

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On September 17, 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 September 17, 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

Daniel Wagoner, DAS/DCS Associate Project Manager
Shane Mallory, DAS Administrator Leasing and Property Transfer

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 September 14, 2020 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Director Desai informed the Board that he has not received a response from the Department of Agriculture (DoAG) regarding a draft checklist for proposals submitted by DoAG other than its being reviewed internally by DoAG Staff. Director Desai also informed the Board that the Board's Annual Report to the Governor is due by October 1, 2020.

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Open Session and into Executive Session at 10:05. The motion passed unanimously. Mr. Mallory of DAS was invited to join the session.

EXECUTIVE SESSION

PRB #: 20-171
Transaction/Contract Type: RE/ First Amendment to Lease
Origin/Client: DAS/ DMHAS

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

Mr. Mallory left the meeting at 10:45.

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Executive Session and into Open Session at 10:53. The motion passed unanimously.

OPEN SESSION

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB # 20-175
Origin/Client: DCS/TRCC
Transaction/Contract Type AE / Task Letter
Project Number: BI-CTC-566
Contract: OC-DCS-ARC-0055
Consultant: edm CT, Inc.
Property Norwich, New London Tnpk (574) – Three Rivers CC
Project purpose: HVAC Upgrades
Item Purpose: Task Letter #5A

PROPOSED AMOUNT: \$12,600

On October 29, 2018, under PRB File #18-191, the Board approved Task Letter #5 to the on-call contract to retain the services of the Consultant for ARC design services with respect to HVAC Upgrades at the TRCC Campus. The Consultant Fee approved under #18-191 was \$168,000.

The scope of the original task letter was to provide design and construction administration phase services for HVAC upgrades at Three Rivers Community College (“TRCC”).

The original scope called for the A/E to attend 1 pre-bid conference, 1 pre-bid walkthrough and 6 biweekly meetings during the construction phase of the project.

The original construction period was to take place during the summer of 2019. When construction began additional mold was discovered in the work area. The mold abatement took roughly 4 weeks to complete. The delay from the mold pushed the construction from the summer of 2019 into the fall of 2019. Due to the construction taking place while class was in session the construction timeline was lengthened, to allow the contractor to complete their work while only being allowed narrow windows of time to perform the work with classes in session. This increased the number of meetings required from 6 to 24 Construction Meetings. These additional construction meetings consisted of 3 on-site meetings and 18 over the phone meetings.

Additionally, a portion of the scope of work for the original contractor was removed due to access and scheduling. This portion of work is scheduled to take place in the summer of 2020 and performed by a new contractor. This work will require additional CA phase oversight beyond the scope of the original task letter. This includes 4 additional construction meetings: 1 kickoff site visit, 2 meetings via conference call and 1 punch list site visit.

This amendment is to pay for the additional Construction Administration Phase services the A/E provided beyond the original scope of the project. 25 additional job meetings: 20 over the phone and 5

on site meetings.

The requested extra meetings in this amendment are directly tied to the delay caused by the discovery of additional mold in the area of the construction.

Under this proposed TASK LETTER #5A with edm CT, Inc. the fee is intended to compensate the Consultant an additional \$12,600 for additional CA Services caused by the delay due to the discovery of additional mold in the construction area.

The scope of work for the Consultant's expanded CA Services includes the following:

- Coordinate and attend One (1) kick-off meeting with the CSCU and the new General Contractor prior to the commencement of the summer 2020 work, to review the Contractor's proposal for compliance with the requirements of the Contract Documents.
- Visit the site a minimum of Three (3) times during construction to assess the progress and quality of work and to determine if the work being performed is in compliance with the Contract Documents. This was part of the original General Contractor's work through the spring of 2020.
- Attend Three (3) job meetings, in conjunction with the site visits, and prepare field reports to document the progress and quality of the Contractor's work. This was part of the original General Contractor's work through the spring of 2020.
- Attend Eighteen (18) conference call job meetings (2 hours/meeting) from the beginning of the original contract through the spring of 2020.
- Attend Two (2) conference call job meetings (2 hours/meeting) for the summer of 2020 scope work.
- Review the Contractor's submittals for conformance with the design intent expressed in the Contract Documents.
- Review Contractor's Applications and Certificate for Payment including Contractor's Requisition for Final Payment based upon a final inspection indicating the work is in compliance with the Contract Documents.
- Develop a punch list and conduct a final inspection. Determine the date of completion for the summer of 2020.
- Provide the CSCU, for review and record, written warranties and related documents required by the Contract Documents and assembled by the Contractor.
- General conditions associated with the extended timeline, such as coordination with the construction team.

The Construction Budget remained at \$1,700,000 and the total Project Budget was increased by \$17,000 to \$2,343,600.

