaining HVAC and all related work.

FO has been selected for the following task(s) under this series:

• Task Letter #1	Energy Upgrades DOC Wethersfield	$69,400	(Informal)
• Task Letter #1A	Energy Upgrades DOC Wethersfield	$84,476	(18-216)
• Task Letter#2	CJTS Energy Audit Middletown	$21,000	(Informal)
• Task Letter #2A	Energy Options – Middletown	$25,000	(Informal)
• Task Letter #3	Energy Updates Bpt Mental Health Center	$112,000	(13-171)
• Task Letter #3	Energy Updates Bpt Mental Health Center	$16,000	(17-184)
	Total	$327,876	

DCS has confirmed funding is in place for this Task Letter #1B.

F&O Fee for Basic Services (Informal TL1)	COST ($) (BASIC)	COST ($) (SPECIAL)	TOTAL COST	C. Budget ($)	(%) Budget
Design Development Phase	**$36,400**				
Contract Document Phase	**$17,500**				
Construction Administration Phase	**$15,500**				
TOTAL BASIC SERVICE FEE (TL1) (A)	**$69,400**	**$0**	**$69,400**	**$700,000**	**9.91%**
ADDITIONAL BASIC SERVICES (PRB 18-216) (A1)					
Reformat T&M Phase	**$45,000**				
Bidding and Review Phase	**$5,060**				
Construction Administration Phase (+$18,916)	**$34,416**				
TOTAL BASIC SERVICE TL 1A (18-216) (A1)	**$84,476**	**$0**	**$84,476 (-$15,500)**	**$906,000**	**9.32%**

ADDITIONAL BASIC SERVICES (PRB 19-273) (A2)					
Lighting Design	$23,070				
Bidding (split deliver into two bid packages)	$2,475				
Construction Administration Phase	$15,685				
TOTAL BASIC SERVICE TL 1B (19-273) (A2)	**$41,230**				
TOTAL BASIC SERVICE FEE (#19-273) (A) + (A1) + (A2)			**$179,606**	**$1,971,000**	**9.11%**

Staff have requested clarification of the following issues:

1. Please reconcile the budget estimates provided in the SD and DD phases under TL 1A and a construction budget of $906,000, with the increased construction budget ($1,971,000) including $1,235,500 for HVAC and $735,500 for lighting.

   The original project scope was estimated at around $900,000.
   - Majority of electrical scope included re-lamping the facility with 2,342 upgraded fluorescent bulbs
     - Estimated cost of $40,000
     - The remaining $860,000 was for HVAC work which remains per the original scope

   The new project scope is estimated at around $1,900,000.
   Relevant scope changes include:
   - Lighting Conversion to LED (vs. re-lamping fluorescent)
     - Estimated cost of $680,000 (vs. $40,000; increase of $640,000)
     - Plus $34,000 for demolition and $21,000 for mobilization and general conditions
   - Addition of a new Chiller
     - Estimated Mechanical cost of $248,000
     - Estimated additional Electrical cost of $95,000
   - $640k + $248k + $95k = ~$1M added
     - $860k + $248k + $95k = ~$1.2M for HVAC portion
     - $680k + $55k for general conditions/mob/demo = $735k for lighting portion
2. Under TL 1A, the Board approved a total of $84,476, of which $34,416 was allocated for CA Services. Please clarify the need for an additional $7,842.50 in additional CA Services.

   Additional CA services are needed because the project is now split into 2 bids. There are now:
   - 2 cost estimates to review
   - 2 separate bid phases which require assistance
   - 2 separate construction phase schedules
   - 2 separate project closeouts and GC payment reviews
   - The projects may not run concurrently, therefore the CA services are estimated as if 2 separate projects, requiring longer period of time with on-site coverage.

RECOMMENDATION: It is recommended that SPRB **APPROVE** Task Letter 1B for Fuss & O'Neill to provide additional design services for the energy upgrades to the DOC Headquarters.

From PRB #18-216

PROPOSED AMOUNT: $84,476

PROJECT BRIEF –

The property located at 24 Wolcott Hill Rd, Wethersfield consists of a 16.70 acre site improved with two buildings. Building #1 is a 1-3 story office building constructed in 1959 containing approximately 79,000 square feet plus additional basement level space and a basement level garage utilized by the Department of Correction for their headquarters. Building #2 is a 1-story building constructed in 1959 containing approximately 39,000 square feet utilized by the Department of Correction for HVAC generation (boiler plant) and Department of Labor for office space. Both buildings are under the custody and control of the Department of Administrative Services.

