

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On May 11, 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 May 11, 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.

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 May 7, 2020 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

<i>PRB #</i>	20-067
<i>Transaction/Contract Type:</i>	RE/ Voucher
<i>Origin/Client:</i>	DOT/DOT
<i>Project Number:</i>	018-135-005
<i>Grantor:</i>	189 Federal Road, LLC
<i>Property:</i>	Brookfield, Federal Rd (189)
<i>Project Purpose:</i>	Safety Improvements along Route 202
<i>Item Purpose:</i>	Voucher

DAMAGES: \$47,000.00

DOT PROJECT: The purpose of this project is to improve safety on the lower portion of Route 202 (Federal Road) for all users. The project limits are from the driveway of BJ's/Kohl's to the intersection of Route 202 (Federal Road) and Route 133 (Junction Road).

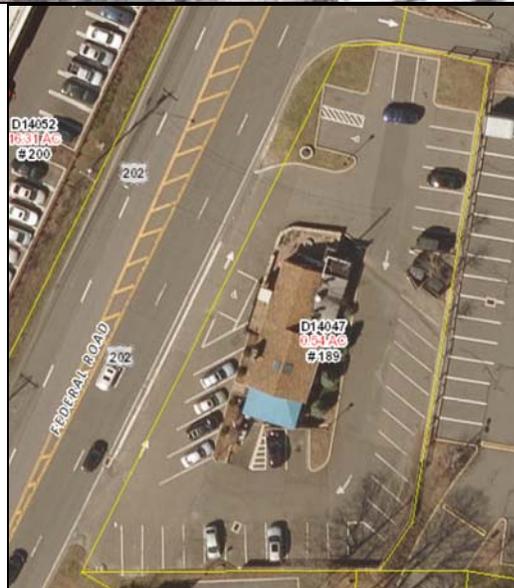
The project consists of four (4) intersection safety improvements:

- The construction of a southbound dedicated left-turn lane into Chick-Fil-A and Shop Rite plaza.
- The installation of a traffic signal at the intersection of Beverly Drive and Hardscrabble Road.
- The installation of a traffic signal at the southern intersection of Route 202 and Old New Milford Road.
- The removal of one of the two traffic signals at the northern intersection of Route 202 and Old New Milford Road.

The project also proposes the widening of the roadway along the corridor to provide 4-foot shoulders to improve safety for bicyclists. In addition, the project will include the construction of 5-foot sidewalks to accommodate pedestrian traffic along the corridor.

The present schedule indicates that the design will be completed in January 2021, with construction anticipated to begin in summer 2021. The estimated construction cost for this project is approximately \$6.0 million, anticipated to be undertaken with 80% federal funds and 20% state funds.

Subject Property Description, Before the Taking: The subject property (per appraisal) consists of an irregularly-shaped, commercially-zoned, 23,522 square foot (0.54 acre) lot, with 256 feet of frontage on the east side of Federal Road, improved with a single-tenant commercial building (restaurant) containing 1,577 sf of gross building area, plus a full basement, constructed in 1850. The property is located on the intensely developed retail/commercial neighborhood known as the ‘Miracle Mile.’ The property is pre-existing non-conforming regarding site requirements. The highest and best use is for continued commercial use as improved.



Before Valuation: An appraisal was prepared by independent appraiser Walter Kloss as of December 11, 2019.

Land Valuation: Based on the sales data comparison approach, the appraiser analyzed three sales of commercially-zoned land in Brookfield (2) and New Milford (1) concluded that the fair market value of the subject land was \$10.50/square foot, or

Item	Calculation	Value
Fee Simple	23,522 sf x \$10.50/sf	\$246,981
	<i>Rounded</i>	\$247,000

Improvements on the site are not impacted and assigned an “X” value.

