

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On September 21, 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 21, 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 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 17, 2020 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

3. REAL ESTATE- UNFINISHED BUSINESS

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Open Session and into Executive Session at 9:48. The motion passed unanimously.

EXECUTIVE SESSION

For Discussion Purposes Only

PRB #	20-172-A
Transaction/Contract Type:	AG/PDR
Origin/Client:	DoAG/DoAG

Statutory Disclosure Exemptions: 1-200(6) & 1-210(b)(7)

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Executive Session and into Open Session at 10:02. The motion passed unanimously.

OPEN SESSION

4. REAL ESTATE – NEW BUSINESS

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB #	20-178
Origin/Client:	DCS/ECSU
Transaction/Contract Type	AE / Task Letter
Project Number:	BI-RW-336
Contract:	OC-DCS-STR-0029
Consultant:	BVH Integrated Services, P.C.
Property	Windham, Windham St (83) – ECSU
Project purpose:	Low Rise Stair Replacement and Courtyard Improvements – Phase II
Item Purpose:	Task Letter #3B

PROPOSED AMOUNT: \$37,000

In March 2017, DCS retained the services of the Consultant under Task #3 for Design and Construction Administration Services for the replacement of four (4) courtyard exterior metal stairways serving several residence halls and provide courtyard improvements at the residential complex on the campus of Eastern Connecticut State University (ECSU). ECSU in-house staff provided design services for the courtyard improvements. As-built drawings and a current A2/T2 electronic surveys shall be provided by the university. Geotechnical recommendations are not available. The stair replacement shall be designed and constructed, each in a single phase. The project shall be bid for construction in the spring of 2017, with substantial completion by August 1, 2017 in order to meet occupancy requirements of the four (4) residence halls included in the project. The Consultant Fee in Task Letter #3 was \$43,500, based on an established \$600,000 construction budget. The March 2017 B1105 established the Construction Budget and Total Project Budget at \$1,345,958 and \$1,482,554 respectively.

In July 2017, DCS expanded the scope of services under Task #3A adding additional Design and Construction Administration Services to replace four (4) "enclosed" metal stairs along the exterior of existing buildings at the low rise complex and combine these four (4) enclosed stairs with the four (4) open stairs, designed previously under task #3, into a single bid package for construction in the spring of 2018. Substantial completion shall be achieved by August 1, 2018 to meet the occupancy requirements of the four (4) residence halls included in the project. The Consultant Fee in Task Letter #3B was \$37,500, based on an established \$425,000 construction budget.

Under this proposed TASK LETTER #3B with the Consultant, DCS is seeking SPRB approval to expend \$37,000 to compensate the Consultant for the following scope of services;

Scope of additional services are as follows

- 2019 – Additional Meetings and field visits were required due to BVH enhanced project involvement resulting from the Contractor's actual schedule and performance.
- 2020 and 2021 – Additional submittal reviews, meetings and extended construction administration services is required due to the scheduling constraints of demolition and reconstruction. Project could not be completed in one summer and needs to be phased over several years.

The Board of Regents (hereafter the “B.O.R.”) requires the following design and construction administration services:

- Coordinate and attend meeting(s) with the B.O.R. and the Contractor prior to the commencement of the work, to review the Contractor's proposal for compliance with the requirements of the Contract Documents.
Review the Contractor's submittals for general conformance with the design intent expressed in the Contract Documents.
- Visit the site 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.
- Report on the progress of the work and Field visits: Field visits will be scheduled as needed to support the construction activity. The firm will comply with the requirements of the contract and the Consultants Procedure Manual, which requires reporting on the progress of the work on at least a semi-monthly basis. At a minimum the firm shall make field visits at least on a semi-monthly basis.
- Attend weekly or as required job meetings and prepare meeting minutes and field reports to document the progress and quality of the Contractor’s work.
- 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 Certificate of Acceptance.
- Provide the B.O.R., for review and record, written warranties and related documents required by the Contract Documents and assembled by the Contractor.
- Submit Record Drawings, and specifications in PDF format.

The Construction Budget and total Project Budget have remained at \$1,345,958 and \$1,563,054, respectively.