In 2012 DAS Facilities retained the services of Fuss & O'Neill, Inc. for design and construction administration services (Informal – Fee $69,400) for an Energy Update Project based on the results reported in a Final Energy Analysis Report. Under Task Letter 1, design services included the following:

- Upgrades to the Energy Management System;
- Modifying the Fresh Air and Return Air System;
- Upgrade the existing HVAC to Variable Speed Drive systems;
- Repair or replace steam traps;
- Upgrade existing lighting in the buildings and boiler plant;
- Provide window film to control solar heat gain (Add#1); and
- Upgrade the existing boiler draft control (Add#2).

The project, with an initial construction estimate of $700,000, never implemented the construction phase.

DAS will now proceed with this Energy Update Project and seeks to contract for additional design services to bring the project up to current codes from 2012. Form 1105 – Section 1.13 – Scope incorporates many of the items included in the original Task Letter 1, and adds for the design for the installation of a new centrifugal chiller and associated chilled water pumps.

In September 2011, SPRB approved Fuss & O'Neill, Inc. ("FOI") as one of six firms under the latest *On-Call Energy Consulting Services* contracts by the Department of Construction Services ("DCS"). Subsequently, this is the third task letter that FOI has provided services for under this series. A detailing of the previous task letters is as follows:

• Task Letter #1	Energy Upgrades DOC Wethersfield	$69,400	(Informal)
• Task Letter#2	CJTS Energy Audit Middletown	$21,000	(Informal)
• Task Letter #2A	Energy Options – Middletown	$25,000	(Informal)
• Task Letter #3	Energy Updates Bpt Mental Health Center	$112,000	(13-171)
	Total Fee to Date:	$227,400	

TASK LETTER #1A is a new task letter and is subject to SPRB approval because the total project fee (TL 1 & TL 1A) exceeds the threshold cost of $100,000. The Construction Budget and total Project Budget have been established at **$906,000** and **$1,153,096** respectively for this project. As detailed in the scope letter from FOI to DCS dated February 13, 2018 the **$84,476** is intended to compensate FOI for the following project scope:

- Conduct one field visit to verify existing conditions;
- Update the Construction Documents for DAS and OSBI review;
- Issue Tracings and Masters set;
- Reformat design documents to match current DAS standards;

- Bidding Assistance; and
- Contract Administration services.

DCS has confirmed funding is in place for this Task Letter #1A from two sources.

F&O Fee for Basic Services (Informal TL1)	COST ($) (BASIC)	COST ($) (SPECIAL)	TOTAL COST	C. Budget ($)	(%) Budget
Design Development Phase	**$36,400**				
Contract Document Phase	**$17,500**				
Construction Administration Phase	**$15,500**				
TOTAL BASIC SERVICE FEE (TL1) (A)	**$69,400**	**$0**	**$69,400**	**$700,000**	**9.91%**
ADDITIONAL BASIC SERVICES (PRB 18-216) (A1)					
Reformat T&M Phase	**$45,000**				
Bidding and Review Phase	**$5,060**				
Construction Administration Phase (+$18,916)	**$34,416**				
TOTAL BASIC SERVICE TL 1A (18-216) (A1)	**$84,476**	**$0**	**$84,476 (-$15,500)**	**$906,000**	**9.32%**
TOTAL BASIC SERVICE FEE (#18-216) (A) + (A1)			**$138,376**	**$906,000**	**15.3%**

RECOMMENDATION: Staff recommendation APPROVAL of this Task Letter 1A in the amount of $84,476.

PRB #	**19-274**
Origin/Client:	DCS/DOC
Transaction/Contract Type	AE / Amendment #2
Project Number:	BI-JA-465
Contract:	BI- JA-465-ARC
Consultant:	WSP, USA, Inc.
Property	East Lyme, W. Main St (201) – York CI
Project purpose:	Central Plant and Piping Distribution System
Item Purpose:	Amendment #2 to compensate the consultant for architect services.