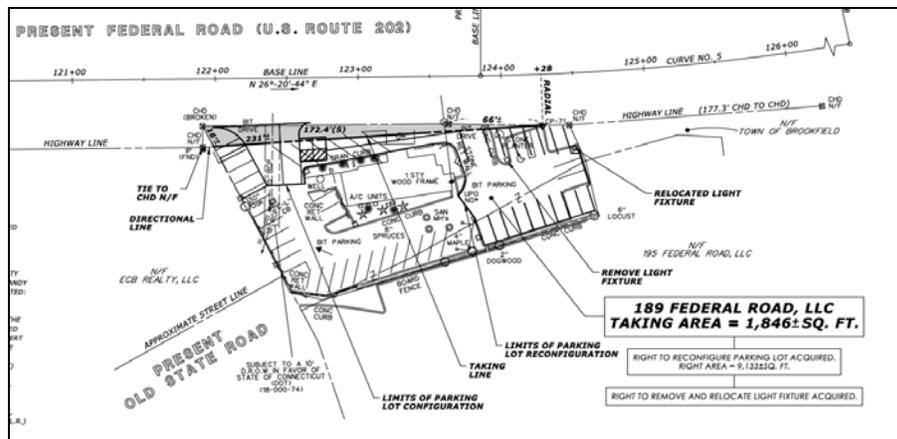
Sales Comparison Approach: Based on the sales data comparison approach, the appraiser analyzed three sales of restaurants, two in Brookfield and one in New Milford and concluded that the fair market value of the subject building was \$205/square foot, or 1,577 x \$205 = \$323,285, rounded to \$323,000.

Reconciliation & Value Conclusion

Cost Approach	\$ N/A
Sales Comparison Approach	\$323,000.00
Income Capitalization Approach	\$ N/A
Before Value Estimate	\$323,000.00

The Taking: DOT will acquire the following:

1. A partial take of 1,846± sq.ft. of land;
2. A right to reconfigure parking lot acquired over an area of 9,133±sq.ft.; and
3. A right to remove and relocate light fixture acquired.



After Valuation:

Land Valuation: Based on the sales data comparison approach, the appraiser analyzed the same three sales of land in the Before and concluded that the fair market value of the subject land included was \$10.50/square foot, or

Item	Calculation	Value
Fee Simple	21,676 sf x \$10.50/sf	\$227,598
	<i>Rounded</i>	\$228,000

Sales Comparison Approach: Based on the sales data comparison approach, the appraiser analyzed the same three sales of restaurant properties as in the Before Valuation and concluded that due to loss of the northerly ingress/egress the fair market value of the subject building was diminished by \$30/sf to \$175/square foot (-15%), or 1,577 x \$175 = \$275,975, rounded to \$276,000.

Reconciliation & Value Conclusion

Cost Approach	\$ N/A
Sales Comparison Approach	\$276,000.00
Income Capitalization Approach	\$ N/A
After Value Estimate	\$276,000.00

Calculation of Permanent Damages

Item	Value
Before Valuation	\$323,000
After Valuation	\$276,000
Permanent Damages	\$47,000

A breakdown of the damages is as follows:

Fair Market Value of Entire Property Before Taking		\$323,000	Fair Market Value of Entire Property After Taking		\$276,000
SUMMARY:					
Value of the Taking	Description	Amount of Loss	Total		
1.	Land Loss	\$19,000.00			
2.		.00			
3.		.00			
			\$19,000.00		
Damage to the Remainder					
Severance:	1. Access Loss	\$28,000.00			
Cost-to-Cure	2.	.00			
Temp Damages	3.	.00			
			\$28,000.00		
	Net Total Damages		\$47,000.00		

RECOMMENDATION: Board approval of damages in the amount of \$47,000 is recommended for the following reasons:

1. The acquisition complies with Section 13a-73(c) of the CGS which governs the acquisition of property by the commissioner of transportation required for highway purposes.
2. The damages are supported by the independent Appraiser’s estimate of value.



