

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On May 6, 2021 – 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 6, 2021 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

Colonel Mathew Wilkinson, CT Mil
Chief Gregory Gallagher, CT Mil

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

OPEN SESSION

1. ACCEPTANCE OF MINUTES

Mr. Valengavich moved and Mr. Halpert seconded a motion to approve the minutes of the May 3, 2021 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Mr. Berger provided Board Members with an update on his ongoing conversations and review about certain proposed legislation that affects the State Properties Review Board.

Staff presented the Board with a monthly voucher statement pursuant to CGS 13a-73(h) identifying DOT real estate acquisitions for less than \$5,000.

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

PRB #	21-048
Transaction/Contract Type:	RE – Voucher
Origin/Client:	DOT/DOT
DOT Project #:	018-135-020
Grantor:	Brookfield (E&A), LLC
Property:	Brookfield, Federal Rd (143)
Project Purpose:	Safety Improvements along Route 202
Item Purpose:	Voucher

DAMAGES: \$158,500

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.

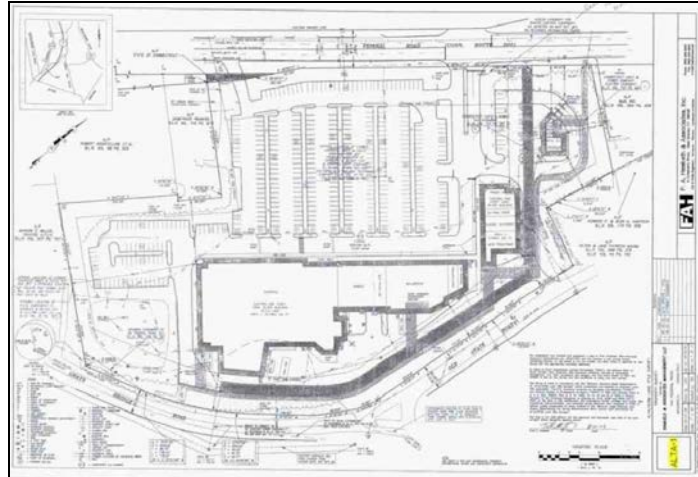
The project also proposes the widening of the roadway along the corridor to provide 4-foot shoulders to improve safety for bicyclists. In addition, the project will include the construction of 5-foot sidewalks to accommodate pedestrian traffic along the corridor.

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) is an irregular-shaped containing 12.627+/- acres (550,040+/- square feet). The lot has 777+/- feet of frontage and two access points from Federal Road. One of these accesses is ingress-only. The second access is both ingress & egress and is at a signalized intersection. The site has an additional 1,041+/- feet of frontage on Old State Road and Grays Bridge Road. The topography slopes gently downward from north to south. Site improvements include a 340,000+/- square foot asphalt parking area with lighting. Approximately 470 delineated parking spaces were noted by the appraiser. The entire property is within the C-1 (Regional Commercial) zoning district. The property is located in an intensely developed retail/commercial neighborhood known as the 'Miracle Mile.'

The parcel is improved with two retail buildings. The larger improvement is a multi-tenanted single-story retail building containing a gross building area of 93,221+/- square feet. This improvement is anchored by a Shop Rite tenant. Other tenants include Jo-Ann Fabric & Crafts, Panera Bread and other small retail stores. The smaller improvement is a single-tenant, single-story retail building containing 3,448+/- square feet, which is occupied by Peoples Bank. This improvement has a drive-through facility. Collectively, the subject's improvements have a gross building area of 96,669+/- square feet.

The Highest & Best Use of the property "As Vacant" is for retail development and "As improved" is a continuation of its current retail use.



Southeasterly.



Northeasterly.

Before Valuation: An appraisal was prepared by DOT appraiser James P. Mansfield as of June 12, 2020.

