

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On March 30, 2020 – remotely via telephone conference –

Pursuant to Governor Lamont's Executive Order No. 7B regarding suspension of In-Person Open Meeting requirements, the State Properties Review Board conducted its Regular Meeting at 9:30AM on March 30, 2020 remotely via telephone conference at (866)-692-4541, passcode 85607781.

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

Chairman Greenberg inquired if there were any public participants.

Ronald Wilfinger, PM – DAS/DCS

No others responded.

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 moved and Mr. Halpert seconded a motion to approve the minutes of the March 26, 2020 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Director Desai had electronically distributed Board Member vouchers on Friday. All Members approved and pursuant to the Board's delegation of authority, Director Desai will sign each voucher on behalf of the Members and submit to DAS for processing.

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB # 20-044
Origin/Client: DCS/MIL
Transaction/Contract Type: AE / Task Letter
Project Number: BI-Q-672C
Contract: OC-DCS-MBE-ARC-0003
Consultant: ID3A, LLC
Property: Enfield, King St (1635) – Enfield Armory
Project purpose: Armory Kitchen, Shower & Latrine Renovations
Item Purpose: Revised Task Letter #4C to compensate the consultant for expanded ARC services.

Mr. Ronald Wilfinger, PM joined the meeting regarding this proposal at 9:30AM.

PROPOSED AMOUNT: \$45,743

At its meeting held on June 13, 2019 the State Properties Review Board voted to return PRB File #19-109 as requested by DAS/DCS/MIL.

Under this revised Task Letter #4C, DAS/DCS is seeking Board approval to expend \$45,743 for the following expanded project scope:

- a. Redesign of completed Design Development documents to incorporate State of Connecticut – Military Department (MIL Dept.) request to maximize shower and toilet count instead of locker count, which required Consultant to rework the plan, ceiling plans and elevations, and coordinate with the engineers to redesign the mechanical, plumbing and electrical work.
- b. Modify Construction Documents to address changes to the State Building Code;
- c. Modify Construction Documents to redesign the civil drawings to coordinate and accommodate the site work of both this project and a different site project, DCS Project Number BI-Q-672B;
- d. Provide additional deliverables requested by MIL Dept. including drawing sets, Finish Boards, revised equipment specification numbering, and additional printing; and,
- e. Provide construction phase services, including twelve (12) additional site visits for the consultant and four (4) additional site visits for the engineer sub-consultant, due to an increase in the construction duration from three months to ten months as a result of MIL Dept’s decision to keep the Armory operational during construction and the concomitant need to have multiple construction phases.

A breakdown of the fee request (including sub-consultants) is as follows:

ITEM	ID3A	BVH	CRABTREE	TOTAL
1a-c. Document Revisions				
Scope Adjustments	\$1,380	\$2,475		\$3,855
Site Adjustments/Coordination		\$2,000		\$2,000
Conformance to New State Building Code	\$2,140			\$2,140
1d. Additional Deliverables				
Printing and Finish Boards	\$4,770			\$4,770
Kitchen Equipment Renumbering Coordination			\$2,976	\$2,976
				\$0
1e. Extended Construction Phase Services	\$26,270	\$2,715		\$28,985
Subtotals	\$34,560	\$7,190	\$2,976	\$44,726
ID3A Consultant Mark-up		\$719	\$298	\$1,017
Total Add Service				\$45,743

The Construction Budget and Total Project remain at **\$1,620,485** and **\$2,067,085**, respectively.

ID3A Basic Services Fee TL#4 (Informal)	ARC Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Design Phase	\$0				
Design Development Phase	\$20,490				
Construction Document Phase	\$42,375				
Tracing & Masters/Bidding	\$3,665				
Construction Administration Phase	15,670				
TOTAL BASIC SERVICE FEE (Informal) (A)	\$82,200			\$600,000	13.70%
ID3A Special Services Fee (Informal) (B)					
MEP Coordination		\$7,500			
TOTAL SPECIAL SERVICE FEE (#Informal)		\$7,500	\$89,700	\$600,000	14.95%
ID3A Basic Services Fee - Additional Fees					
Additional Design Services - TL 4A-#17-048 (A1)	\$13,500				
Additional Design Services - TL 4B-#18-041 (A2)	<u>\$6,500</u>				
TOTAL BASIC SERVICE FEE (A+A1+A2)	\$102,200			\$775,218	13.18%
TOTAL PROJECT FEE A+A1+A2+B	\$102,200	\$7,500	\$109,700	\$775,218	14.15%
ID3A Basic Services Fee - TL4C - #20-044					
Construction Document Phase	\$16,758				
Expanded CA Phase	<u>\$28,985</u>				
Additional Services - TL 4C- #20-044 (A3)	\$45,743				
TOTAL BASIC SERVICE FEE (A+A1+A2+A3)	\$147,943			\$1,620,485	9.13%
TOTAL PROJECT FEE A+A1+A2+B	\$147,943	\$7,500	\$155,443	\$1,620,485	9.59%