Task Letter #5- EDM Basic Fee (PRB File #18-191)	Architect Base Fees \$	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Design/Design Development	\$58,800				
Construction Documents	\$50,400				
Bidding	\$8,400				
Construction Administration Phase	\$50,400				
TOTAL BASIC SERVICE FEE (#18-191)	\$168,000		\$168,000	\$1,700,000	9.88%
TL #5A – Additional CA services (A1) (PRB File #20-175)	\$12,600				
EDM'S TOTAL BASE FEE (A)+(A1)	\$180,600			\$1,700,000	10.62%

EDM has been awarded the following Tasks under OC-DCS-ARC-0055:

• Task Letter #1	Norwalk CC OCR & ADA Study	\$0	(Cancelled)
• Task Letter #2	Norwalk CC Library Study	\$20,000	(Informal)
• Task Letter #3	Mfg. Tech Lab – Space Renovation	\$0	(Cancelled)
• Task Letter #3A	Mfg. Tech Lab – Space Renovation	\$4,720	(Informal)
• Task Letter #4	MXCC – Wheaton & Snow Hall ADA Study	\$25,100	(Informal)
• Task Letter #5	Three Rivers CC – HVAC Upgrades	\$168,000	(PRB-18-191)
• Task Letter #6	Housatonic CC – Parking Garage Security Upgrades	\$0	(Reassigned)
Total Fee to Date:		\$217,820	

Staff had following questions:

1. Please clarify what the OSBI setbacks were referenced in an April 19, 2020 email from Yolanda Hacia to Keith Epstein.
DCS Response: “This argument is subjective. If you ask OSBI, they will defend their position. In my opinion from my observations: OSBI was not responsive in following-up with inspections. For example, there were dates that were set for inspections and would not show up. Another example is: one inspector showed up in the morning to do an inspection, and within 15 minutes he left, had to go to another site. From the client’s perspective, is very frustrating. But if you even ask OSBI about these situations, their view will be totally different. So this is a winless battle. Meanwhile, the client suffers. As I stated before, there were a series of other unforeseen conditions in this project.”
Staff Response: OK
2. Please provide a copy of Informal Task Letter #6 under OC-DCS-ARC-0055 as it is missing from the Task Log.
DCS Response: I accidentally skipped over task number 6 and went ahead and assigned task number 7 after task number 5. To resolve this problem, I changed the task number assignment from 7 to 6 on the original 1135 for BI-CTC-578 and changed the task number in BizNet as well, so now all of the task assignments are in sequential order. I apologize for the inconvenience.
Staff Response: OK
3. Please provide a status of the project. Is the Summer 2020 construction complete?
DCS Response: Yes this project is now complete.
Staff Response: OK

RECOMMENDATION: Staff recommended that SPRB approve Task Letter #5A in the amount of \$12,600 for the following reasons:

- DCS/CSCU confirmed \$12,600 is available for the Task Letter.
- The submittal is accompanied by a Gift & Campaign Contribution Certification notarized on 1/04/17.
- Following the subject Task Letter, the On-Call Contract will have an uncommitted value of \$669,580.
- The Board approved the current On-Call Contract for a maximum fee of \$1,000,000 and a term that expired on 1/19/2017. (PRB #17-007, expired 3/15/2019).
- The EDM fee is based on the hourly rates stipulated in its current On-Call Contract (OC-DCS-ARC-0064), approved by the Board under PRB #19-072.

- The overall basic service fee of 10.62% is within the guideline rate of 12.5% for this Group B Renovation Project.

Firm Name: edm Services, Inc.

On-Call Architect

Labor Rate Table

Labor Category	Per hour
Principal in Charge	\$170
Project Manager	\$150
Senior Engineer/Architect	\$165
Engineer/Architect	\$140
Senior Designer	\$120
Designer	\$105
Field Engineer	\$
CAD/BIM Operator	\$85
Administrative	\$65
	\$
	\$

From PRB #18-191

PROPOSED AMOUNT: \$168,000

PROJECT BRIEF –

In 2003, the state legislature approved \$75.0 million for the renovation & consolidation of the two campuses that comprise Three Rivers Community College (TRCC) at the Thames Valley Campus, 574 New London Turnpike, Norwich. The scope at the time included the construction of new academic/office/support space (175,000 GSF), construction of a central heating plant and renovation of existing building space (100,000 GSF) for a total project area of 291,000± GSF. Renovations at the time included new ceilings, lighting, new MEP, HVAC, data wiring and telecommunication and fire protection systems.

According to information provided by CSCU, the original school was built in 1960 and the new academic wings were built around existing wing (D, E & F) in 2008. Shortly after the renovated and expanded TRCC opened, extensive mold growth was reported in the wings (D, E & F). One report (2014) identified the problem and made recommendations such as replace all unit ventilators with new air handling units (AHUs). DCS reports a second study was completed in 2016 (Van Zelm 4-18-16).

