

# STATE PROPERTIES REVIEW BOARD

## Minutes of Meeting Held On April 20, 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 April 20, 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. None responded. However, based on the count, there were total of 10 participants which included 6 Board members and 2 staff. 2 did not identify themselves or even acknowledged their presence.

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. Berger seconded a motion to approve the minutes of the April 16, 2020 Meeting. The motion passed unanimously.

### 2. COMMUNICATIONS

Staff informed Board Members of a March 9, 2020 communication from Paul Elconin of the Weantinoge Land Trust thanking the SPRB for taking action on the Bronson Maple Bank Farm in Roxbury and looking forward to the Board's action on the Mead Run Farm in Goshen.

### 3. REAL ESTATE- UNFINISHED BUSINESS

### 4. REAL ESTATE – NEW BUSINESS

### 5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

<b>PRB #</b>	<b>20-019</b>
<b>Origin/Client:</b>	DCS/DAS
<b>Transaction/Contract Type</b>	AE / Task Letter
<b>Project Number:</b>	BI-2B-382
<b>Contract:</b>	OC-DCS-CA-0018
<b>Consultant:</b>	ATANE Engineers P.C. f/k/a HAKS Engineers P.C.

**Property** Hartford, Capitol Ave & Washington Streets  
**Project purpose:** CAS Capitol Crossing & Washington Street Extension  
**Item Purpose:** Task Letter #7B to compensate the consultant for extended construction administration services.

PROPOSED AMOUNT: \$80,103.75

**APRIL 7, 2020 UPDATE:**

At the State Properties Review Board meeting held on February 27, 2020, the Board voted to suspend this file pending Board clarification of the following issues:

1. What is the status of the project? What was the start date (NTP) of the project? Is the substantial completion date – May 15, 2019? Has project been closed out? If no, what activities are remaining requiring CA's services?

DCS Response: The project is complete and in closeout phase. Substantial Completion was 10/1/2019. No Activities remain. **OK**

2. Why were there delays? What caused them and who was responsible for the delays? Will there be any claims filed by the State for these delays?

DCS Response: There were delays due to many unforeseen conditions underground (i.e. utility conflicts) and some welds that did not meet the quality as outlined in the spec. These welds were corrected and retested by the contractor at no cost to the state. There will be no claims as far as we know at this time. **OK**

3. What were the reasons for expanded CA oversight services? Please provide documentation of hours with staffing in support of \$55,680. In October 2018, the Board approved expanded CA fees for CAS street crossings (2 days/week) under PRB #18-197 (\$36,960). Please clarify what precipitated the immediate need to expand CA services to 4 days/week, and at what point did the 4 days/week supervision commence?

DCS Response: The road crossings proved to be increasingly complex and difficult resulting in a need for expanded oversight from Atane. The last road crossing commenced on April 26, 2019. **OK**

4. Please provide an electronic copy of the First Amendment to CMR Contract for BI-2B-381 that incorporated BI-2B-382 into the CMR Contract.

DCS Response: DCS provided a copy of the First Amendment to CMR Contract. **OK**

5. Please provide 'attached summary' referenced in Atane's 5-15-2019 correspondence.

DCS Response: Ok. Please see pages 3 and 4 of Atane's proposal. **OK**

6. Please reconcile the Consultant's request for reimbursement of expanded CA services over a 35 week period, when the period of July 1, 2018 to February 7, 2019, encompasses only 31 weeks.

a. 11 weeks requested in #18-197 (\$36,960)

b. 24 weeks requested in #20-019 (\$55,680)

35 weeks total

DCS Response: During Nov. 2017 after negotiations were complete with the CMR a new Project Completion Date (PCD) was established of Feb. 7, 2019.

Atane's Proposal letter of Nov 10, 2017 and requested extension of services to accommodate the new PCD. Part of the proposed services was providing full time inspection for 11 weeks expected to occur from July 1, 2018 through Feb 7, 2019. This request was approved and Task Order 7A was issued Oct. 18, 2018 with the July 1, 2018 to Feb 7, 2019 noted.

