

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On November 9, 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 November 9, 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

At Chairman Greenberg's request, Vice Chairman Josephy led the meeting.

Vice Chairman Josephy called the meeting to order.

Mr. Halpert moved and Mr. Berger seconded a motion to enter into Open Session. The motion passed unanimously.

OPEN SESSION

1. ACCEPTANCE OF MINUTES

Mr. Halpert moved and Mr. Berger seconded a motion to approve the minutes of the November 5, 2020 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Staff presented information to the Board regarding Taking Maps for the Stamford-based partial takings requested at their last Meeting.

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 9:58. The motion passed unanimously.

EXECUTIVE SESSION

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

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

4. REAL ESTATE – NEW BUSINESS

EXECUTIVE SESSION

PRB #: 20-214
Transaction/Contract Type: RE/ First Amendment to Lease
Origin/Client: DAS/ WCC

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

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Executive Session and into Open Session at 10:35. The motion passed unanimously.

OPEN SESSION

5. ARCHITECT-ENGINEER - UNFINISHED 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:

- What was the reason for amendment during the bidding phase (March 2018, amended in April 2018).
DCS Response: The Amendment to the bid documents was issued during the bidding phase after several contractors noted that it was not possible to do the work in one 90 day construction window due to site constraints and concerns over procurement time for materials. We issued an addendum to break the project into two construction phases to be undertaken over the course of two summers. Since these buildings are residential buildings, the project construction time needed to work around occupancy by students, this changes on a year to year basis. These buildings have been fully occupied during the course of this project. There was a second addendum issued to address questions raised during the bid process.
Staff Response: OK
- Provide the schedule for this project including bid date/award/start of construction/construction time frame, completion date, etc.
DCS Response: The project was advertised for bid on 3.16.2018, a Pre-Bid meeting was held on 3.23.2018, Addendum #1 was issued on 4.2.2020 it phased the project and extended the bid opening date to 4.13.2020, bids were opened on 4.13.2020, Addendum #2 the funding allocation for construction award was requested on 4.18.18, the contract & PO Were issued on 4.26.2018, the contractor mobilized on 5.22.2018, the first two stairs were substantially complete on August 14, 2018, Phase II construction started on 5.22.2019, Phase II Substantial Completion was August 22, 2019, Phase III Construction

commenced on 5.6.2020 and was substantially complete on 8.28.2020 Phase IV will commence next May after Commencement. If COVID Causes the campus to close again, construction can begin earlier.
Staff Response: OK

3. How many phases are there for this project per construction documents and construction award? The construction documents provided for two phases.

DCS Response: The first phase consisted of 4 exterior metal stairs located within the courtyards. Phase II consisted of the 4 “enclosed” stairs which are located between masonry wing walls and are at the entrances to the courtyards, Phase II also included two sets of site stairs and a retaining wall adjacent to the “enclosed” stairs on the 500 Building of the Low Rise Complex.

Staff Response: OK

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?

DCS Response: There are several reasons, the Low Rise Complex Consists of 5 buildings joined by elevated walkways. The site constraints, initially forced the project to be bid into two phases. Site conditions such as undocumented utilities, undocumented matt foundations, problems with shop drawings and the contractor needing drawings stamped by a Licensed CT Professional Engineer, and the need to have the stairs on line by Mid-August for occupancy of the apartment complex caused us to extend the project into multiple phases. During the first phase, the University did not feel the contractor would be able to complete the 4 exterior stairs in the time frame needed. Alternate housing was not available for students.

Staff Response: OK

5. What was the duration of the Construction Phase for this project per construction documents?

DCS Response: The project was awarded on April 26th, the construction “phase” commenced immediately with the processing of shop drawings and submittals, the contractor was allotted 90 days for construction of phase 1 which could not commence until May 15 and needed to be substantially complete by August 14, 2018, and 90 days for phase 2 which could not commence until May 22nd, 2019 and needed to be substantially complete by August 15, 2019, not including shop drawings. Each construction phase was scheduled around the University’s housing schedule. These are occupied apartments and the stairs are part of a required means of egress and needed to stay in service while the buildings were occupied.