This project seeks to contract for services to address and remediate the indoor air quality and environmental issues. The scope of the design will include functional Commissioning services for the HVAC systems as well as cost estimating services. The existing classroom and support spaces will require architectural and structural modifications to support the HVAC upgrades.

In January 2017, SPRB approved EDM CT, INC (“EDM”) (**PRB File #17-007**) as one of six firms under the latest *Architecture Consulting On-Call Contracts*. EDM has not been assigned any tasks under this series.

TASK LETTER #1 is a new task letter and is subject to SPRB approval because the total project fee exceeds the threshold cost of \$100,000. The Construction Budget and total Project Budget have been established at **\$1,700,000** and **\$2,316,000** respectively for this project. As detailed in the scope letter from EDM to DCS dated June 29, 2018 the **\$168,000** is intended to compensate EDM for the following project scope:

Scope of Services

- Schematic Design/Design Development
- Construction Documents
- Bidding
- Construction Administration
- Commissioning Services
- Cost Estimating Services

DCS and CSCU have confirmed funding is in place for this Task Letter 1.

Task Letter #5– EDM Basic Fee (PRB File #18-191)	<u>COST (\$)</u> <u>(BASIC)</u>	<u>COST (\$)</u> <u>(SPECIAL)</u>	<u>C. Budget</u> <u>(\$)</u>	<u>(%)</u> <u>Budget</u>
Schematic Design/Design Development	\$58,800			
Construction Documents	\$50,400			
Bidding	\$8,400			
Construction Administration Phase	<u>\$50,400</u>			
TOTAL BASIC SERVICE FEE (#18-191)	\$168,000		\$1,700,000	9.88%

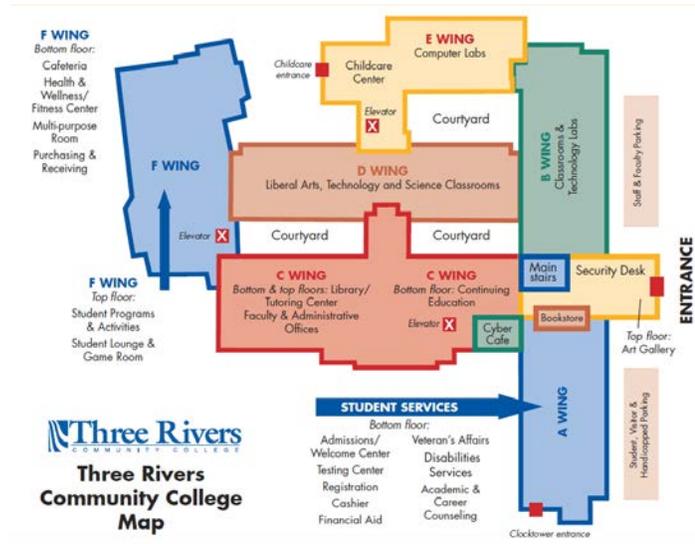
The overall basic service fee of 9.88% is well within the guideline rate of 12.5% for this Group B Renovation Project.

The following question was raised based on the review of the proposal.

- Edm proposal dated June 29, 2018 – page 8 – Additional services (unit prices) – The architect is charging \$900 lump sum for construction observation site visits and construction meeting attendance. This should be on a per hour basis and not to exceed \$900. What if the architect’s staff is attending a construction meeting for 1 hour, should the Architect be paid \$900? They should also include hourly rates to appropriately reimburse the architect.
 - DCS Response - We feel the per diem charge of \$900 per additional visit is fair. The charge is inclusive of travel time, this architect’s office is in Unionville. These charges would only be incurred for additional site visits beyond the 6 visits already included for this project exclusive of punch list and final inspection. We could re-negotiate the fee with the consultant to be on an hourly basis but I would not agree to a \$900 ‘not to exceed’ if we go to hourly billing as that would be unfair to the consultant. I believe the state is fairly served as already negotiated.

Please keep in mind additional site observations or construction meetings require pre-meeting preparation and post meeting communications which are part of the \$900 lump sum. Further, this is an agency administered project – DAS / CS will not be monitoring the services of the consultant, that will be by the CSUS representative further complicating verification of hourly charges.

RECOMMENDATION: Staff recommend to **suspend** the file **PRB 18-191** until a response is received from DCS.



PRB #	20-177
Origin/Client:	DCS/DMHAS
Transaction/Contract Type	AE / Task Letter
Project Number:	BI-MH-121
Contract:	OC-DCS-MDE-0028
Consultant:	BVH Integrated Services, P.C.
Property	Bridgeport, Central Ave (1635) Greater Bridgeport Community MHC
Project purpose:	Parking Structure Project
Item Purpose:	Task Letter #1C

Mr. Daniel Wagoner, DAS/DCS Associate Project Manager joined the meeting at 9:33 to participate in the Board’s review of this proposal. Mr. Wagoner left the meeting at 10AM.