During March of 2018 DAS requested Atane's services to be extended to include additional days of full time inspection services which they proposed would be for 35 weeks through Feb 7, 2019. These

additional full time days began to occur in April 2018 (See weekly time chart) and extended into April 2019 due to project delays. The 35 weeks was not meant to be a consecutive but only when needed and not only did the work begin earlier (April 2018) but lasted longer (April 26, 2019). The April 26, 2019 date is stated in their Proposal letter of May 15, 2019. A review of the weekly time chart shows the weeks of full time inspection and that they are not consecutive and were dependent on the Contractor's work schedule.

Since they had been given 11 weeks of time in Task Order 7A they subtracted them from the total of 35 and got to 24 weeks.

A final look at the weekly time chart will show that more than 35 weeks full time inspection was provided. OK



Date: 05/13/19

**Re: Connecticut DAS - On Call Construction Administration Services**  
**Task #7 - BI-2B-382 CAS Capitol Crossing & Washington Street Extension - Hartford, CT**  
**DTL SUMMARY - Construction Phase**

NAME	TITLE	HOURLY RATE				TOTAL DTL HRS.	TOTAL COST
			07/01/18 - 02/07/19				
David Gruhn		\$145.00	384.0			384.0	\$55,680.00
<b>TOTAL:</b>						<b>384.0</b>	<b>\$55,680.00</b>



Date: 05/13/19

**Re: Connecticut DAS - On Call Construction Administration Services**  
**Task #7 - BI-2B-382 CAS Capitol Crossing & Washington Street Extension - Hartford, CT**  
**DTL SUMMARY - Construction Phase**

NAME	TITLE	HOURLY RATE				TOTAL DTL HRS.	TOTAL COST
			02/07/19 - 04/26/19				
Joseph Bigger	Project Manager	\$165.00	23.0			23.0	\$3,795.00
David Gruhn		\$145.00	117.5			117.5	\$17,037.50
Theresa Malone		\$85.00	42.3			42.3	\$3,591.25
<b>TOTAL:</b>						<b>182.8</b>	<b>\$24,423.75</b>

**RECOMMENDATION:** It is recommended that SPRB **APPROVE** Task Letter 7B for ATANE Engineers, P.C. to provide expanded CA services for the expansion of the CAS Heating and Cooling Pipeline.

PROPOSED AMOUNT: \$80,103.75

On October 18, 2018, under PRB File #18-197, the Board approved Task Letter #7A to the on-call contract to provide increased CA services up to 16 months (from 8 months) and expanded CA Services at the request of DAS/DCS for full-time roadway crossing supervision pre-design study services for the expansion of the Capital Area System ("CAS") Heating and Cooling Pipeline, totaling \$186,980.

Under this proposed **TASK LETTER #7B** with ATANE Engineers, P.C., the fee is intended to compensate the Consultant an additional \$80,103.75 for the following project scope:

- Expanded CA Services from July 8, 2018 to February 7, 2019 totaling \$55,680
- Expanded CA Services from February 8, 2019 to April 26, 2019 totaling \$24,423.75.

Since the award of this contract HAK/ATANE has been approved for the following tasks under this series:

• Task Letter #1	61 Woodland Street Plaza Repairs	\$32,000	<b>(Informal)</b>
• Task Letter #2	Sherwood Island Maint. Building	\$99,000	<b>(Informal)</b>
• Task Letter #2A	Sherwood Island Maint. Building	\$3,600	<b>(PRB 16-120)</b>
• Task Letter #3	Middletown Library Roof Replac.	\$19,250	<b>(Informal)</b>
• Task Letter #4	DDS Facilities Roof Replacement	\$48,160	<b>(Informal)</b>
• Task Letter #5	BOR Roof & Facility Repairs	\$95,000	<b>(Informal)</b>
• Task Letter #6	Enfield Sup. CT Roof & HVAC	\$85,550	<b>(Informal)</b>
• Task Letter #7	CAS Capitol Crossing	\$205,400	<b>(PRB #16-223)</b>
• Task Letter #7A	CAS Capitol Crossing	\$186,980	<b>(PRB #18-197)</b>
<b>Total Fee to Date:</b>		<b>\$774,940</b>	

DCS has confirmed funding is in place for this Task Letter #7B.