Note: Mr. Kopetz and Mr. Baranowski joined the meeting at 9:36 AM and both left the meeting at 10:15AM.

CONSULTANT FEE: $147,450

DECEMBER 24, 2019 UPDATE:

At the State Properties Review Board meeting held on September 26, 2019, a motion to approve Amendment #2 to Contract BI-JA-465-ARC in the amount of **$147,450** failed for the following reasons:

- These services are being provided by various professionals such as CMR, the CA, the Engineer (WSP), the testing lab and OSBI. There are already multiple layers of reviews and inspections that should provide the comfort level DCS is looking for.

- WSP's original scope includes Construction Administration during construction totaling about $827,000, which includes periodic field visits during construction to monitor construction progress.
- Construction Administration contract approved under PRB #18-090 in the amount of $2,251,257 for basic services plus $594,153 for special services (special services include $435,960 for construction phase pipe testing to be conducted by a Testing Firm).
- CMR is also responsible for constructing the work in accordance with the requirements of the construction documents. They have a responsibility for quality assurance as well.
- The design documents must require stringent weld specifications and testing requirements which will alleviate DCS's concern.

Under PRB #19-274, DCS responds, and reiterates that the funding sought under Amendment #2 is for a "Comprehensive Inspection Program" and "If the Board does not approve the pending amendment then the likelihood the project achieves success will be lessened."

Please refer to the DCS Memo for responses to the issues raised at the September 26, 2019 Board Meeting.

RECOMMENDATION:

Staff recommends to continue the **REJECTION** of this contract Amendment #2 for reasons cited before.

FROM PRB #19-175

CONSULTANT FEE: $147,450

Background – DCS on behalf of DOC is replacing the central plant and all 32,000-LF of 10-inch hot water and chilled water supply and return underground piping that services the heating/cooling system at York Correctional Institution.

Under PRB #17-197, the Board approved the Consultant's Contract totaling $2,967,170, of which $211,600 was for special services. The contract included all design services as well as construction administration services, including 100 site visits during the estimated 24-month construction period.

Under PRB #18-136, the Board approved Amendment #1, for additional design services to integrate specialized equipment to facilitate the central plant in communication with the 18 building utilizing steam and chilled water, as well as specialized services to utilize ground penetrating radar (GPR) to investigate with great confidence the horizontal subsurface location and depth of the existing buried utilities on the campus. The increase in the Consultant's fee was $141,350.

Contact Amendment #2

Under this proposal, DCS seeks to amend the Consultant's contract to compensate the consultant an additional $147,450, for the following services:

1. To provide enhanced Special Inspection Services by the Structural Engineer and Geotechnical Engineer, including additional site visits and inspections on a regular basis – additional fee = $38,250.
2. To provide enhanced Construction Administration support services by the Mechanical Engineer and Geotechnical Engineer, to perform regular additional site inspection of the installation of the chilled and hot water piping, including additional site visits – additional fee = $109,200.

This Amendment #2 brings the Total Fee to $3,256,220.

DCS has confirmed for SPRB that funding is available for this contract. As part of this contract amendment DCS states, the overall construction and total project budget remain unchanged at **$45,800,000** and **$60,000,000** respectively.

FEE – The costs of basic and special services are as follows:

WSP Fee for Basic Services (PRB #17-197)	COST ($) (BASIC)	COST ($) (SPECIAL)	C. Budget ($)	(%) Budget
Schematic Design Phase	$440,891			
Design Development Phase	$551,114			
Construction Document Phase	$826,671			
Bidding and Review Phase	$110,223			
Construction Administration Phase	$826,671			
TOTAL BASIC SERVICE FEE (#17-197) (A)	$2,755,570		$45,800,000	6.02%
Amendment #1 (#18-136) - additional controls work for system integration (A1)	$87,500			
Amendment #2 (#19-175) - Enhanced Special Inspection Services (A2)	$109,200			
NEW BASIC SERVICE FEE (A) + (A1) + (A2)	$2,952,270		$45,800,000	6.45%
SPECIAL SERVICES:				
Survey (Martinez Couch)		$131,000		
Geotech & Environmental Engineering (GeoDesign)		$55,600		
DCS Design Contingency		$25,000		
TOTAL SPECIAL SERVICES(B)		$211,600		
Additional Special Services - Ground Penetrating Radar (B1)		$53,850		
Amendment #2 (#19-175) - Enhanced Special Inspection Services (B2)		$38,250		
TOTAL SPECIAL SERVICES(B) + (B1) + (B2)		$265,450		
NEW PROJECT TOTAL FEE (A) + (A1)+ (A2) + (B) + (B1)		$3,256,220	$45,800,000	7.11%