RECOMMENDATION: It is recommended that SPRB **APPROVE** Task Letter #4C for ID3A, LLC to provide additional consulting design and construction administration services on this project. The overall basic service fee of 9.13% is generally within the established guideline rate of 13.0% for this Group B Renovation Project.

It should be noted that under PRB #19-109, the Board questioned why DAS/DCS was seeking to compensate the consultant for delays during the DD/CD Phase (see page 6). Under PRB #20-044, all references seeking compensation for delays, reducing the consultant’s fee request by \$6,061, which represents savings to the State.

FROM PRB #19-109

PROPOSED AMOUNT: \$51,804

PROJECT BRIEF – In general, this project involves the renovation/construction of a new 1,300 GSF kitchen facility inclusive of a food preparation, cooking, serving and storage areas. The renovated area will also include a commercial dishwashing operation and reach-in freezers and refrigerators. The renovated shower/latrine area will include ADA accommodations, design standards for a 50/119 female to male split, expansion of shower areas and additional private shower stalls. The project shall also include the construction of a general storage area, air conditioning in office areas and the infrastructure and pad for a generator. This work shall be accomplished consistent with the National Guard Bureau DG 415-5 Regulations except for the toilet counts and freezer area.

This Task Letter for ID3A is considered an extension of Task Letters #4, #4A & #4B issued in March 2016, February 2017 and March 2018.

The Consultant was initially engaged via **Task Letter #4** (Informal) under Contract OC-DCS-MBE-ARC-0003 to perform ARC Services in conjunction with this construction/renovation project through Project Closeout. The ARC Fee was not to exceed (“NTE”) \$89,700 based on a \$600,000 construction budget and a 3-month construction period and the following design and construction administration services of the Consultant for the following:

- Kitchen renovations; layout of new 1,300 sf standard kitchen to include food prep, severy, cooking and food storage area; relocate supply room to storage area, new offices, wire partition caging; and grease trap (alternate);
- Shower/Latrine renovations; code evaluation; layout of latrines and shower facilities with expansion; provide ADA women’s shower/latrine/locker; provide ADA men’s shower/latrine/locker; and provide individual shower stalls in existing gang shower area.

The Consultant’s services were extended via **Task Letter #4A** (PRB # 17-048). The ARC Fee was not to exceed (“NTE”) and additional \$13,500 (\$103,200 total fee) on an increased construction budget of \$775,218 (up from \$600,000) for the following project scope:

- Completion of Technical and Infrastructure design work for various interior improvements.
- Development of plans for structured cabling, raceway conduits and low voltage systems.
- Completion of faceplate and modular telecommunication outlets with labeling and testing
- Additional design services to provide layout options to expand locker counts and locations.
- Additional design services for revised layout options within the kitchen area to include access doors, mobile serving equipment and an additional hand washing sink.

The Consultant’s services were again extended via **Task Letter #4B** (PRB # 18-041). The ARC Fee was not to exceed (“NTE”) and additional \$6,500 (\$109,700 total fee) on a construction budget of \$775,218 for the following project scope:

- Completion of Technical and Infrastructure design work for locating of a new rooftop condensing unit.
- Revisions to MEP and site plan requirements based on this additional scope of services.
- Completion of an updated project cost estimate.

In April 2014, SPRB approved ID3A, LLC (“ID3A”) (**PRB File #14-080**) as one of four firms under the first On-Call MBE Architectural Support Services consultant contracts. These contracts had a maximum contract fee of \$300,000 and expired on May 31, 2016. ID3A has been approved for the following task(s) under this series:

• Task Letter #1	WCSU Code Evaluation	\$35,600	(Informal)
• Task Letter #2	Southbury TS Bathroom Renovations	\$24,500	(Informal)
• Task Letter #2A	Southbury TS Bathroom Renovations	\$8,500	(Informal)
• Task Letter #3	Ellis THS Field House Study	\$45,600	(Informal)
• Task Letter #4	Enfield Armory Kitchen-Shower Renov.	\$89,700	(Informal)
• Task Letter #4A	Enfield Armory Kitchen-Shower Renov.	\$13,500	(#17-048)
• Task Letter #4B	Enfield Armory Kitchen-Shower Renov.	\$6,500	(#18-041)
Total Fee to Date:		\$223,900	

TASK LETTER #4C is subject to SPRB approval because the total project fee continues to exceed the threshold cost of \$100,000. The ARC Fee was not to exceed (“NTE”) and additional \$51,804 (\$161,504

total fee) based on a Construction Budget and Total Project that was increased to **\$1,620,485** and **\$2,067,085**, respectively.