PRB # 20-069
Transaction/Contract Type: RE/ Voucher
Origin/Client: DOT/DOT
Project Number: 042-317-001
Grantor: Goodwin College King Court, LLC
Property: East Hartford, King Court (67, 69 & 73)
Project Purpose: Resurfacing, Bridge and Safety Improvements along Route 2
Item Purpose: Voucher

DAMAGES: \$7,200.00

DOT PROJECT: The limits of the project on Route 2 begin at Maple Street and extend west to the vicinity of Pitkin Street for a length of approximately 2.8 miles. The purpose of the project is to extend the service life of the facility by resurfacing the highway and providing safety and bridge improvements within the project limits. The proposed scope of work includes rehabilitation of the underlying concrete pavement and resurfacing with a bituminous concrete overlay on the mainline and ramps, and reconstructing the median to install a concrete barrier and provide wider shoulders. The existing drainage system will be modified/upgraded and will require replacement of existing outlets at the Connecticut River. The existing guide rail will be upgraded to current standards. Overhead sign supports and luminaires will be replaced. Bridge improvements include bridge deck repairs and upgrading concrete parapets to current design standards.

Construction is anticipated to begin in 2019 based on the availability of funding, acquisition of rights of way and approval of permits. The estimated construction cost for this project is approximately \$55 million. This project is anticipated to be undertaken with 100 percent State funds.

As part of this project, the DOT is proposing permanent closure of the ramps at Exit 5B (Cambridge St. onramp and Sutton Avenue off-ramp) to improve safety and traffic operations along this section of Route 2. A recent Traffic Study was performed and it was determined that there are no significant impacts due to the ramp closures. Proposed improvements associated with the ramp closures include extending the acceleration and deceleration lanes on Route 2 in vicinity of the ramp closures and providing intersection improvements on Main Street at the Main St off-ramp (Exit 5A) intersection and at the intersection with Main St at Maple Street/Broad Street.

Property Description, Before the Taking: The subject property (per appraisal) consists of three abutting properties: 65/67 King Court, 69/71 King Court and 73 King Court, East Hartford. All three are located on the western side of King Court and are owned by Goodwin College King Court, LLC.

1. 65/67 King Court, which is the southern most of the three properties, is a rectangular-shaped parcel containing 0.21± acres (9,148± square feet), with 77± feet of road frontage on King Court. CT Route 2 abuts to the rear. The parcel has a level topography throughout. The property is improved with a two-family residential (duplex) building built in 1950 and containing a living area of 2,080 square feet. The property appears to be in an average overall condition.
2. 69/71 King Court is an irregular-shaped parcel containing 0.26± acres (11,326± square feet), with 66± feet of road frontage on King Court. CT Route 2 abuts to the rear. The parcel has a level topography throughout. The property is improved with a two-family residential (duplex) building built in 1950 and containing a living area of 2,000 square feet. The property appears to be in an average overall condition.
3. 73 King Court is an irregular-shaped parcel containing 0.42± acres (18,295± square feet), with 78± linear feet of road frontage on King Court. CT Route 2 abuts its rear perimeter. The parcel has a level topography throughout. The property is improved with a multi-family residential

building that was built in 1950. The building is described by the assessor as a four family property. It contains a living area of 3,300 square feet. The property appears to be in an average overall condition.

All three subject properties are zoned Residential (R-4) whereby one-, two- & three- family dwellings are permitted uses. The highest and best use is continuation of the existing uses.



Before Valuation: A Value Finding appraisal report that valued the land only was done by DOT Appraiser Matthew Malia as of November 22, 2019, as the improvements are not impacted and assigned an “X” value.