Staff requested clarification on the following issues with this proposal:

1. How old are the buildings?
2. When was the original project completed that failed prematurely?
3. Was the previous design done adequately? – supports, pipe, insulation, jacket, etc.
4. Who oversaw that project? Who was the Engineer, CA and the Contractor?

DCS Response
York Correctional was constructed in 1994 under project BI-JA-217. Almost all of the buildings are of that vintage, ~ 25 years old. There are a few older buildings that we are also connecting hot and chilled water to under this project. The facility was sited on the same property of the JB Gates correctional facility which has since been shuttered. The women's prison was originally known as the women's farm before the new facility was built in 1994. You may want to call it up on Google which will give you a sense of the scale of the facility.

It appears that the pipe used for the original distribution system was properly specified. The soil is a sandy silty material which is perhaps the best material to lay the pipe in. Typically you do not need any special pipe supports in this type of soil and I do not believe that any were specified or used for that original work. The failures experienced are not due to wholesale pipe corrosion which can occur if the pipe is placed in soil with a chemical composition that reacts with steel. From what I have been told the leaks have occurred at bad welds. The poor workmanship for those existing piping is the cause of the hot and chilled water leaks. Right now DOC is operating the system as best it can at a pressure and temperature that minimize the amount of leakage.

I do not know who the original design team was but I know that Tishman Construction was hired as the construction manager to oversee the work at York. I was with DPW at the time the project was built. A few different colleagues who are no longer with the State worked on the project. Not long ago, a different repair project was undertaken to replace the block and repair waterproofing at all buildings. I do not know the cost of that repair project but it was significant. There was litigation to recover money. Other folks here at DAS may know these answers. Don Ouillette is one person that may know most of the information, unfortunately he is currently on leave.

1. What is the project status? Did construction begin on July 1, 2019 as anticipated?
   - DCS Response:
   - *The Bond Commission Approved funding for construction on 6/26/2019.*
   - *No, however construction has begun. We issued a Notice to Proceed to construction to PDS on July 31, 2019.*
2. What is the status of CMR? What will be the responsibility of CMR? Will CMR also cover the inspections and services that are being requested under this amendment?
   - DCS Response:
   - *PDS, the CMR, has begun work on the project.*
   - *The CMR is responsible for constructing the work in accordance with the requirements of the documents. They have a responsibility for quality assurance.*
   - *There are several entities that are involved with making sure that work is done correctly, including the CMR, the CA, the Engineer (WSP) the testing lab and OSBI. Please keep in mind that this project includes not only new boilers and chillers but also installation of new heating and cooling distribution pipes. The piping under the original project failed prematurely in part because the work was not installed correctly. The intent of this Amendment is to provide a level of service on the part of the Engineer over and above that which is called for by the standard contract agreement so that we do not repeat the very expensive mistakes of the past.*
3. Provide Statement of Special Inspections per original contract, Exhibit A, Section E
   - DCS Response:
   - *At the time of contract, the Statement of Special Inspections had not been filled out by the Engineer. The services were unknown and had yet to be defined. In this Amendment, I seek to have the Engineer of Record out to the prison on a frequent basis to review the work. The work at York Correctional Institution is difficult because of the custody environment. Because every movement is controlled and requires Department of Correction correctional officer escorts it is more costly to work in this environment. I seek to have the Engineer of Record involved in the project to a greater*

extent to ensure that the work is held to the highest quality standard and does not fail prematurely like the original work did.