Land Valuation: Based on the sales comparison approach, the appraiser analyzed three sales of commercially-zoned land in Brookfield ('19), Shelton ('18) and North Haven ('16) and concluded that the fair market value of the subject land was \$14.00/square foot, or

Item	Calculation	Value
Fee Simple	550,040 sf x \$14.00/sf	\$7,700,560
Contributory Value of affected site improvements	Lump Sum	\$4,500
	Total	\$7,705,060
	Rounded	\$7,705,000

The acquisition requires the removal of a section of the driveway, some curbing, a section of the traffic

island, along with landscaping, some trees and vegetation. The contributory value of the impacted site improvements is estimated at \$4,500.

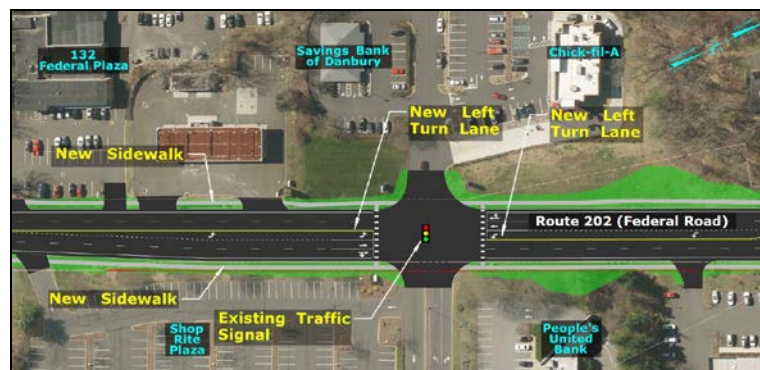
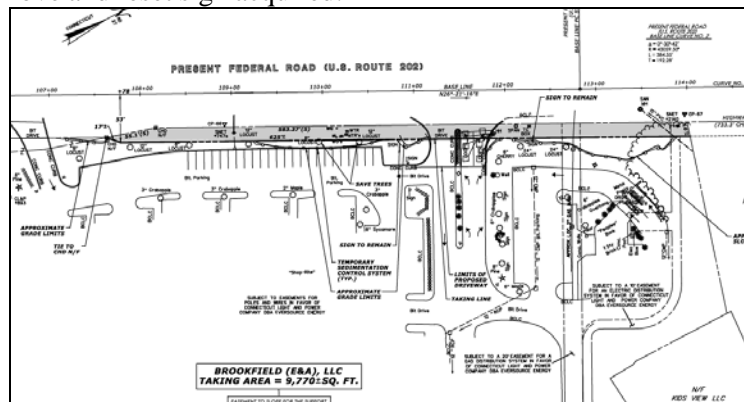
Improvements on the site are not impacted and assigned an "X" value.

Improvements within the taking area include driveway entrance paving and curbing, 95' of hedgerows, vegetation, a maple tree and two concrete bases with the contributory value estimated at \$5,000.

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

The Taking: DOT will acquire the following:

1. A partial take of 9,770± sq.ft. of land;
2. An Easement to slope for the support of the highway acquired (easement area = 2,101+/- square feet);
3. A Right to construct driveway acquired (driveway area = 2,060+/- square feet);
4. A Right to grade acquired (right area = 1,047+/- square feet);
5. A Right to install sedimentation control system acquired (right = 475+/- linear feet); and
6. A Right to remove and reset sign acquired.



After Valuation:

The "After" valuation of the subject property is subject to the following Extraordinary Assumptions and Hypothetical Conditions:

Extraordinary assumptions necessary for the assignment

Post acquisition, the "After" property will not meet the requirements of the Brookfield zoning regulations with regard to landscaping buffer setback requirements. This appraiser makes the extraordinary assumption that a variance will be granted by the Brookfield Zoning Board for the non-conforming "After" property. If this assumption is proven to be different, I reserve the right to change

my opinion.

The COVID-19 pandemic has created uncertainty in the market. The Governor of Connecticut issued an Executive Order on March 20, 2020 ordering the closure of all non-essential workplaces. As of this report date, the impact to the real estate market is unknown; an update to this appraisal once market conditions clarify may be warranted.