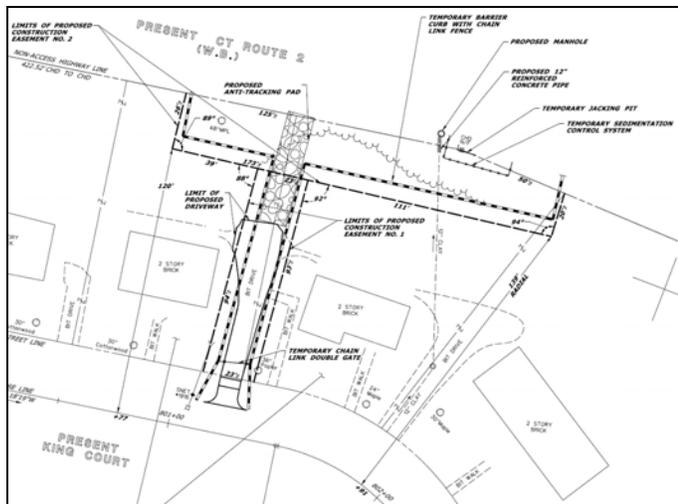
Land Valuation: Based on the sales data comparison approach, the appraiser analyzed three sales of residentially-zoned land in East Hartford and concluded that the fair market value of the subject land was \$1.75/square foot.

Item	Calculation	Value
65-67 King Court - Fee Simple	9,148 sf x \$1.75/sf	\$16,009
69-71 King Court - Fee Simple	11,326 sf x \$1.75/sf	\$19,821
73 King Court - Fee Simple	18,295 sf x \$1.75/sf	\$32,016
Contributory value of site improvements	Lump Sum	\$3,000
	Total Land Value	\$70,846
	Rounded	\$71,000

Improvements on the site are not impacted and assigned an “X” value.

The Taking: DOT will acquire the following:

1. Construction easement #1 for the purpose of access, driveway reconstruction and installing barrier curb with chain link fence, a double chain link gate and anti-tracking pad over an area of 2,139± sq. ft. of land, limited to travel only (resulting in loss of one 36” poplar tree);
2. Construction easement #2 for the purpose of access installing barrier curb with chain link fence, anti-tracking pad , sedimentation control system and a 12” reinforced concrete pipe, storage of materials and equipment and excavating the jacking pit acquired over an area of 4,556± sq. ft. of land, limited to travel only (resulting in the loss of one 48” maple tree); and
3. A right to construct driveway acquired over an area of 25±sq.ft.



After Valuation:

Land Valuation: Based on the sales data comparison approach, the appraiser analyzed the same three sales of land in the Before and concluded that the fair market value of the subject land included was \$1.75/square foot.

Item	Calculation	Value
65-67 King Court - Fee Simple	9,148 sf x \$1.75/sf	\$16,009
69-71 King Court - Fee Simple	11,326 sf x \$1.75/sf	\$19,821
73 King Court - Fee Simple	18,295 sf x \$1.75/sf	\$32,016
	Total Land Value	\$67,846
	Rounded	\$68,000

Improvements on the site are not impacted and assigned an “X” value.

Calculation of Permanent Damages

Item	Value
Before Valuation	\$71,000
After Valuation	\$68,000
Permanent Damages	\$3,000

Calculation of Temporary Damages

Construction Easement Area #1	2,139 sf x \$1.75/sf x 12% x 3 years	\$1,347
Construction Easement Area #2	4,556 sf x \$1.75/sf x 12% x 3 years	\$2,871
	Total	\$4,218
	Rounded	\$4,200

Total damages are then Permanent Damages plus Temporary Damages, \$3,000 + \$4,200 = \$7,200.

SPRB Staff had asked following clarification regarding this proposal.

- In the DOT Acceptance Agreement (Voucher –‘For Internal Use’) and DOT correspondence to the property owner, the property is identified as 69-71 King Court. The Appraiser identifies the property as 65-67, 69-71 & 73 King Court. Should the Acceptance Agreement and correspondence be modified to accurately reflect the identity of the properties?