As detailed in the proposed Task Letter #4C with ID3A, the fee is intended to compensate the Consultant for the following expanded project scope:

From DCS:

The project had six delays due to the State of Connecticut -Military Department (MIL Dept.) securing additional funding for increased construction cost, plan change approvals, request for additional work by MIL Dept. beyond Task Letter #4, 4A and 4B approvals for these requests and DAS late reviews:

- a. CD delays from original schedule -Additional time and effort due to:
 1. MIL Dept. approval for plan revision for locker room
 2. Provided sketches for various locations for hand washing sink, as well as cost implications. Ultimately MIL Dept. decided to forgo the sink and direct the trainees to use the locker rooms for this purpose.
- b. MIL Dept approval for project to go ahead with increased construction cost of \$900,000.00.
- c. MIL Dept request for Condensing Units to be located on roof (TL 4B) -delay due to back and forth for decision from MIL Dept. to approve structural analysis of roof for extra loading on the roof.
- d. MIL Dept. decision/direction to apply for Code Modifications and implementation of the new State Building Code. Revise drawing sheets to reflect current Building Code at the end of 2016.
- e. Site adjustments and coordination with other projects that were not present or available at the time of the CD Phase (New Organizational Storage Building, Fencing for force protection). Original task letter 4 was based on single project including site work for the same.
- f. Additional deliverables requested from the MIL Dept. that were not included in the original or supplemental commissioned letters TL 4, 4A and 4B (Extra printed sets of drawings and finish boards).
- g. Revise equipment numbering:
 1. Revise equipment specification numbering/ formatting from Crabtree standard (submitted 3 times this way) to MIL Dept. standard equipment numbering at the end of CD phase. Revisions included schedule revisions, plan revisions, coordination of plan revisions with ID3A & BVH, estimate revisions and cut sheet renumbering revisions. At first discussion MIL Dept. was intent on purchasing the equipment and then a late decision by the MIL Dept. this equipment is to become part of the project and specifications written to meet the MIL Dept. specifications.
- h. Increase of Construction timeline:

Task Letter 4 was based on a 1 phase, 3-month construction schedule. Through the development of the project the consultant has learned that the Armory plans to stay operational during construction which will result in an estimated 10-month construction time. This adds an additional 7 months of CA for the design team. See below for synopsis:

 1. Original commissioned task letters 4, 4A and 4B, three (3) months construction, one (1) phase, 12 project meetings coordinated with site visits. Now the Armory to be kept operational -multiple phase construction. Construction timeline estimated at ten (10) months, additional twelve (12) project meetings coordinated with site visits for this time frame
 - Kitchen Equipment Lead Time
 - One Locker room at a time
 - Kitchen
 - Offices / Drill Storage
 - Classrooms

ID3A Basic Services Fee TL#4 (Informal)	ARC Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Design Phase	\$0				
Design Development Phase	\$20,490				
Construction Document Phase	\$42,375				
Tracing & Masters/Bidding	\$3,665				
Construction Administration Phase	<u>15,670</u>				
TOTAL BASIC SERVICE FEE (Informal) (A)	\$82,200			\$600,000	13.70%
ID3A Special Services Fee (Informal) (B)					
MEP Coordination		\$7,500			
TOTAL SPECIAL SERVICE FEE (#Informal)		\$7,500	\$89,700	\$600,000	14.95%

ID3A Basic Services Fee - Additional Fees					
Additional Design Services - TL 4A-#17-048 (A1)	\$13,500				
Additional Design Services - TL 4B-#18-041 (A2)	<u>\$6,500</u>				
TOTAL BASIC SERVICE FEE (A+A1+A2)	\$102,200			\$775,218	13.18%
TOTAL PROJECT FEE A+A1+A2+B	\$102,200	\$7,500	\$109,700	\$775,218	14.15%
ID3A Basic Services Fee - TL4C - #19-109					
Construction Document Phase	\$21,286				
Construction Administration Phase	<u>30,518</u>				
Additional Services - TL 4C- #19-109 (A3)	\$51,804				
TOTAL BASIC SERVICE FEE (A+A1+A2+A3)	\$154,004			\$1,620,485	9.50%
TOTAL PROJECT FEE A+A1+A2+B	\$154,004	\$7,500	\$161,504	\$1,620,485	9.97%