<b>Task Letter #7- HAK Fee (PRB File #16-223)</b>	<b><u>COST (\$)</u> <u>(BASIC)</u></b>	<b><u>COST (\$)</u> <u>(SPECIAL)</u></b>	<b><u>TOTAL</u> <u>COST</u></b>	<b><u>C. Budget</u> <u>(\$)</u></b>	<b><u>(%)</u> <u>Budget</u></b>
Pre-Construction Phases (SD through CD)	\$78,000				
Bidding Phase	\$9,750				
Construction Administration Phase	<u>\$107,250</u>				
TOTAL BASIC SERVICE FEE (#16-223) (A)	\$195,000			\$6,500,000	3.00%
<b>SPECIAL SERVICES:</b>					
Materials Testing Allowance		\$10,400			
Commissioning Allowance (TBD)		<u>\$0</u>			
TOTAL SPECIAL SERVICE FEE (#16-223) (B)		<u>\$10,400</u>			
TOTAL PROJECT FEE (A) + (B) - PRB 16-223			<u>\$205,400</u>	\$6,500,000	3.16%
<b>ADDITIONAL CA SERVICES TL 7A - PRB 18-197 (A1)</b>	<b><u>\$197,380</u></b>				
<b>CREDIT FOR SPECIAL SERVICES TL 7A PRB #18-197 (B1)</b>		<b><u>(\$10,400)</u></b>			
<b>TOTAL TASK LETTER 7A FEE (A1 + B1) (PRB 18-197)</b>			<b>\$186,980</b>		
<b>ADDITIONAL CA SERVICES TL 7B - PRB 20-019 (A2)</b>	<b><u>\$80,104</u></b>				
<b>TOTAL BASIC SERVICES (A+ A1+A2)</b>	<b>\$472,484</b>			<b>\$9,411,569</b>	<b>5.02%</b>
<b>TOTAL SPECIAL SERVICES (B + B1)</b>		<b>\$0</b>			
<b>TOTAL FEE ( PRB #20-019) (A+A1+A2) + (B+B1)</b>			<b>\$472,484</b>	<b>\$11,005,538</b>	<b>4.29%</b>

Staff has following question for clarification:

1. What is the status of the project? What was the start date (NTP) of the project? Is the substantial completion date – May 15, 2019? Has project been closed out? If no, what activities are remaining requiring CA's services?

2. Why were there delays? What caused them and who was responsible for the delays? Will there be any claims filed by the State for these delays?
3. What were the reasons for expanded CA oversight services? Please provide documentation of hours with staffing in support of \$55,680. In October 2018, the Board approved expanded CA fees for CAS street crossings (2 days/week) under PRB #18-197 (\$36,960). Please clarify what precipitated the immediate need to expand CA services to 4 days/week, and at what point did the 4 days/week supervision commence?
4. Please provide an electronic copy of the First Amendment to CMR Contract for BI-2B-381 that incorporated BI-2B-382 into the CMR Contract.
5. Please provide ‘attached summary’ referenced in Atane’s 5-15-2019 correspondence.
6. Please reconcile the Consultant’s request for reimbursement of expanded CA services over a 35 week period, when the period of July 1, 2018 to February 7, 2019, encompasses only 31 weeks.
  - a. 11 weeks requested in #18-197 (\$36,960)
  - b. 24 weeks requested in #20-019 (\$55,680)  
35 weeks total

**RECOMMENDATION:** It is recommended that SPRB **SUSPEND** Task Letter 7B for ATANE Engineers, P.C. to provide expanded CA services for the expansion of the CAS Heating and Cooling Pipeline until DCS provides clarifications to the questions raised.