FOR INTERNAL USE ONLY

revised: 11/01/17

Invoice Date: _____ Invoice #: _____ CORE P.O. #: _____ CORE Receipt #: _____

Payee: (Name & Address)

Goodwin College King Court, LLC

c/o Todd Andrews

1 Riverside Drive

East Hartford, CT 06118

Payee's FEIN/SSN:

46-3200763

Invoice Amount:

\$7,200.00

Property Location:

69 - 71 King Court, East Hartford, CT 06118



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546

Phone: (860)-594-2489



OWNER: Goodwin College King Court, LLC

PROPERTY FILE NO.: 042-317-001

ADDRESS: 69 - 71 King Court

TOWN: East Hartford

DOT Response: The acquisition agent enters what is listed as the "legal address" on the title search so I wasn't sure what happened here. I spoke with Tony DeLucco last night and he circled back to the appraiser who completed this reports to see why we wouldn't match here's the short answer:

Serial No. 1 and 3 actually have more than one title search because the acquisitions were effecting more than one piece. On Serial No. 1, one of those searches was actually done later. In both cases, the acquisition agent must have only pulled the address from one search rather than all of them, as it's unusual to have more than one search per file.

Serial No. 2 the appraiser said his report cover is actually incorrect and it should be 53 & 55 Riverside Drive. However, he did include both field cards in his report.

OK

RECOMMENDATION: Board approval of damages in the amount of \$7,200 is recommended for the following reasons:

1. The acquisition complies with Section 13a-73(c) of the CGS which governs the acquisition of property by the commissioner of transportation required for highway purposes.
2. The damages are supported by the DOT Appraiser's estimate of value.

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB #	20-066
Origin/Client:	DCS/DEEP
Transaction/Contract Type	AE / Amendment
Project Number:	BI-RT-615
Contract:	BI-RT-615-ARC
Consultant:	TLB Architecture, LLC
Property	Watertown, Thomaston Rd (2065) – Black Rock State Park
Project purpose:	New West District Headquarters at Black Rock State Park
Item Purpose:	Amendment #1

PROPOSED AMOUNT: \$11,292

At the State Properties Review Board meeting held on June 28, 2018, the Board approved #18-089 (BI-T-615-ARC), in the amount of \$1,151,479, for the new West District Headquarters at Black Rock State Park.

The subject project is currently in the Design Phase. As the design of the sewer and water routing evolved, through discussion with the CT Water Company, Waterbury Water Authority and Thomaston Sewer Control Authority, an approach and route for the sewer and water were finalized. The agreed upon approach is to drill two horizontal bores through the Black Rock State Park to serve the new building. Entry and exit excavations are required at either end.

During the contract proposal phase, there was an assumption that the utilities would run in Route 6, and there was allowance for borings in the street. However, after communication with the Utility companies and CT DOT, it became apparent that an off-road approach was required. As such, several more borings are required due to the varied nature of the soils outside of the roadbed.

In order to fully design the horizontal drilling scope, a revised boring plan is needed to identify the profile ledge and characterize soils/rock for the length of the proposed utilities. The proposed additional sub surface exploration information will then be included in the bid documents to allow for a more accurate bid for the horizontal drilling contractor and avoid “worst case” bidding. Also, knowing more about the ledge profiles will limit the potential of change orders due to unforeseen conditions.

DCS is now seeking approval of an additional \$11,292 in fees for the following services:

- Provide seventeen (17) on-site test probes drilled up to 60 feet, inclusive of coring and sampling rock to determine the profile ledge, and characterize the soils and rock for the length of the proposed sewer and water on-site utilities. The soil and rock lab testing, a written report, and utility location services are included. The ledge profile and the soils/rock characteristics shall then be included in the bid documents to provide contractors with sufficient information to provide competitive bidding, avoid worst case bidding and limit the potential of change orders due to unforeseen conditions - \$24,065.
- Remove Test Borings for Street Utilities – **(\$5,273)** - credit
- Elimination of Traffic Control Services – **(\$7,500)** - credit

The overall construction budget and total project costs remain unchanged at \$7,100,000 and \$10,285,478.