- *The Statement of Special Inspections that was prepared and issued at the end of the design phase is attached to this response.*

4. What basic special inspection services were anticipated under the original contract
   - DCS Response:
   - *Under the original contract the scope of work was not defined and the Statement of Special Inspections form for the York project did not exist at the point in time when the contract was signed. The Engineer anticipated an 18 month project duration (the project has a 24 month duration) and the routing of the piping was unknown. The design that will be constructed runs a portion of the piping through buildings 8&9 on supports that will be constructed to hang the 10" pipe because the existing building structure was not capable of supporting the added load imposed by the new distribution piping. The pipe in Buildings 8&9 is run along the only practical routing which are the main corridors of the Administration Building where inmates move through the space 24 hours a day and which also acts as the main queueing space for kitchen stores and prepared meals. The women's prison makes all the meals for all the inmates throughout the State. This is an important area which cannot afford to experience any leaks or problems in the future. The full scope of work could not have been realized by the Engineer at the time they offered their proposal for the original contract.*
5. Please provide a revised B1105 that reflects the changes approved by DOC.
   - DCS Response:
   - *The form is attached. DOC has not requested any formal changes since I was assigned to the project in January 2018.*

Structural/Geotech field visits ($38,250):

6. Why are these considered enhanced services? Is the concept of hanging the piping mains new? How was the original scope designed to hang the pipes in the existing buildings?
   - DCS Response:
   - *Under this amendment the Engineer will make more visits to the facility to inspect the work and shall be available to make site visits in order to respond to issues that are encountered in the field. The project is classified as a renovation project and renovation projects often encounter unforeseen conditions. In the case of York and its essential role as the only facility to house female offenders and in feeding the inmate population throughout the State, it is important that we*
7. Based on WSP's scope of work (dt. 4/17/17), page 11, they had retained a structural engineering services that was responsible to "review the building structures for support of piping and equipment as needed". What was the recommendation from this Structural engineer to hang the pipes?
   - DCS Response:
   - *The Engineer determined that the existing structure was not capable of support the loads of the new distribution piping. Additional structural elements (supports) are part of the project.*
8. Why can't these services be provided within existing scope? Per WSP's original scope, there is an allowance of 100 meetings and field visits over a 24 month construction duration.
   - DCS Response:
   - *The existing scope involves construction administration support of attending meetings on-site and inspecting the work by the Engineer's project manager or member of their CA staff. WSP's project manager (Chris Tso) and their construction administration staff person (Adam Prosser) have general knowledge of the project. They were not the lead mechanical engineer, structural engineer or geotechnical person. Construction phase services called for by the contract do not necessarily include regular site visits by the geotechnical engineer or the structural engineer. The scope of work under the amendment calls for the experts to visit the site frequently to ensure that all work*

performed is appropriate (particularly in the case of soils which can vary from the borings) and compliant with the construction contract documents.

9. Please provide a staffing and fee matrix to support the Special Inspection Services by the Structural Engineer and Geotechnical Engineer at $38,250 for 15 site visits.
   - DCS Response:
   - *I have reached out to WSP and asked for the information that you seek.*

Mechanical/Geotech field visits ($109,200):

10. Why are these considered enhanced services?
    - DCS Response:
    - *The purpose of the amendment is to provide for more time in the field for the engineers that designed the project to ensure that the work is constructed to their expectations. The driving force for this additional level of oversight is to catch any problems with the work which may not surface for many years after the new piping system is placed into service. The piping that we are installing under the construction contract replaces pipes that failed well before they should have resulting in severe operational problems for the complex.*
11. Why are enhanced CA services required when CA Consultant is providing similar services including an allowance for testing firm that will perform pipe weld testing and verify the integrity of the pipe, insulation and jacket as per the requirement of the Consultant's Construction Documents.
    - DCS Response:
    - *Simply stated, DAS seeks to engage the design engineers so we do not repeat the mistakes made in the past. Our intent is to avoid spending tens of millions of dollars unnecessarily by employing multiple layers of inspections before the work is buried.*
12. Clarify why are enhanced Engineering services required when WSP is providing 100 site visits and meetings during the construction phase.
    - DCS Response:
    - *The scope of work of the amendment requires the design experts to visit the site, review the work and let us know if they have any concerns with the installation. The project consists of approximately six (6) miles of buried pipe. A trench will be cut for the piping which will be placed, welded and tested. It will then be buried. It is not feasible to leave the pipe exposed for very long especially since a significant part of the pipe is within the prison fence. Once the pipes are buried they are concealed until they are dug up for repair. With the increased inspection we hope that they will not have to be dug up in the future for repair as was the case with the pipes that were installed when the prison was built in 1994. We plan to do it right this time.*
13. Please provide a staffing and fee matrix to the enhanced Construction Administration support services by the Mechanical Engineer and Geotechnical Engineer support the $109,200 for 24 additional site visits.
    DCS Response: *I have reached out to WSP and asked for the information that you seek.*

RECOMMENDATION:

Staff recommends to **REJECT** this contract Amendment #2. These services are being provided by various professionals such as CMR, the CA, the Engineer (WSP), the testing lab and OSBI.