Staff asked DCS to clarify the following on 5/29/19:

1. Why should the consultant be paid for delays for the DD/CD Phase? Why these delays not addressed in previous amendments?
 - Based on the long history of this project which is the final project from a Vision 2020 project which included BI-Q-672A and BI-Q-672B; the original design was under Fletcher Thompson and ID3A was signed to pick up the Design after the termination of Fletcher Thompson. Other PM's had this project and due to attrition (retirement, moving laterally to other positions in the State system or Promotions) this project ended up in my lane. Due to my current work-load (15 projects both DAS and AA responsibilities where I am in the role of Project Manager and Construction Administrator (CA)), certain items fell by the way side as other items took priority over this project. Other factors that affected the Consultants were Change in the Adopted Building Codes, DAS OSBI Reviews and last minute review and changes from the

Mil Dept. It is a human factor and we all make mistakes and priorities shift from project to project at any given time. Long and short the changes were proposed at the BID Stage of documents as DAS/CS was packaging the project to be released for Bid and applying/obtaining the Building Permit. The Mil Dept as well as DAS had to have the Consultant and their sub-consultants modify the documents to reflect the changes/plan review comments from DAS and Mil Dept. Both agencies are at fault for changing the documents at this late stage of the project and it is only fair and equitable that the consultant be reimbursed for requested items. This is why they were not addressed in previous amendments

2. **PI provide hourly fee matrix for the 10-month construction duration**
 - DAS/CS respectfully requests clarification of this question. What Hourly Fee Matrix is SPRB looking for?
 - IS SPRB looking for the Hourly Fee Matrix for the Consultants and their Sub Consultants?
 - Is SPRB requesting now that ALL SPRB Task Letters be drafted with Hourly Fee Matrix, because the initial On-Call Contract and Subsequent Task Letters for the same does not include the hourly rate for this project. The existing expired On-Call Contract with ID3A that this project is under did not have an hourly rate submission in any of their task letters.
 - Upon request from SPRB, I can request this of the Consultant and thus I will have to pull the task letter from SPRB and ask the Consultant for a revised proposal to include the Hourly Fee Matrix for SPRB which will in no doubt increase the consultant fee and we will be back at square one.
 - In closing, I feel that I have done my due diligence in reviewing the proposal (This one is the 3rd submission from ID3A after a few days of meetings, e-mails and phone conversations) to where I felt it was the best value that would move the project forward and best value for the State of Connecticut.

3. **Provide construction estimate for the project**
 - The Construction Estimate is just that, the best guess for the project. This cannot be held as law for there are many other mitigating factors that affect the construction costing on a daily, weekly, monthly and yearly basis – We will not know the true cost until the bids are received and opened and also when we financially close out the project and reconcile this value against the estimate. With this said, I offer the following estimate attachment as requested.

4. **Provide a revised B1105 approved by the user agency**
 - The Agency provided the Revised Budget Sheet that is contained in the original 1105, because the original 1105 has not changed from what the design and previous task letters were based on. The only item that changes is the budget sheet. This is a Budget Sheet and does not reflect the actual costs.
 - The document supplied with the task letter submission in DAS Checklist referencing that “Funding is available” in my professional opinion over-rides or confirms the Budget Value.
 - Please find attached 1105 -Page 4 of 7 received from Mil Dept., as well, as the E-mail proving that Funds Are available from the Mil Dept. to cover the Supplemental Task Letter for ID3A.

In closing, this project has Federal Funding Attached and must be executed prior to September 01, 2019 or the CT Mil Dept. has to return all available funds back to the Federal Government and the loss of this project being executed and finished. Thus potentially affecting the National Guard Units in CT at this location and hampering their mission. Lastly, the Project will have to be shelved and then revisited when and if the CT Mil Dept. gets Federal Government re-authorization for funding to cover the costs for this project, which will most likely result in a Higher Estimate and another Task Letter Amendment to cover the associated cost increases and effort.



RECOMMENDATION:

Pursuant to a June 13, 2019 email from DCS Chief Architect David Barkin, Staff recommend **return** of this file to DCS.

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILE #20-044 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #20-044. The motion passed unanimously.

9. NEXT MEETING – Thursday, April 2, 2020.

The meeting adjourned.

APPROVED: _____ **Date:** _____
John Valengavich, Secretary