---

FROM PRB #18-197

**CONSULTANT FEE:** \$186,980

**PROJECT BRIEF**

This project involves the design and construction for an extension of the Capital Area System (“CAS”) Heating and Cooling Pipeline. This extension is envisioned to include the construction two new 20” Chilled Water and two new 14” Hot Water Lines. The pipeline will be extended from the North side of Capitol Avenue, connecting to the State Office Building and then down Washington Street until termination at the existing Courthouse. *The project scope does not include the on-site interconnection to existing buildings but it envisioned that upon completion of the loop;* State Government Buildings located at 80, 90 and 95 Washington Street as well as 101 Lafayette Street will be connected to the CAS. The original project scope included all of the required site-civil engineering, geotechnical engineering, environmental evaluations, MEP system design and related support such as surveys and local traffic control. In October 2015 the Board approved the contract for RMF Engineering Inc. to provide the engineering design phase services for the project under **PRB 15-242**. This approval established the initial overall construction and total project budgets at **\$6,500,000** and **\$8,290,000** respectively.

In June 2014, SPRB approved HAKS Engineers, P.C., (“HAK”) (**PRB #14-166**) as one of six firms under the latest *On-Call Construction Administration Consulting Services Contract*. These contract was amended (PRB 15-283) to extend the contract for six months through March 20, 2017 and increased the maximum cumulative fee to \$1,000,000. In September 2018, HAK amended it business name with the Secretary of State to ATANE Engineers P.C. (ATANE). An expired On-Call Contract cannot be amended to reflect ATANE.

Since the award of this contract HAK/ATANE has been approved for the following tasks under this series:

- |                   |                                  |          |                     |
|-------------------|----------------------------------|----------|---------------------|
| • Task Letter #1  | 61 Woodland Street Plaza Repairs | \$32,000 | <b>(Informal)</b>   |
| • Task Letter #2  | Sherwood Island Maint. Building  | \$99,000 | <b>(Informal)</b>   |
| • Task Letter #2A | Sherwood Island Maint. Building  | \$3,600  | <b>(PRB 16-120)</b> |
| • Task Letter #4  | State Library Roof Replacement   | \$20,000 | <b>(Informal)</b>   |
| • Task Letter #5  | DDS Facilities Roof Replacement  | \$38,150 | <b>(Informal)</b>   |

• Task Letter #6	BOR Roof & Facility Repairs	\$95,000	<b>(Informal)</b>
• Task Letter #7	Enfield Sup. CT Roof & HVAC	\$80,000	<b>(Informal)</b>
<b>Total Fee to Date:</b>		<b>\$367,750</b>	

**TASK LETTER #7A** is a new task letter and is subject to SPRB approval because the total project fee will exceed the threshold cost of \$100,000. The Total Construction and Project Budget have since been increased to **\$8,753,544** and **\$11,005,539** respectively. As detailed in the proposed Task Letter #7A with HAK/ATANE dated August 28, 2018 the task letter fee is intended to compensate the Consultant for the following project scope:

- Increase Construction Phase Services to 16 months (from original 8 months); and
- Expanded CA Services at the request of DAS/DCS for full-time roadway crossing supervision (from July 1, 2018 through January 31, 2018).

<b>Task Letter #7- HAK Fee (PRB File #16-223)</b>	<b><u>COST (\$)</u> <u>(BASIC)</u></b>	<b><u>COST (\$)</u> <u>(SPECIAL)</u></b>	<b><u>TOTAL COST</u></b>	<b><u>C. Budget (\$)</u></b>	<b><u>(%) Budget</u></b>
Pre-Construction Phases (SD through CD)	\$78,000				
Bidding Phase	\$9,750				
Construction Administration Phase	<u>\$107,250</u>				
<b>TOTAL BASIC SERVICE FEE (#16-223) (A)</b>	\$195,000			\$6,500,000	3.00%
<b><u>SPECIAL SERVICES:</u></b>					
Materials Testing Allowance		\$10,400			
Commissioning Allowance (TBD)		<u>\$0</u>			
<b>TOTAL SPECIAL SERVICE FEE (#16-223) (B)</b>		<u>\$10,400</u>			
<b>TOTAL PROJECT FEE (A) + (B)</b>			<u>\$205,400</u>	\$6,500,000	3.16%
<b>ADDITIONAL CA SERVICES TL 7A - PRB 18-197 (A1)</b>	<u>\$197,380</u>				
<b>CREDIT FOR SPECIAL SERVICES TL 7A PRB 218-197 (B1)</b>		<u>(\$10,400)</u>			
<b>TOTAL TASK LETTER 7A FEE (A1 + B1) (PRB 18-197)</b>			<b>\$186,980</b>		
<b>TOTAL BASIC SERVICES(A + A1)</b>	<b>\$392,380</b>			<b>\$8,753,544</b>	<b>4.48%</b>
<b>TOTAL SPECIAL SERVICES (B + B1)</b>		<b>\$0</b>			
<b>TOTAL FEE ( PRB #18-197) (A+A1) + (B+B1)</b>		<b>\$392,380</b>		<b>\$11,005,539</b>	<b>3.57%</b>