Due to the ongoing Coronavirus pandemic that is currently affecting the State of Connecticut, this appraiser was unable to physically attend municipal city and town halls in order to verify the data researched online for use in this assignment. This report makes the extraordinary assumption that all online-researched data is accurate.

No other extraordinary assumptions are necessary for the execution of this assignment.

Hypothetical conditions necessary to arrive at value

The methodology used in this report is a standard State appraisal format in the form of a before and after valuation appraisal used for eminent domain purposes. The appraisal considers that there is a willing seller in an acquisition by eminent domain and has disregarded any effect on the market value brought on by the State's project. The appraisal report was based on the hypothetical condition that the proposed road project will be completed as currently proposed in the Department of Transportation construction plans, on the day after the "as of" date. No other conditions were necessary to arrive at a value. (See Highest and Best Use in Appraiser's Analysis for any details.) See attached narrative analysis section of report for additional assumptions.

Land Valuation: Based on the sales 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 was \$14/square foot, or

Item	Calculation	Value
Fee Simple	538,169 sf x \$14/sf	\$7,534,366
Easement to Slope	2,101 sf x \$14/sf x 50%	\$14,707
	Total	\$7,549,073
	Rounded	\$7,549,000

Calculation of Permanent Damages

Item	Value
Before Valuation	\$7,705,000
After Valuation	\$7,549,000
Permanent Damages	\$156,000

In addition to Direct Damages, DOT has awarded nominal damages to the Grantor to process the required zoning variance and site plan modification in the amount of \$2,500.

RECOMMENDATION: Board approval of damages in the amount of \$158,500 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 appraisal.

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB #	21-051
Origin/Client:	DCS/CTMIL
Transaction/Contract Type	AE / Task Letter
Project Number	BI-Q-713
Contract	OC-DCS-ARC-0064
Consultant:	edm Services, Inc.
Property	East Lyme, U.S. Route 1 – Stones Ranch Military Reservation
Project purpose:	Upgrades to Unit Training Equipment Site (UTES) Facility
Item Purpose	Task Letter #4

At 9:34 Colonel Wilkinson and Chief Gallagher joined the meeting to participate in the Board's review of this Proposal. Both left the meeting at 9:46.

PROPOSED AMOUNT: \$139,090

The Stone's Ranch Military Reservation encompasses nearly 2,000 acres in four towns including East Lyme, Lyme, Old Lyme and Salem. The site is utilized as a multi-use tactical training area for the Connecticut National Guard.

Under this proposed TASK LETTER #4 with the Consultant, DCS is seeking SPRB approval to expend \$139,090 to compensate the Consultant for professional design and construction administration services for upgrades to the Unit Training Equipment Site (UTES) at the military reservation to provide upgrades to the latrine/showers, men's and women's lockers, swing space offices, and isolate vehicle exhaust recovery system.

The scope of work shall include, but is not limited to the following:

- Demolition, including but not limited to, existing latrines, existing walls, mechanical, electrical, and plumbing in work areas that are not to remain as part of the reconfigured space.
- Design new floor, wall, and ceiling finishes throughout the new spaces.
- Design new mechanical, electrical, plumbing, heating, ventilation, air conditioning, and sprinkler systems throughout the new spaces.
- Provide bid documents, including but not limited to, plans, specifications, cost estimates, and permits necessary to provide the following new spaces:
 - Lockers, showers, and latrines areas for ten (10) females and ten (10) males.
 - A New Fitness Center, with break room with washer and dryer hook up.
 - Four (4) Offices for swing space for future projects.
 - Design new exterior doors, windows, and hardware.
 - Replacement of vehicle exhaust recovery system.