TLB Architecture Basic Services - PRB #18-089	<u>COST (\$)</u> <u>(BASIC)</u>	<u>COST (\$)</u> <u>(SPECIAL)</u>	<u>C. Budget (\$)</u>	<u>(%) Budget</u>
Schematic Design	\$129,029			
Design Development	\$172,619			
Construction Documents Phase	\$228,339			
Bidding Phase	\$20,350			
Construction Administration Phase	\$212,098			
TOTAL BASIC SERVICES Fee (A) #18-089	\$762,435		\$7,100,000	10.74%

SPECIAL SERVICES (B)				
Wetlands Crossing Design		\$64,000		
Traffic Study		\$14,250		
Survey		\$3,325		
Geotechnical Services		\$22,573		
Environmental Services		\$41,549		
Utility Extension Design		\$43,355		
Utility Easement Services		\$14,250		
Permitting Services		\$33,242		
Traffic Control Services		\$7,500		
LEED v4 Gold/Platinum		\$145,000		
TOTAL SPECIAL SERVICES (B)		<u>\$389,044</u>		
TOTAL PROJECT FEE (PRB #18-089) (A) + (B)		\$1,151,479	\$7,100,000	16.22%
TLB Architecture - Amendment #1 PRB #20-066				
Remove Test Borings for Street Utilities	(\$5,273)			
Provide up to 17 Test Borings up to 60' in length	\$24,065			
Elimination of Traffic Control Services	(\$7,500)			
TOTAL BASIC SERVICE FEE (#20-066) (A1)	\$11,292			
TOTAL BASIC SERVICES Fee (A) + (A1) #20-066	<u>\$773,727</u>		\$7,100,000	10.90%
TOTAL FEE (PRB #20-066) (A) + (A1) + (B)		\$1,162,771	\$7,100,000	16.38%

DCS and DEEP have confirmed funding is in place.

RECOMMENDATION: Staff recommends APPROVAL of this consultant contract in the amount of \$11,292. The overall basic service rate of 10.90% is consistent with the established guideline rate of 11.50% for New Construction Projects.

FROM PRB #18-089

UPDATE 6/27/2018

DCS provided responses to the questions raised by the Board on 6/27/2018.

Please refer to the attached memo from Kevin Kopetz dated 6/27/2018 for discussion.

RECOMMENDATION:

Staff is recommending to suspend PRB # 18-089 based on the responses from DCS.

- Please clarify where the documents call for Net-Zero building. It does call for the design to meet LEED standards.
-

PROJECT BRIEF– In general this project involves the design and construction of a new facility to serve the West District of the Department of Energy and Environmental Protection. The proposed facility will be located at Black Rock State Park in Watertown. The new facility will provide office and meeting space for the following divisions: State Parks, Inland Fisheries, Engineering and Field Support Services, Forestry, and Law Enforcement. A public counter/service area will be provided to sell fish and game licenses, boating certificates, Charter Oak Passes and other related items and provide park/state maps and other related outreach publications. Also provided will be space for the Black Rock State Park maintenance unit which is currently located away from the park. Laboratory space will be provided for Inland Fisheries. The overall construction and total project budget have been established at approximately \$7,100,000 and \$10,285,478 respectively.

In March 2017 the Department of Construction Services (“DCS”) issued a Request for Qualifications (RFQ) for Architect & Engineer (A/E) Consultant Services related to the New West District Headquarters at Black Rock State Park. DCS elicited thirteen (13) responses to the advertisement of which 10 submittals were considered “responsive,” two responses were “non-responsive” and a third withdrew. DCS then proceeded to review the thirteen submittals and after the completion of the internal review process, three firms were selected for short-listed interviews. These firms were as follows, Tecton Architects, P.C., Christopher Williams Architects, LLC and TLB Architecture, LLC. The State Selection Panel consisted of 5 members and interviewed each firm for evaluation purposes based upon an established weighted ranking system. At the conclusion of the process DCS identified TLB Architecture, LLC (“TLB”) as the most qualified firm, approved by DAS Commissioner Currey on June 6, 2017.