This Task Letter #7A includes a \$10,400 credit for services not provided in Task Letter #7.

DCS has confirmed for SPRB that funding is available for this contract.

Following questions were raised by the staff for clarification:

- What caused a \$2.2 million (34.67%) increase in the Construction Budget?
- Where was asbestos identified in this project, causing an increase of \$400,000 to the budget?
- Why was the Testing Laboratory budget increase to \$90,405 from original \$5,000?
- Please clarify how DCS can request additional funding in Form 1105 due to ‘unforeseen utility conditions’ when the Engineer for this project retained a sub-consultant to mark all underground utilities in the Construction Phase, as well as the preparation of ‘Utility Relocation Plans’ in the DD Phase, and Review & Comment from the State and City & other permitting agencies in the CD Phase. Shouldn’t the Engineer have provided sufficient information to avoid these ‘unforeseen’ conditions and costs?
- If roadway crossings were in the original plan and Scope, what changed to now require Expanded Services for full-time supervision of roadway crossings?
- Please clarify the difference in language stated in Task Letter 7A ‘full time supervision of roadway crossings’ with the August 28, 2018 letter from the Consultant projects the Project Engineer will be on-site ‘2 days/week field time’
- Please clarify how the CA and CMR estimate of the construction phase were significantly different (from 8 months to 16 months).
- Please clarify discrepancies between Form 1135 (4-9-18) stating ‘Reduction in scope for materials testing’ with Form 1105 (9-25-18) stating ‘This project has additional testing’ with Supplemental Task Justification Memo (10-4-18) stating ‘Materials Testing has also been removed...and given to a 3<sup>rd</sup> party testing agency.’ There is a credit in TL7A for \$10,400. Who is paying the 3<sup>rd</sup> party testing agency?

**RECOMMENDATION:**

Based on responses provided by DCS email and clarification by both Kopetz and Milne from DCF, Staff recommend **APPROVAL** of this item.

<b>PRB #</b>	<b>20-020</b>
<b>Origin/Client:</b>	DCS/DCS
<b>Transaction/Contract Type</b>	AE / Task Letter
<b>Project Number:</b>	BI-2B-381 - BI-2B-382 & BI-2B-393
<b>Contract:</b>	OC-DCS-CA-0027
<b>Consultant:</b>	ATANE Engineers P.C. f/k/a HAKS Engineers P.C.
<b>Property</b>	Hartford, SOB/Garage, CAS Washington St & CAS Lafayette St
<b>Project purpose:</b>	CA Ombudsman for State-City-MDC
<b>Item Purpose:</b>	Task Letter #5 to compensate the consultant for CA services.

PROPOSED AMOUNT: \$51,480

**APRIL 7, 2020 UPDATE**

At the State Properties Review Board meeting held on March 2, 2020, the Board voted to suspend this file pending Board clarification of the following issues:

1. Please provide all communications (written, email, etc) between the City of Hartford, Metropolitan District Commission and DCS concerning the request/need for these services from May 2018 to present.

**DCS Response:** As discussed in the 3-2-2020 meeting with the Board, DCS has a plethora of communications between Atane/City of Hartford/MDC. DCS can provide if necessary. MDC and the City of Hartford requested one entity be the liaison for coordinating these 3 projects mostly in meetings and phone calls made in frustration to DCS and its contractors. It was in the best interest of the project to utilize Atane, already working as CA on CAS BI-2B-382 to be this liaison. DCS

could have selected through the on-call process, an uninvolved 3rd party to act as coordinator, however since Atane was already deeply involved and a one liaison was being requested immediately, Atane was directed to proceed. **OK**

2. Please provide the written communication from DCS authorizing the Consultant to proceed with the work requested under this Task Letter #5.