A breakdown of the Consultant's fee is as follows:

1. Schematic Design: \$22,668 (due 14 days from receipt of TL)
2. Design Development Phase: \$29,930 (due 17 days from NTP)
3. Contract Documents Phase: \$41,815 (due 18 days from NTP)
4. Bid Phase: \$6,382
5. Construction Administration: \$38,295

The initial construction budget and project budget for Task 4 have been established at \$1,300,000 and \$1,591,000, respectively.

An executed Form 1105 has been submitted for this agency-administrated Task. DCS confirmed federal funding is in place for AE services totaling \$139,090.

This original contracts for ARC services were approved by the Board on March 14, 2019 under PRB #19-068 to #19-072. The On-Call Contract will expire on May 15, 2021.

edm Services, Inc. (EDM) was approved for the following task(s) under this series:

- Task Letter #1 Housatonic CC – Parking Garage Security Upgrades \$73,150 (Informal)
 - Task Letter #2 Norwalk CC – ADA & OCR Upgrades, Phase I (Reassigned)
 - Task Letter #3 Wethersfield – Lighting Fixture & Controls Refit \$86,700 (Informal)
- Total \$159,850

Task Letter #1 – EDM Basic Services Fee (#21-052)	Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Development Phase	\$22,668				
Design Development Phase	\$29,930				
Contract Documents Phase	\$41,815				
Bidding Phase	\$6,382				
Construction Administration	\$38,295				
TOTAL BASIC SERVICE FEE (#20-200) (A)	\$139,090			\$1,300,000	11.00%

Staff inquired with DCS regarding the following issue:

1. Section 1.E. Construction Administration
 - a. clarify how many meetings the consultant will attend with Military Department and the contractor
DCS Response: Per my interpretation of the DAS Consultant's Procedure Manual, the Consultant is providing a service to DAS is required to attend as many meetings as necessary to effectively render services. Therefore, I specifically request that the Consultant not list the number of meeting for each task. This way DAS does not limit themselves to a certain number of meetings. OK
 - b. clarify how many site visits will be conducted by the consultant
DCS Response: Again, site visits are not limited, visit are required to successfully render the services of the phase. For example, if the Task Letter limits the number of site visits during construction to every other week, but at some point, during construction phase, the project warrants consultant to visit the project once a week to effectively address a contractual situation, I don't want the consultant coming back to DAS requesting additional monies for contractual services. Likewise, if for a period of time during the construction phase a site visit isn't required, let say because we are in the submittal process, the Consultant would not be required to visit the site. OK
 - c. clarify how many job meetings the consultant will attend
DCS Response: Again; this is a service, and the Consultant needs to attend as many job meetings as necessary to complete the project.
Staff Response: Ok for all the three comments above - Just wanted to make sure that consultant will not be seeking additional fees in the future related to meetings/site visits.
2. This is "agency administered" project – will the consultant comply with all the DCS requirements, for example, code compliance, etc? How will DCS make sure that this is done by the agency and the consultant?
DCS Response: Yes, the Consultant is required to comply with all DAS requirements and OSFM and

OSBI code compliances per their Task Letter and the terms and conditions of their on-call contract. I am not aware that DAS provides any oversight to the agency or consultant during the design and construction phases.

Staff Response: OK, wanted to make sure that if for some reason this project is brought under DCS's management/oversight because of the overall project cost, the consultant does not have to redo all the documents (reason being that it does not meet DCS requirements for design/bidding/code compliance/etc.).

3. Why is page 3 of 9 (Sec. 1.12) not completed for B1105?

DCS Response: DCS provided page 3 of B1105.

Staff Response: OK.

RECOMMENDATION: It is recommended that the Board **APPROVE** this TL#4 in the amount of \$139,090. The overall basic service fee of 11.00% is within the guideline rate of 11.0% for this Group B Renovation Project.

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILE #21-048 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #21-048. The motion passed unanimously.

PRB FILE #21-051 – Mr. Berger moved and Mr. Valengavich seconded a motion to approve PRB FILE #21-051. The motion passed unanimously.

9. NEXT MEETING – Monday, May 10, 2021.

The meeting adjourned.

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