PROPOSED AMOUNT: \$42,500

On October 19, 2015, under PRB File #15-234, the Board approved Task Letter #1 to the on-call contract to retain the services of the consultant for engineering design services, construction administration services and special services for the in-kind replacement of the rehabilitation of an existing two-level parking structure at Greater Bridgeport Community Mental Health Center in Bridgeport, CT. The project includes the addition of surface level parking spaces extending from the upper level of the parking structure, site storm water system upgrades, lead paint removal, and connection to a dedicated storm water system as required by the city. The Consultant Fee for services was \$188,355. The Construction Budget and Total Project Budget were established at \$2,750,000 and \$3,540,230 respectively for this project.

On September 30, 2016, under PRB File #16-229, the Board approved Task Letter #1A to the on-call contract, approving the Consultant’s Fee of \$177,765, for the following expanded scope of work:

- Additional Land Surveying and geotechnical engineering around White Street
- Completion of additional site related storm drainage requirements
- Expanded Project Design Requirements for the complete removal of the deteriorated parking deck and construction of a new and expanded deck.
- Construction administration services which will include a review of shop drawings, construction observation reports, coordination of testing labs, RFI reviews, weekly job meetings and review/approval of the contractor requisitions.
- At part of this revised project scope and task letter, DCS has increased the overall Construction Budget and Total Project Budget to \$8,031,911 and \$9,768,847 respectively for this project.

On January 13, 2017, under PRB File #17-185, the Board approved Task Letter #1B to the on-call contract to retain the services of a sub-consultant for expanded survey services, totaling \$2,750. The overall Construction Budget and Total Project Budget remained unchanged at \$8,031,911 and \$9,768,847 respectively.

This project was bid on May 4, 2018 and the bids were rejected on August 23, 2018. DAS intends to rebid this project upon completion of certain of the work contemplated under this supplemental task letter. The project documents now need to be modified to meet current DAS bidding requirements and the current building code. The consultant performed all their duties associated with previous bidding services, but DAS rejected the bids from 2018.

Under this proposed TASK LETTER #1C with the Consultant, DCS is seeking SPRB approval to expend \$12,500 to compensate the Consultant, plus a \$30,000 contingency, for the following scope of services;

- Perform site visit to review the current conditions to determine if any conditions require changes to the contract documents.
- Update the existing project documents for conformance to the 2018 State Building Code. Update the project document set to the current DAS standards.
- Provide bidding services to rebid the project.
- A design contingency of \$30,000 is included in this amendment. The principal uses of the contingency will be to compensate the Engineer for subsequent document changes resulting from the review of current conditions and for design services of the project's geotechnical engineer during the construction process.

The Construction Budget and total Project Budget have remained at \$9,560,911 and \$12,426,707, respectively.

Task Letter #1– BVH Fee (PRB #15-234)	Engineers Base Fees	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Phase Documents	\$40,177				
Design Document Phase	\$31,057				
Contract Document Phase	\$49,266				
Tracing & Masters/Bidding	\$1,500				
Construction Administration	<u>\$30,000</u>				
Engineer's Base Fee (PRB #15-234) (A)	\$152,000			\$2,750,000	5.52%
Special & Sub-Consultant Services:					
Geotechnical Engineering		\$15,785			
Site Survey Services		<u>+\$20,570</u>			
Engineer's Special Services Fee (B)		\$36,355			
Task Letter 1A (PRB File #16-229) – Expanded Project Scope (A2) and (B2)	\$161,615	<u>+\$16,150</u>			
Task Letter 1B (PRB File #17-185) – Additional Survey Services (A3)	<u>+\$2,750</u>				
Task Letter 1C (PRB File #20-177) – Additional Survey Services (A4)	<u>+\$12,500</u>				
Contingency		+\$30,000			
Total Basic Service Fee (A1) + (A2) + (A3) + (A4)	\$328,865			\$9,560,911	3.44%
<i>TOTAL PROJECT FEE (A) + (B)</i>		\$82,755	\$411,620	\$12,426,707	3.31%

BVH has been approved for the following Tasks under this on-call series (PRB #14-285):