DCS Response: As discussed in the 3-2-2020 meeting with the Board, notice to proceed was given to Atane to begin this coordination work in a meeting on June 26, 2018 prior to an important meeting with the City of Hartford on June 27, 2018 to coordinate road closures. Written communication cannot be provided at this time. **OK**

3. Who was responsible for providing coordination services with MDC and the City of Hartford for Projects BI-2B-382; BI-2B-383; and BI-2B-393?

DCS Response: Project BI-2B-383 is not part of this task. As discussed in our meeting with the Board on 3-2-2020, the contractors of each project were responsible for coordinating with the City of Hartford and MDC. The contractors did in fact coordinate their work based on MDC and City of Hartford requirements, Atane coordinated BI-2B-381, BI-2B-382 and BI-2B-393 as they fit together and affected the City of Hartford and MDC as a whole. **OK**

(BI-2B-383 appears to be typo – should be BI-2B-381; BI-2B-382; and BI-2B-393)

4. Please clarify how DCS can authorize the Consultant to proceed with these CA services, beginning June 25, 2018 and ending May 15, 2019, without *prior* approval from Chief Architect Barkin in 2018 (Barkin approved on 7-15-19).

DCS Response: As discussed with the Board in the 3-2-2020 meeting, this service from Atane was "approved" in June of 2018, however due to OC-DCS-CA-0018 expiring March 20, 2017 discussion ensued about the best way to go about officially bringing Atane under contract. These discussions went back and forth internally between project accounting and support services, we tried very hard for continuity sake to keep all costs for Atane on this project under OC-DCS-CA-0018. It was unclear if funding would be available even if the contract was extended, ultimately there was not enough funding. After all of this back and forth and waiting for the contract to be approved, it was decided to put this scope of work under OC-DCS-CA-0027. **OK**

5. Skanska USA Building, Inc. was approved for CA Services under PRB File #16-257 (BI-2B-381-CA), in the amount of \$3,935,978, for the SOB Renovations and New Parking Garage Project. Of the total CA Contract, \$2,899,530 was allocated for construction phase services.

- a. During June 25, 2018 and ending May 15, 2019, Skanska's Principal in Charge and Project Superintendent accumulated approximately 2,333 hours (473/1,860, respectively) of construction phase services at a cost of approximately \$483,000.

Please clarify why DCS elected to retain ATANE Engineers, P.C. in light of Skanska's CA Contract providing CA Services for a \$158,019,761 renovation and construction project.

DCS Response: As discussed in the 3-2-2020 meeting with the Board, Skanska was CA for the State Office Building project. Although BI-2B-381 needed coordination with the City of Hartford and MDC, this project did not have anything to do with the CAS piping which was the main driver of the road closures and need for MDC utility coordination. Furthermore, Skanska's staff was busy and focused on completing the State Office Building project on time. Atane was the more experienced firm to coordinate with the City for road closures and utility (MDC) coordination, as this is their area of expertise. Coordinating of 3 projects for the City of Hartford and MDC was not part of Skanska or Atane's scope of work. **OK**

6. ATANE Engineers, P.C. was approved for CA Services (Task Letter #7) under PRB File #16-223 (BI-2B-382), in the amount of \$205,400, for the CAS Capitol Crossing & Washington Street Extension Project. Of the total CA Contract, \$107,250 was allocated for construction phase services.

- a. On October 18, 2018, under PRB File #18-197, the Board approved Task Letter #7A to provide increased CA services up to 16 months (from 8 months) and expanded CA Services at the

request of DAS/DCS for full-time roadway crossing supervision pre-design study services for the expansion of the Capital Area System (“CAS”) Heating and Cooling Pipeline, totaling \$186,980.

Please clarify why DCS elected to retain ATANE Engineers, P.C. for additional CA services (unknown hours at \$165/hour) in light of Task Letter #7A that was initiated by Chief Architect Barkin on April 12, 2018, that included a Project Manager allocating 10 hours per month (at \$165/hour) to the project through substantial completion in February 2019, and extended through May 2019 with Task Letter #7B (\$80,104).