This contract is for Architect/Engineer Consultant Design Team Services for the completion of the New West District Headquarters at Black Rock State Park from the initiation of a schematic design phase through the construction document phase, bidding and the subsequent completion of construction. The overall compensation rate for this basic service is \$762,435 with an additional \$389,044 for special services. As such the total project fee is \$1,151,479. The special services detailed in the project scope include wetlands crossing, permitting for utilities and Army Corp of Engineers, traffic engineering, geotechnical/environmental engineering, traffic control, LEED v4 Gold, LEED v4 Platinum, a Phase I & II and land survey consulting services, among others.

	<u>COST (\$)</u> <u>(BASIC)</u>	<u>COST (\$)</u> <u>(SPECIAL)</u>	<u>C. Budget (\$)</u>	<u>(%) Budget</u>
TLB Fee for Basic Services (A)			\$7,100,000	
Schematic Design	\$129,029			
Design Development	\$172,619			
Construction Documents Phase	\$228,339			
Bidding Phase	\$20,350			
Construction Administration Phase	\$212,098			
TOTAL BASIC SERVICES Fee (A)	<u>\$762,435</u>		\$7,100,000	10.74%

SPECIAL SERVICES (B)			
Wetlands Crossing Design	\$64,000		
Traffic Study	\$14,250		
Survey	\$3,325		
Geotechnical Services	\$22,573		
Environmental Services	\$41,549		
Utility Extension Design	\$43,355		
Utility Easement Services	\$14,250		
Permitting Services	\$33,242		
Traffic Control Services	\$7,500		
LEED v4 Gold/Platinum	\$145,000		
TOTAL SPECIAL SERVICES (B)	<u>\$389,044</u>		
TOTAL PROJECT FEE (PRB #18-089) (A) + (B)	\$1,151,479	\$7,100,000	16.22%

- The RFQ November 2017 elicited 13 responses. The Selection Panel interviewed three firms and ultimately recommended the appointment of TLB Architecture, LLC (“TLB”). The selection was approved by Commissioner Currey on 6/06/2017.
- DCC is locally located in New Britain. This firm was established in 1934 and has over 30 employees which includes registered Architects, professional engineers and construction professionals.
- Smith Brothers Insurance, LLC reported that over the past 5 years DCC has been not been exposed to any general liability or professional liability claims.
- The submittal is accompanied by a Consulting Agreement Affidavit notarized on 5/04/2018.

RECOMMENDATION: It is recommended that SUSPEND this new contract for the TLB Architecture, LLC at the West District Headquarters at Black Rock State Park for the following reasons:

- The total cost of the AE contract – Basic Services and Additional Services – total \$1,151,479, and DCS is requesting only \$1,087,479 for the Board approval on the memo. Please clarify what DCS is requesting; and
- Why does this fall under Group “C” for New Construction? Seems like this is a straight forward office building type of construction and should fall under Group “B”, which allows for 8.75% rate per DCS guidance. Based on this the basic fee seems high.
- Is the fee related to LEED certification in line with other projects? It about 20% of the total Basic Service Fees. What if the building does not achieve that certification? Does the State get credit for the fees charged?
- Confirm that funding for the AE contract is in place. There are several email communications stating funding is in place, but no specific communication regarding the total cost of the contract.
- Form 1105 does not have CD DAS Capital Project Request Approval

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILES #20-067 – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #20-067. The motion passed unanimously.

PRB FILES #20-069 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #20-069. The motion passed unanimously.

PRB FILES #20-066 – Mr. Halpert moved and Mr. Berger seconded a motion to approve PRB FILE #20-066. The motion passed unanimously.

9. NEXT MEETING – Thursday, May 14, 2020.

The meeting adjourned.

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