• Task Letter #1	Bridgeport MHC – Replace. Parking Project	\$ 152,000	(#15-234)
• Task Letter #1A	Bridgeport MHC – Replace. Parking Project	\$ 177,765	(#16-229)
• Task Letter #1B	Bridgeport MHC – Replace. Parking Project	\$ 2,750	(#17-185)
• Task Letter #2	Three Rivers CC Lab Renovations	\$ 48,757	(Informal)
• Task Letter #3	300 Corporate Roof & RTU Survey	\$ 23,500	(Informal)
• Task Letter #4	HCC Lafayette Hall Renovations Project	\$ 15,000	(Informal)
• Task Letter #5	NVCC Founders Hall Renovations	\$ 3,900	(Informal)
• Task Letter #6	Wethersfield DOC Steamline Replacement	\$ 15,000	(Informal)
• Task Letter #7	Enfield Court House Roof Replacement	\$ 0	(Cancelled)
• Task Letter #8	Torrington Court House Drainage Improvs.	\$ 94,000	(Informal)
TOTAL FEES		\$532,672	

Staff had following questions:

1. What is the reason that this project will be submitted for the 3rd time to the bid room?

DCS Response: When this project originally went to the bid room the DCS front end documents changed at the time same time and the bid package was rejected. The bid package was required to be changed to the new front end. This was not the fault of the A/E, they had met the requirements of the contract at the time of submission.

Staff Response: OK

2. Please clarify why DCS rejected bids in August 2018.

.FORMAL/ INFORMAL / SET-ASIDE

OBGMHC Parking Garage Repairs
1635 Central Avenue
Bridgeport, CT
Project BI-MH-121

STATE OF CONNECTICUT
DEPARTMENT OF ADMINISTRATIVE SERVICES
460 COLUMBUS BLVD., SUITE 1302
HARTFORD, CT 06103

TABULATION OF BIDS

BID OPENING DATE: July 11, 2018
PROJECT NO.: BI-MH-121
AGENCY: \$8,353,232 D.A.S.
PAGE NO: 1 OF 1

BIDDER	SECURITY	BASE BID	SUPPLEMENTAL BIDS
Lawrence Bravoli, Inc, Farmington, CT		7,124,000.	
Mannhart Brothers Incorporated, Plainville, CT		9,200,000.	
Royal Builders, Inc, Cheshire, CT		9,130,000.	
Lakson Building Group, LLC, Meriden		10,340,000.	
O+G Industries, Inc, Torrington, CT		8,190,000.	

18 JUL 11 PM 1:00
PROCUREMENT

Bid opened: Date: 7/11/2018 Time: 1:00 P.M.
Witnessed by: *Michelle Watton*

This is certified as a true and accurate summary of bids:
Apparent low bidder: _____
Base Bid: \$ _____
Supplement No. _____
Total Bid: \$ _____

DCS Response: The notification informing all bidders of bid rejections is attached. (20180823144409725).

Thank you for your bid that was opened on July 11, 2018 for the above referenced project. We regret to inform you that in accordance with Section 4b-94 of the Connecticut General Statutes the Department of Administrative Services, Construction Services found cause to reject all bids. The reason for the rejection of all bids is errors, conflicts and ambiguities in the Project Manual that may have resulted in varying interpretations of bid requirements by Bidders that include, but were not limited to, the following:

- Project Scope of Work;
- Base Bid Work;
- Defined Unit Prices work added to or deducted from the Contract Sum;
- Named Subcontractors.

The Project Manual will be revised to correct any errors and ambiguities and the Project will be re-bid in the near future.

Staff Response: OK

3. When is DCS planning to rebid this project?

DCS Response: DCS will be moving forward with this project as soon as these additional tasks are completed.

Staff Response: OK

4. Please clarify the difference in hourly rates for the Principal/Project Manager under this proposal (\$225/\$190 per hour, respectively), with the rates for the same positions recently approved for the Consultant in January 2020 for MEP services (\$220/\$180/hour, respectively), when all other hourly rates for proposed staff under this proposal are identical to the rates under MEP-0048.

DCS Response: You are correct this was a typo. These rates will be changed on the TL.

5. Has DCS verified with DEEP whether re-registration of the DEEP Stormwater permit and an extension of Flood Certification will be required? If not, shouldn't that be verified so that the cost can be included in this TL?

DCS Response: DCS Handles the re-registration fee and the designer will not have any significant duties associated with this item and there should be no costs associated with this item.

Staff Response: OK

6. What geotech services will be required for the project during the construction phase or it will be provided by others? Should that scope and cost be included with this TL? If others, should the reference be deleted?

DCS Response: A portion of this project involves installing a dedicated storm line in a city street this roughly 750ft of excavation in a local Bridgeport street. We have no way of knowing what Geotech might be required until we open the ground in this area. This is one of the reasons why we are requesting the contingency you mention in item 8.

Staff Response: OK

7. Will Special Inspector be required for this project? If yes, will DCS hire a separate Special Inspector or will BVH hire one? Should the scope and cost be included in this TL?

DCS Response: DCS has a separate internal process for hiring special inspectors and that will not be handled by the A/E.

Staff Response: OK

8. If there are any anticipated additional services for this project, it should be included with this TL and not seek contingency. Contingencies cannot be allowed. Document update based on site visit and code related updates are already included in the scope.