DCS Response: (Task 7A) During Nov. 2017 after negotiations were complete with the CMR, a new Project Completion Date was established of 2-7-2019, these negotiations revealed that the project could not be completed in the duration originally figured, so the project duration was extended. Approved Task Letter 7A revised Atane's CA services from 8 months to 16 months. Also during these negotiations, it was decided it would be beneficial to expand Atane's supervision of roadway crossings to full time in light of complexity of the crossings.

(Task 7B) Due to mostly unforeseen obstructions underground causing major redesign and calculation of the piping and issues with welding quality, the project completion slipped from 2-7-2019 to 4-26-2019. This task 7B is to compensate Atane for the amount of time the schedule slipped out. Also in 7B was cost associated with expanding the oversight Atane provided due to resequencing and complexities in the work, again due to unforeseen site conditions. In essence, road crossings took longer, so the full time oversight granted in Task 7A needed to be increased in 7B.

(Task 5 on new contract) Since the coordination of the 3 projects was above and beyond Atane's role in BI-2B-382, it was decided for clarity to break out the role of City of Hartford and MDC coordinator into a separate task letter, also funding of contract OC-DCS-CA-0018 was limited.

OK

7. Please justify how does the tasks identified in the DAS Contract relate to ATANE providing coordination services between MDC, City of Hartford and the 3 Projects?

DCS Response: As discussed in the 3-2-2020 meeting with the Board, DCS project management staff was advised by DCS legal on what contract template to use and what language in the standard template to leave in place. If you look at the standard template for CA, a lot of language was removed for task 5 that did not apply. It was determined to leave in standard sections referring to Supervision and Inspections so that Atane in their 3 project coordinator duties would be tied back to standard CA roles of ensuring inspected and contract document compliant work was being implemented. For example, the thought process was that if Task 5 only stated "Provide City of Hartford and MDC coordination between projects BI-2B-381, BI-2B-382 and BI-2B-393" wiggle room would be left for Atane to coordinate uninspected, non-contract document compliant or unsafe work. By leaving this standard language in place, Atane is now obligated to make sure any work they coordinate between the 3 projects and the City of Hartford/MDC is inspected and in compliance with the contract documents. OK

**RECOMMENDATION:** It is recommended that SPRB **APPROVE** Task Letter 5 for ATANE Engineers, P.C. to provide CA services (Ombudsman) for the SOB-Garage and CAS Heating and Cooling Pipeline Expansion with the City of Hartford and MDC.

---

Peter Simmons, Michael Milne, Stephen Burke, Steven Udeh and Joseph Merluzzo joined the meeting at 9:50AM.

PROPOSED AMOUNT: \$51,480

In June 2017, SPRB approved HAKS Engineers, P.C. (“HAK”) as one of six firms under the latest On-Call Construction Administrator Series of consultant contracts. These contracts have a common

expiration date of July 31, 2019 and have a maximum cumulative fee of \$1,000,000. In January 2019, the contract was amended to reflect a change in name to ATANE Engineers, PC d/b/a ATANE Consulting (“ATANE”).

On July 18, 2019, the Board approved Contract Amendment #2 to this contract under PRB #19-142 to extend the contract expiration date to January 31, 2020. There was no increase to the contract amount.

ATANE has been approved for the following task(s) under this series:

• Task Letter #1	West District HQ @ Black Rock	\$418,021	(#19-001)
• Task Letter #2	MacDougal-Walker Chiller	\$181,838	(#18-150)
• Task Letter #4	CVH Emergency Steam Pipe Replacement	\$69,910	(Informal)
<b>Total Fee to Date:</b>		<b>\$669,769</b>	

The Board rejected a DCS Proposal for ATANE for the following task(s) under this series:

- Task Letter #3      Enfield Court Roof & HVAC      \$80,080      (#19-001)

Under this proposed **TASK LETTER #5** with ATANE Engineers, P.C., the fee is intended to compensate the Consultant for the following project scope:

- CA Services (Ombudsman) from July 25, 2018 to May 15, 2019 totaling \$51,480

DCS has provided limited information regarding this request.