- These services are being provided by various professionals such as CMR, the CA, the Engineer (WSP), the testing lab and OSBI. There are already multiple layers of reviews and inspections that should provide the comfort level DCS is looking for.
- WSP's original scope includes Construction Administration during construction totaling about $827,000, which includes periodic field visits during construction to monitor construction progress.

- Construction Administration contract approved under PRB #18-090 in the amount of $2,251,257 for basic services plus $594,153 for special services (special services include $435,960 for construction phase pipe testing to be conducted by a Testing Firm).
- CMR is also responsible for constructing the work in accordance with the requirements of the construction documents. They have a responsibility for quality assurance as well.
- The design documents must require stringent weld specifications and testing requirements which will alleviate DCS's concern.

FROM PRB #18-136

Amendment #1

Amendment #1 to Contract BI-JA-465-ARC is requesting approval for funding for additional Basic Services and additional Special Services.

Additional Basic Services **($87,500)**: The original contract called for the replacement of the boilers within the Central Plant and all subsurface piping to connect to all 18 buildings on the Campus. As the project evolved, it became clear to the Engineer that the installation of equipment within the Central Plant cannot be fully integrated into the operating systems of the 18 satellite buildings on the Campus. Further complicating issues is that the operating systems for the 18 buildings are 25+ years old and replacement parts are increasingly difficult to locate.

DCS is requesting additional Basic Fees to investigate the existing condition of the controls in the 18 buildings on the Campus and expand their design to document the location of equipment on the drawings and call for the complete replacement of all controls equipment with a single fully integrated building controls management system that is fully warranted and capable of remote operation of all buildings from the Central Plant. The fee for this additional Basic Service is $87,500.

Additional Special Services **($53,850)**: The design team has recommended retaining the services of a subconsultant to conduct ground penetrating radar (GPR) to investigate locations on the Campus. The purpose is to identify with great confidence the horizontal subsurface location and depth of the existing buried utilities. The original contract included special services for geotechnical/environmental engineering (test borings and pits only) that required the identification of utilities through various methods, none of which included GPR. Aside from the field data collected from the surface and information on existing drawings for underground utilities, the surveyor was not able to confirm the exact location, size, or depth of the subsurface utilities.

DCS is requesting additional Special Service Fees to retain a subconsultant to identify the actual size, location and depth of the existing underground utilities. The subconsultant will employ the following three methods to identify the subsurface utilities: #1. Use of Ground Penetrating Radar (GPR) to detect metal objects in non-conductive soil; #2. Electro-Magnetic (EM) technology to detect metallic-based piping and cables; and #3. Soft Digs (in 28 locations), to identify and confirm type, depth and size of existing underground utilities and structures. Results of the three methods will be marked on the surface locations with paint and incorporated into the site surveys. The fee for this additional Special Service is $53,850.

Amendment #1 requests an increase in **$141,350** funding to compensate the Engineer for the additional Basic and Special Services. DCS has confirmed for SPRB that funding is available for this contract.

This Amendment #1 is seeking an increase in the Engineer's fee by $87,500 bringing the Total Fee to $3,108,520 and the Basic Fee to $2,843,070.

RECOMMENDATION: It is recommended that SPRB **APPROVE** this contract Amendment #1 for WSP USA, Inc. to provide additional design related services for the integrated controls and special services for subsurface utility investigation. The revised overall basic service fee of $2,843,070 amounts to 6.21% of the construction budget and is well within the recommended guideline rate of 10.5% for this Group B Renovation Project with Group A Site Improvements.