DCS Response: Contingencies have been included in contracts approved by SPRB. The language used for such contingencies and the amount was developed in conjunction with SPRB. We do not expect any additional services at this point. We are using the contingencies to cover any additional services that come up during either construction or additional design revision that may come to light after the field investigations are performed. Our possible needs for the construction phase include possible Geotech services that may be uncovered when excavations begin on both the site and in the surrounding city streets. These Geotech items will not be known until we begin the project and full excavations begin.

Staff Response: Staff inquired with DCS Legal regarding the contingency.

While the concept of a design contingency certainly originated in connection with a particular formal contract, I do not believe that there was a confirmed understanding that its use was limited to only such contracts. Certainly, the related concept of "not to exceed fee" for design services appears in contracts, amendments and task letters. The rationale for utilization of a contingency, moreover, applies to all such contract documents, namely, the authority to proceed with necessary design work, according to the contingency terms, in a timely manner so as to avoid either work stoppages or work being performed prior to a supplemental task letter submission and approval. In this case, there are two situations that provide compelling reasons for its use – the lapse of time since the plans and specifications were completed and bid, and the nature of work. If any condition has changed necessitating a change in design, it can be accomplished without delaying the re-bid. More importantly, the project involves 800 linear feet of excavation in city streets as well as additional excavation on site. Encountering obstructions or unknown site conditions may necessitate additional geotechnical work and resulting design changes to address the conditions. A contingency provides accountability for its use, not only by the terms of the contingency (not within the current scope, not the result of consultant's deficient or dilatory work etc.), but also in its subsequent submission to, and review by, SPRB.

Should the use, cost, or any other factor raise a concern or condition, SPRB has the right to call the matter to our attention to consider on a go-forward basis. I am unaware of any instance where we have reported use of a design contingency that raised any issue with SPRB. And, of course, the contingency is a capped amount.

Lastly, while the total design fee here may be less than a typical formal contract, the construction budget, at \$9.5M, and the work required, is substantial. This is all the more reason for having the flexibility to get the project bid as soon as possible and then to be able to respond to issues as they arise. The amount of the contingency is a small percentage of the project's construction budget. For these reasons, I think that the contingency is appropriate for this supplemental task letter.

Staff Response: DCS should be submitting a supplementary Task Letter for services, geotechnical services in this instance, when the scope of the services are well defined, not under a blanket contingency with unknown scope.

RECOMMENDATION: It is recommended that SPRB suspend Task Letter #1C in the amount of \$42,500 to provide consulting design and construction administration services on this project, pending resubmission of modified task letter to reflect the following changes:

1. Correctly reflect the hourly rates for the Consultant's Principal/Project Manager; and
2. Remove the Contingency (\$30,000) clause from the Task Letter.

FROM PRB #17-185

Re: PRB # 17-185 – BVH Integrated Services, P.C. – Task Letter #1B
Greater Bridgeport Mental Health Center– Phase II – Parking Structure Project
Project #BI-MH-121, Contract # OC-DCS-MDE-0028, Fixed Fee - \$2,750

PROJECT BRIEF– In general, this project involves the required engineering design and construction administration services for the in-kind replacement of the existing concrete deck parking structure as well as an additional 50-60 at grade parking spots. The overall scope of this project is envisioned to include the construction of a new cast in place concrete parking deck with additional amenities such as lighting, walkways, drainage improvements, fire protection and emergency call boxes.

In November 2014, SPRB approved BVH Integrated Services, P.C. (“BVH”) as one of five firms under the 5th *On-Call Multi-Disciplinary Engineering (“MDE”) Consultant Services* contracts. This project is one of seven Task Letters that BVH has been assigned under this series. BVH has been approved for the following task letter(s) to date:

• Task Letter #1	Bridgeport MHC – Replace. Parking Project	\$ 152,000	(#15-234)
• Task Letter #1A	Bridgeport MHC – Replace. Parking Project	\$ 177,765	(#16-229)
• Task Letter #2	Three Rivers CC Lab Renovations	\$ 48,757	(Informal)
• Task Letter #3	300 Corporate Roof & RTU Survey	\$ 23,500	(Informal)
• Task Letter #4	HCC Lafayette Hall Renovations Project	\$ 15,000	(Informal)
• Task Letter #5	HCC Renovations Traffic Improvements	\$ 3,900	(Informal)
• Task Letter #6	Enfield Court House Roof Replacement	\$ 25,000	(Informal)
• Task Letter #7	<u>Torrington Court House Drainage Improvs.</u>	<u>\$ 94,000</u>	<u>(Informal)</u>
	TOTAL FEES	\$539,922	

TASK LETTER #1B is subject to SPRB approval because the combined value of this Task Letter and Task Letters 1 & 1A for this project exceeds \$100,000. The Construction Budget and Total Project Budget were originally established at \$2,750,000 and \$3,540,230 respectively for this project. More recently, DCS has

increased the overall Construction Budget and Total Project Budget to \$8,031,911 and \$9,768,847 respectively.