**TASK ASSIGNMENT DESCRIPTION:**

Provide hot and chilled water supply and return piping to the State Office Building and future connections to Judicial’s Buildings on Washington. Connect to the Lafayette St. Extension Project BI-2B-393 to complete the system loop. The project is currently in the closeout phase.

The purpose of this task letter is to compensate Atane for their time spent coordinating the MDC Utility work and with the City of Hartford Traffic Engineering Department for projects BI-2B-381 - State Office Building and New Parking Garage, BI-2B-382 - CAS Capitol Crossing and Washington Street Extension and BI-2B-393 – CAS Lafayette Street Extension Project. For clarity and continuity, both the MDC and City of Hartford required one firm be the liaison for these three projects. They requested only to work with Atane who was serving as CA on Project BI-2B-382.

Staff has following question for clarification:

8. Please provide all communications (written, email, etc) between the City of Hartford, Metropolitan District Commission and DCS concerning the request/need for these services from May 2018 to present.

9. Please provide the written communication from DCS authorizing the Consultant to proceed with the work requested under this Task Letter #5.

10. Who was responsible for providing coordination services with MDC and the City of Hartford for Projects BI-2B-382; BI-2B-383; and BI-2B-393?

11. Please clarify how DCS can authorize the Consultant to proceed with these CA services, beginning June 25, 2018 and ending May 15, 2019, without prior approval from Chief Architect Barkin in 2018 (Barkin approved on 7-15-19).

12. Skanska USA Building, Inc. was approved for CA Services under PRB File #16-257 (BI-2B-381-CA), in the amount of \$3,935,978, for the SOB Renovations and New Parking Garage Project. Of the total CA Contract, \$2,899,530 was allocated for construction phase services.

a. During June 25, 2018 and ending May 15, 2019, Skanska’s Principal in Charge and Project Superintendent accumulated approximately 2,333 hours (473/1,860, respectively) of construction phase services at a cost of approximately \$483,000.

Please clarify why DCS elected to retain ATANE Engineers, P.C. in light of Skanska’s CA Contract providing CA Services for a \$158,019,761 renovation and construction project.

13. ATANE Engineers, P.C. was approved for CA Services (Task Letter #7) under PRB File #16-223 (BI-2B-382), in the amount of \$205,400, for the CAS Capitol Crossing & Washington Street Extension Project. Of the total CA Contract, \$107,250 was allocated for construction phase services.

a. On October 18, 2018, under PRB File #18-197, the Board approved Task Letter #7A to provide increased CA services up to 16 months (from 8 months) and expanded CA Services at the request of DAS/DCS for full-time roadway crossing supervision pre-design study services for the expansion of the Capital Area System (“CAS”) Heating and Cooling Pipeline, totaling \$186,980.

Please clarify why DCS elected to retain ATANE Engineers, P.C. for additional CA services (unknown hours at \$165/hour) in light of Task Letter #7A that was initiated by Chief Architect Barkin on April 12, 2018, that included a Project Manager allocating 10 hours per month (at \$165/hour) to the project through substantial completion in February 2019, and extended through May 2019 with Task Letter #7B (\$80,104).

14. Please justify how does the tasks identified in the DAS Contract relate to ATANE providing coordination services between MDC, City of Hartford and the 3 Projects?

**RECOMMENDATION:** It is recommended that SPRB **suspend** Task Letter 5 for ATANE Engineers, P.C. to provide CA services (Ombudsman) for the SOB-Garage and CAS Heating and Cooling Pipeline Expansion with the City of Hartford and MDC to provide time for DCS to respond to aforementioned issues.

Michael Milne, Stephen Burke and Joseph Merluzzo left the meeting at 10:35.

**6. ARCHITECT-ENGINEER - NEW BUSINESS**

**7. OTHER BUSINESS**

**8. VOTES ON PRB FILE:**

**PRB FILES #20-019** – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #20-019. The motion passed unanimously.

**PRB FILE #20-020** – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #20-020. The motion passed unanimously.

**9. NEXT MEETING** – Thursday, April 23, 2020.

The meeting adjourned.

**APPROVED:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
John Valengavich, Secretary