Staff Response: OK

6. Has extension in the project completion been provided to the contractor? Why?

DCS Response: No, mainly because the contractor has not asked for one.

Staff Response: OK

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.”

DCS Response: The project construction has had to be broken into multiple phases due to the issues noted above. The Engineer had originally based their fee on one construction phase. The multiple phases have added to the number of site visits, job meetings not initially taken into account.

Staff Response: OK

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?

DCS Response: A proposal had been sent to Kevin Jackson of DAS for consideration in March of 2019, at the time Mr. Jackson was in transition as he was retiring. A new proposal was forwarded in March 2020.

Staff Response: OK

9. Were any efforts made to address the issues found that delayed the schedule?

DCS Response: Yes, multiple efforts were made to allow the contractor to streamline the project construction. They were allowed to change the type of treads used on the project to minimize the number of field welds and site work, we held several meetings with the GC And their subs to coordinate the shop drawing process and work out access issues to the site.

Staff Response: OK

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. Phase III of the project which included 2 of the 4 "enclosed" stairs commenced this past May after we were cleared to allow contractors back onto site following COVID restrictions.

DCS Response: This phase is substantially complete and punchlist work needs to be completed. The contractor has requested to begin phase IV in November, this is being carefully reviewed, the site access stairs they are looking to do this winter, provide needed access to the lower level of the 500's and 100's building. Work would need to be complete by the first week of January. The 500's building is presently being used as a Quarantine Dorm for COVID. The remaining stair work would commence in the spring after Commencement, or earlier should the University pivot and go to on-line classes.

Staff Response: OK

11. Provide staffing matrix along with the schedule for 2020 and 2021 fees **See attached email from BVH**

Staff Response: DCS provided a staffing matrix. OK

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.

DCS Response: See attached email from BVH

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		

HOURLY BREAKDOWN BY PHASE				
2019 Add Services				
	Hrs	Rate	Total	
Principal-In-Charge	2	\$205	\$410	\$6,000
Project Manager	8	\$175	\$1,400	
Senior Engineer	24	\$150	\$3,600	
Cad Operator	5	\$110	\$550	
Clerical	1	\$75	\$75	
		SUBTOTAL	\$6,035	
2020 Add Services				
	Hrs	Rate	Total	
Principal-In-Charge	3	\$205	\$615	\$15,500
Project Manager	32	\$175	\$5,600	
Senior Engineer	48	\$150	\$7,200	
Cad Operator	17	\$110	\$1,870	
Clerical	3	\$75	\$225	
		SUBTOTAL	\$15,510	
2021 Add Services				
	Hrs	Rate	Total	
Principal-In-Charge	3	\$205	\$615	\$15,500
Project Manager	32	\$175	\$5,600	
Senior Engineer	48	\$150	\$7,200	
Cad Operator	17	\$110	\$1,870	
Clerical	3	\$75	\$225	
		SUBTOTAL	\$15,510	
		TOTAL	\$37,055	\$37,000

Staff Response: The hourly rates provided in the staffing matrix are lower than the hourly rates posted in the Consultant's May 14, 2020 proposal to DCS, and are less than quoted in PRB #20-177 (T1C BI-MH-121) and OC-DCS-MEP-0048.

RECOMMENDATION: It is recommended that the Board **APPROVE** 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.

6. ARCHITECT-ENGINEER - NEW BUSINESS

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILE #20-172-A – Mr. Halpert moved and Mr. Berger seconded a motion to return PRB FILE #20-172-A. The motion passed unanimously. The Board voted to return this item to DoAG as it is not complete as there are numerous outstanding questions/issues (see below) that have been brought to DoAg's attention beginning on August 19, 2020. DoAG should resubmit this proposal upon receiving the USDA Review Appraisal(s) and responding to issues raised by the Board.

PRB FILE #20-214 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #20-214. The motion passed unanimously.

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

9. NEXT MEETING – Thursday, November 12, 2020

The meeting adjourned.

APPROVED: _____ **Date:** _____

John Valengavich, Secretary