As detailed in the scope letter from BVH to DCS dated April 25, 2017 the \$2,750 is intended to compensate BVH for the following expanded project scope:

- Additional land surveying to add client agency requested revisions to the handicapped and employee parking areas. This work area is outside of the parking garage survey scope of services previously provided in the base contract.

DCS has confirmed that funding is available for this project. As summarized in the following table, the engineer's *base fee* as a percentage of Construction Budget is as follows:

Task Letter #1– BVH Fee (PRB #15-234)	Engineers Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Phase Documents	40,177				
Design Document Phase	31,057				
Contract Document Phase	49,266				
Tracing & Masters/Bidding	1,500				
Construction Administration	<u>+30,000</u>				
Engineer's Base Fee (PRB #15-234) (A)	\$152,000			\$2,750,000	5.52%
Special & Sub-Consultant Services:					
Geotechnical Engineering		15,785			
Site Survey Services		<u>+20,570</u>			
Engineer's Special Services Fee (B)		\$36,355			
Task Letter 1A (PRB File #16-229) – Expanded Project Scope (A2) and (B2)	\$161,615	<u>+\$16,150</u>			
Task Letter 1B (PRB File #17-185) – Additional Survey Services (A3)	<u>+\$2,750</u>				
Total Basic Service Fee (A1) + (A2) + (A3)	\$316,365				3.94%
TOTAL PROJECT FEE (A) + (B)		\$52,755	\$368,620	\$8,031,911	4.59%

RECOMMENDATION: It is recommended that SPRB APPROVE Task Letter #1B for BVH Integrated Services, Inc. to provide additional survey services on this project. The overall basic service fee of 3.94% is well within the guideline rate of 10.00% for this Group A Site Improvements Renovation Project.

FROM PRB #16-229

Re: PRB # 16-229 – BVH Integrated Services, P.C. – Task Letter #1A
Greater Bridgeport Mental Center– Phase II – Parking Structure Replacement Project
Project #BI-MH-121, Contract # OC-DCS-MDE-0028, Fixed Fee - \$177,765

PROJECT BRIEF– In general, this project involves the required engineering design and construction administration services for the in-kind replacement of the existing concrete deck parking structure as well as an additional 50-60 at grade parking spots. The overall scope of this project is envisioned to include the construction of a new cast in place concrete parking deck with additional amenities such as lighting, walkways, drainage improvements, fire protection and emergency call boxes.

In November 2014, SPRB approved BVH Integrated Services, P.C. (“BVH”) as one of five firms under the 5th *On-Call Multi-Disciplinary Engineering (“MDE”) Consultant Services* contracts. This project is one of

seven Task Letters that BVH has been assigned under this series. BVH has been approved for the following task letter(s) to date:

• Task Letter #2	Three Rivers CC Lab Renovations	\$ 48,757	(Informal)
• Task Letter #3	300 Corporate Roof & RTU Survey	\$ 23,500	(Informal)
• Task Letter #4	HCC Lafayette Hall Renovations Project	\$ 15,000	(Informal)
• Task Letter #5	HCC Renovations Traffic Improvements	\$ 3,900	(Informal)
• Task Letter #6	Enfield Court House Roof Replacement	\$ 25,000	(Informal)
• Task Letter #7	<u>Torrington Court House Drainage Improvs.</u>	<u>\$ 94,000</u>	<u>(Informal)</u>
	TOTAL FEES	\$210,157	

TASK LETTER #1A is subject to SPRB approval because the combined value of this Task Letter and Task Letter 1 for this project exceeds \$100,000. The Construction Budget and Total Project Budget were originally established at \$2,750,000 and \$3,540,230 respectively for this project. As detailed in the scope letter from BVH to DCS dated August 17, 2016 the \$177,765 is intended to compensate BVH for the following expanded project scope:

- Additional Land Surveying and geotechnical engineering around White Street
- Completion of additional site related storm drainage requirements
- Expanded Project Design Requirements for the complete removal of the deteriorated parking deck and construction of a new and expanded deck.
- Construction administration services which will include a review of shop drawings, construction observation reports, coordination of testing labs, RFI reviews, weekly job meetings and review/approval of the contractor requisitions.

At part of this revised project scope and task letter, DCS has increased the overall Construction Budget and Total Project Budget to \$8,031,911 and \$9,768,847 respectively for this project.