Task Letter #3– BVH Fee (Informal)	Engineers Base Fees	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Phase Documents	\$0				
Design Document Phase	\$15,500				
Contract Document Phase	\$15,000				
Bidding Phase	\$2,000				
Construction Administration	<u>\$11,000</u>				
Engineer’s Base Fee (TL#3-Informal) (A)	\$43,500			\$600,000	7.25%
Task Letter 3A (Informal) – Expanded Project Scope (A2)					
Schematic Phase Documents	\$0				
Design Document Phase	\$10,500				
Contract Document Phase	\$16,000				
Bidding Phase	\$2,000				
Construction Administration	<u>\$9,000</u>				
Engineer’s Base Fee (TL#3-Informal) (A2)	\$37,500			\$425,000	8.82%
Task Letter 3B (#20-178) – Expanded Project Scope (A3)					
Construction Administration	<u>\$37,000</u>				
Engineer’s Base Fee (#20-178) (A3)	\$37,000				
Total Basic Service Fee (A1) + (A2) + (A3)	\$118,000			\$1,345,958	8.77%

BVH has been approved for the following Tasks under this on-call series OC-DCS-STR-0029 (PRB #15-110) that expired on 8-1-2017:

• Task Letter #1	DESPP – East Haddam Remote Site Enh.	\$14,000	(Informal)
• Task Letter #2	DAS-FM – 50 Farmington Ave Garage	\$15,100	(Informal)
• Task Letter #3	ECSU – Phase II Low Rise Stairway	\$43,500	(Informal)
• Task Letter #3A	ECSU – Phase II Low Rise Stairway	\$37,000	(Informal)
• Task Letter #4	DVA – Health Center Study	\$15,650	(Informal)
Total Fee to Date:		\$125,250	

Staff had following questions:

1. What was the reason for amendment during the bidding phase (March 2018, amended in April 2018).
2. Provide the schedule for this project including bid date/award/start of construction/construction time frame, completion date, etc.
3. How many phases are there for this project per construction documents and construction award?
4. What are the reasons for the delay in the project (from 1 season to multiple years)? Originally the 4 stair cases were to be substantially completed by August 2017. Then 4 additional stair cases were added and the substantial completion date was August 2018. Weren't A/E and the contractor aware of the site conditions/constraints, and actual time frame it may take to complete the project?
5. What was the duration of the Construction Phase for this project per construction documents?
6. Has extension in the project completion been provided to the contractor? Why?
7. Please provide clarification on the Consultant's request for additional 2019 CA Fees totaling \$6,000 in light of the Task Letter #3B stating "2019 – Additional Meetings and field visits: were required due to BVH enhanced project involvement resulting from the **Contractor's actual schedule and performance.**"
8. Why was the A/E contract not adjusted/amended when it was known in August 2018 that the project will not be completed as designed?
9. Were any efforts made to address the issues found that delayed the schedule?
10. Please provide the status of the project and clarify why the Consultant states CA Services are required for 2020 (\$15,500) and 2021 (\$15,500). ECSU's August 25, 2020 Update on Capitol Projects stating "Phase three of the Low Rise Courtyard Improvements and Stair Replacement project will be completed by early fall. Final inspections with the State Building Inspector have taken place, roofing and punch list work remain and are expected to be complete late fall." Late fall of 2020.
11. Provide staffing matrix along with the schedule for 2020 and 2021 fees
12. Please clarify the difference in hourly rates for the Consultant under this proposal, with the same Consultant under PRB #20-177 (T1C BI-MH-121) and the rates under OC-DCS-MEP-0048 approved in January 2020.

PRB #20-178 (T3B BI-RW-336)		PRB #20-177 (T1C BI-MH-121)		OC-DCS-MEP-0048	
Principal-in-Charge	\$ 215.00	Principal	\$225.00	Labor Category	Per hour
Associate Principal and Director	\$ 200.00	Project Manager	\$190.00	Principal	\$220.00
Project Manager	\$ 185.00	Senior Mechanical Engineer	\$185.00	Project Manager	\$180.00
Commissioning Project Manager	\$ 175.00	Mechanical Engineer	\$170.00	Senior Mechanical Engineer	\$185.00
Senior Engineer / Senior Designer	\$ 165.00	Senior Electrical Engineer	\$170.00	Mechanical Engineer	\$170.00
Technology Designer	\$ 150.00	Junior Electrical Engineer	\$100.00	Senior Electrical Engineer	\$170.00
Contract Administration	\$ 145.00	Plumbing/FP	\$165.00	Junior Electrical Engineer	\$100.00
Engineer / Designer	\$ 140.00	Civil Engineer	\$170.00	Plumbing/FP	\$165.00
Commissioning Provider	\$ 140.00	Junior Civil Engineer	\$100.00		
CADD / Revit Technician	\$ 118.00	Structural Engineer	\$175.00		
Clerical	\$ 82.00	Junior Structural Engineer	\$100.00		

RECOMMENDATION: It is recommended that SPRB suspend Task Letter #3B in the amount of \$37,000 to provide construction administration services on this project, pending DCS response to the issues raised above. The overall basic service fee of 8.77% is well within the guideline rate of 10.00% for this Group A Site Improvements Renovation Project.

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILE #20-178 – Mr. Halpert moved and Mr. Valengavich seconded a motion to suspend PRB FILE #20-178. The motion passed unanimously.

9. NEXT MEETING – Special Meeting, Wednesday, September 23, 2020

The meeting adjourned.

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