FROM PRB # 17-197

PROJECT BRIEF– In general this project involves the complete renovation and equipment replacement of the existing 9,700-GSF Central Plant. The project will include the design of a new boiler system with a dual fuel system (natural gas and #2 fuel oil back-up), new chillers, variable drive pumps, and cooling tower cells. The project scope will also include the complete renovation of the existing plant, a new centralized building management control system, updated fire alarm system and planned expansion space. Due to the ongoing system failures, the project scope will also include 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 connect all eighteen buildings located on the campus. As part of the initial project scope, the overall construction and total project budget have been established at **$45,800,000** and **$60,000,000** respectively.

This contract with the Engineer (WSP) was signed on 7/31/2017 for the completion of the York **Correctional Central Plant and Distribution Project** from the schematic design phase through the construction document phase, bidding and the subsequent completion of construction. The overall compensation rate for this basic service was **$2,755,570** with an additional **$211,600** for special services. As such the total project fee is **$2,967,170.** The special services detailed in the project scope include geotechnical/environmental engineering (test borings and pits only), land surveying and a design contingency.

FEE – The costs of basic and special services are as follows:

WSP Fee for Basic Services (PRB #17-197)	COST ($) (BASIC)	COST ($) (SPECIAL)	C. Budget ($)	(%) Budg
Schematic Design Phase	$440,891			
Design Development Phase	$551,114			
Construction Document Phase	$826,671			
Bidding and Review Phase	$110,223			
Construction Administration Phase	$826,671			
TOTAL BASIC SERVICE FEE (#17-197) (A)	$2,755,570		$45,800,000	6.02%
SPECIAL SERVICES:				
Survey (Martinez Couch)		$131,000		
Geotech & Environmental Engineering (GeoDesign)		$55,600		
DCS Design Contingency		$25,000		
TOTAL SPECIAL SERVICES(B)		$211,600		
Amendment #1 (#18-136) - additional controls work for system integration (A1)	$87,500			
Additional Special Services - Ground Penetrating Radar (B1)		$53,850		
NEW BASIC SERVICE FEE (A) + (A1)	$2,843,070		$45,800,000	6.21%
NEW PROJECT TOTAL FEE (A) + (A1) + (B) + (B1)		$3,108,520	$45,800,000	6.79%

- The RFQ posted in October 2016 elicited 7 candidates. The Selection Panel interviewed five firms and ultimately recommended the appointment of **WSP USA, Inc. (formerly Parsons Brinckerhoff, Inc.) ("WSP")**. The selection was approved by Commissioner Currey on 2/8/2017.

- WSP is located in New York City. Parsons Engineering was established in 1985. WSP acquired Parson Brinckerhoff, Inc. in 2014 and rebranded the firm as **WSP USA, Inc**. in 2016. WSP will be operating under it engineering corporation license PEX.0001890. The license is valid until 07/31/2017.

- JLT Specialty, Insurance Inc. reported that over the past 5 years WSP has been exposed to fourteen general liability or professional liability claims. None of these claims were on state funded projects administered by DCS.

- The submittal is accompanied by a Consulting Agreement Affidavit notarized on 5/17/2017.

RECOMMENDATION: It is recommended that APPROVE this new contract for WSP USA, Inc. (formerly Parsons Brinckerhoff, Inc.) to provide design related services at the York Correctional Central Plant and Distribution Project. The overall blended basic service rate of 6.01% is well within the established guideline rate of 10.50% for this Group B Renovation Project with Group A Site Improvements.

7. **OTHER BUSINESS**

8. **VOTES ON PRB FILE:**

PRB FILE #19-253 – Mr. Halpert moved and Mr. Valengavich seconded the motion to approve PRB File #19-253. The motion passed unanimously.

PRB FILE #19-271 – Mr. Berger moved and Mr. Valengavich seconded a motion to approve PRB FILE #19-271. The motion passed unanimously.

PRB FILE #20-004 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #20-004. The motion passed unanimously.

PRB FILE #19-272 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #19-272. The motion passed unanimously.

PRB FILE #19-273 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #19-273. The motion passed unanimously.

PRB FILE #19-274 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #19-274. Secretary Valengavich, Mr. Berger and Mr. Cianci voted to approve. Chairman Greenberg, Vice Chairman Josephy and Mr. Halpert voted against. The motion failed.

9. **NEXT MEETING** – Tuesday, Special Meeting, January 21, 2020, commencing at 10:30AM.

The meeting adjourned.

APPROVED: John Valengavich **Date:** 1/21/20
John Valengavich, Secretary