DCS has confirmed that funding is available for this project. As summarized in the following table, the engineer's *base fee* as a percentage of Construction Budget is as follows:

Task Letter #1– BVH Fee (PRB #15-234)	Engineers Base Fees (\$)	Special Services	Total Fee	Constructio n Budget (\$)	% of Budget
Schematic Phase Documents	40,177				
Design Document Phase	31,057				
Contract Document Phase	49,266				
Tracing & Masters/Bidding	1,500				
Construction Administration	<u>+30,000</u>				
Engineer's Base Fee (PRB #15-234) (A)	\$152,000			\$2,750,000	5.52%
Special & Sub-Consultant Services:					
Geotechnical Engineering		15,785			
Site Survey Services		<u>+20,570</u>			
Engineer's Special Services Fee (B)		\$36,355			
Task Letter 1A (PRB File #16-229) – Expanded Project Scope (A2) and (B2)	<u>+\$161,615</u>	<u>+\$16,150</u>			
TOTAL Basic Service Fee (A1) + (A2)	\$313,615	\$52,505			
TOTAL PROJECT FEE (A) + (B)			\$366,120	\$8,031,911	4.56%

RECOMMENDATION: It is recommended that SPRB APPROVE Task Letter #1A for BVH Integrated Services, Inc. to provide consulting design and construction administration services on this project. The overall basic service fee of 4.56% is well within the guideline rate of 10.50% for this Group A Site Improvements Renovation Project.

FROM PRB #15-234

Re: PRB # 15-234 – BVH Integrated Services, P.C. – Task Letter #1
Greater Bridgeport Mental Center– Phase II – Parking Structure Replacement Project
Project #BI-MH-121, Contract # OC-DCS-MDE-0029, Fixed Fee - \$188,355

PROJECT BRIEF– In general, this project involves the required engineering design and construction administration services for the in-kind replacement of the existing concrete deck parking structure as well as an additional 50-60 at grade parking spots. The overall scope of this project is envisioned to include the construction of a new cast in place concrete parking deck with additional amenities such as lighting, walkways, drainage improvements, fire protection and emergency call boxes.

In November 2014, SPRB approved BVH Integrated Services, P.C. (“BVH”) as one of five firms under the 5th *On-Call Multi-Disciplinary Engineering (“MDE”) Consultant Services* contracts. This is the fourth Task Letter that BVH has been assigned under this series. BVH has been approved for the following task letter(s) to date:

• Task Letter #2	Three Rivers CC Lab Renovations	\$ 48,757	(Informal)
• Task Letter #3	300 Corporate Roof & RTU Survey	\$ 23,500	(Informal)
• Task Letter #4	HCC Renovations Traffic Improvements	\$ 15,000	(Informal)
	TOTAL FEES	\$ 87,257	

TASK LETTER #1 is a new formal task letter and subject to SPRB approval because the value of the task letter for this project exceeds \$100,000. The Construction Budget and Total Project Budget have been established at \$2,750,000 and \$3,540,230 respectively for this project. As detailed in the scope letter from BVH to DCS dated December 22, 2014 the \$188,355 is intended to compensate BVH for the following project scope:

- Preparation of SD through CD level design documents for the project area
- Completion DD Level design plans inclusive of geotechnical and site survey requirements; both as special service.
- Execution of project bid phase including a review of bid proposals and contractor scoping
- Construction administration services which will include a review of shop drawings, construction observation reports, coordination of testing labs, RFI reviews, weekly job meetings and review/approval of the contractor requisitions.

DCS has confirmed that funding is available for this project. As summarized in the following table, the engineer’s *base fee* as a percentage of Construction Budget is as follows:

Task Letter #1– BVH Fee (PRB #15-234)	Architect Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Phase Documents	40,177				
Design Document Phase	31,057				
Contract Document Phase	49,266				
Tracing & Masters/Bidding	1,500				
Construction Administration	+30,000				
Engineer's Base Fee (PRB #15-234) (A)	\$152,000			\$2,750,000	5.52%
Special & Sub-Consultant Services:					
Geotechnical Engineering		15,785			
Site Survey Services		+20,570			
Engineer's Special Services Fee (B)		\$36,355			
TOTAL PROJECT FEE (A) + (B)			\$188,355	\$2,750,000	6.85%

RECOMMENDATION: It is recommended that SPRB APPROVE Task Letter #1 for BVH Integrated Services, Inc. to provide consulting design and construction administration services on this project. The overall basic service fee of 5.52% is well within the guideline rate of 10.50% for this Group A Site Improvements Renovation Project.

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILE #20-171 – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #20-171. The motion passed unanimously.

PRB FILE #20-175 – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #20-175. The motion passed unanimously.

PRB FILE #20-177 – Mr. Valengavich moved and Mr. Halpert seconded a motion to suspend PRB FILE #20-177. The motion passed unanimously.

9. NEXT MEETING – Monday, September 21, 2020

The meeting adjourned.

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