

## STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On June 26, 2023

– solely by means of electronic equipment - via telephone conference –

Pursuant to CGS §1-225a, the State Properties Review Board conducted its Regular Meeting at 9:30AM on June 26, 2023. Pursuant to the statute, this Meeting was held solely by means of electronic equipment, with Participants connecting via telephone conference at (860)-840-2075 and used passcode 284890492#.

The Notice provided designated this Regular Meeting as open to the public. Call in instruction were provided as: Dial toll free (860)-840-2075 and use passcode 284890492#. If you have any questions or need assistance to attend these Meetings, you can contact SPRB Director Dimple Desai at [dimple.desai@ct.gov](mailto:dimple.desai@ct.gov) to make appropriate arrangements.

### **Members Present – solely by means of electronic equipment:**

Edwin S. Greenberg, Chairman  
Bruce Josephy, Vice Chairman  
John P. Valengavich, Secretary  
Jack Halpert  
Jeffrey Berger  
William Cianci

### **Members Absent:**

### **Staff Present – solely by means of electronic equipment:**

Dimple Desai  
Thomas Jerram

### **Guests Present – solely by means of electronic equipment:**

Steven Westerberg, DAS-CS  
Peter Simmons, DAS-CS  
David Barkin, DAS-CS

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 June 22, 2023 Meeting. The motion passed unanimously.

### **2. COMMUNICATIONS**

### **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.

##### EXECUTIVE SESSION

**PRB #:** 23-097-A  
**Transaction/Contract Type:** AG / PDR  
**Origin/Client:** DoAG/DoAG

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

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Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Executive Session and into Open Session at 10:40. The motion passed unanimously.

##### OPEN SESSION

#### 5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

#### 6. ARCHITECT-ENGINEER – NEW BUSINESS

**PRB #** 23-099  
**Origin/Client:** DAS/OCME  
**Transaction/Contract Type** AE / ARC Services Contract  
**Project Number:** BI-2B-483  
**Contract:** BI-2B-483-ARC  
**Consultant:** Friar Architecture, Inc.  
**Property** Farmington, Shuttle Rd (11) – OCME  
**Project purpose:** OCME Building Expansion and Renovation  
**Item Purpose:** New Consultant Contract

At 9:35 Mssrs. Westerberg, Simmons and Barkin, all from DAS-CS both joined the Meeting to participate in the Board's discussion of this Proposal. They left the Meeting at 10:05.

PROPOSED AMOUNT: \$1,669,742

##### Project Background:

From Form 1105

The Office of Chief Medical Examiner (OCME) is a three story building used for autopsies and death investigations. Based on the Scientific Working Group for Medicolegal Death Investigation (SWGMDI) Regional Autopsy and Death investigation Center Construction Report published September 17, 2013, which outlines the square footage needs of medical examiners offices in the country based on the population they serve, the current facility is undersized. Based on the preliminary needs of the Office of Chief Medical Examiner

(expanded autopsy rooms, coolers, office space and storage space), land on the existing property will be considered for this expansion based on a study and estimate by AE Design Group, LLC, Southington, CT, dated January 4, 2021. A new building at a different location can be considered if funding and feasibility are available and the expansion project is not conducive to the existing building.

In support of this project DAS advertised for BI-2B-483-CMR on April 12, 2023 with responses due by May 12, 2023. DAS anticipates an email notification to the “Best Value” Proposer by August 30, 2023. In this advertisement, the construction phase was stated at 545 calendar days.

Additionally, DAS advertised for BI-2B-483-CA on May 5, 2023 with responses due by June 1, 2023. No construction duration was stated in the advertisement.

Under this proposal (PRB #23-099), DAS is now seeking Board approval of a new Consultant Contract – BI-2B-483-ARC to expend \$1,669,742 for design and construction administration services to support the Project - OCME Building Expansion and Renovation.

DAS provided the following narrative in support of this request.

The building supports approximately 60 staff including multiple medical examiners, medicolegal death investigators, and support staff and is used for autopsies and death investigations. The building supports multiple functions including death investigations, storage, records retention, personnel management, all phases of facility management, and 24/7/365 autopsy services.

The site and building are 1980s construction with functional constraints upon current parking, traffic and pedestrian capacity and flow, in addition to operational constraints upon current autopsy, cooler, office and storage spaces. The site and building also exhibit needs for lifecycle updates/replacements to the physical property and equipment.

The above referenced project shall comply with all pertinent building, fire safety and health codes. All improvements shall meet ADA standards and comply with Department of Administrative Services facility standards.

In April 2022 DAS issued a Request for Qualifications for Architect/Engineer (A/E) Consultant Services related to the CMR Construction Manager at Risk Project - OCME Building Expansion and Renovation. DAS elicited two (2) responses to the advertisement of which both submittals were considered “responsive”. The State Selection Panel consisted of 5 members and interviewed each firm for evaluation purposes based upon an established weighted ranking system. DCS then proceeded to review the submittals and after the completion of the internal review process both firms were selected for short-listed interviews. These firms were as follows, Friar Architecture, Inc. and Russell and Dawson, Inc.

Pursuant to the new DAS/CS Process, DAS creates a certified list of the three (3) most highly qualified Consultants.

Each of the three (3) most highly qualified Consultants will be required to complete and submit to the DAS/CS Policy and Procurement Unit an initial cost proposal, cost proposal template spreadsheet, a list of all proposed subconsultants and their respective scopes of work, and clarifications and/or exclusions to the Consultant’s fee proposal. The DAS/CS Policy & Procurement Unit will then forward each proposal to the DAS/CS Negotiation Committee for evaluation. The Negotiation Committee will hold a meeting with each Consultant to review the scope and determine if the Consultant wants or needs to adjust any aspect of its proposal. The Negotiation Committee will determine which of the top three Consultants they deem most likely to provide the best value to the State considering qualitative ratings, fee proposal, past volume of

work with DAS, and other statutory and regulatory requirements. The Negotiation Committee will then meet with best value firm to discuss and negotiate the final fee. If the firm is unwilling to adjust their fee if requested, the Negotiation Committee may review the next highest best value firm and negotiate their fee accordingly. The same process will be applied to the remaining firm if warranted. After negotiations have concluded, the Negotiation Committee will then present to the Deputy Commissioner a *Letter of Recommendation*.

At the conclusion of the process Friar Architecture, Inc. (“FAI”) as the most qualified firm.

The overall construction and total project budget have been established at **\$16,500,000** and **\$20,959,742** respectively. DAS confirmed funding is available in the amount of \$1,538,838.

The overall compensation rate for this basic service is \$1,538,838 with an additional \$130,904 for Special Services, for a total fee of **\$1,669,742**.

<b>FAI Basic Service Fee (#23-099)</b>	ARC Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Design Phase (75 days)	\$238,462				
Design Development Phase (90 days)	\$336,559				
Construction Document Phase (125 days)	\$458,054				
Bidding Phase	\$65,107				
Construction Administration Phase	<u>\$440,656</u>				
<b>TOTAL BASIC SERVICE FEE (#23-099) (A)</b>	\$1,538,838			\$16,500,000	9.33%
<b>SPECIAL SERVICES:</b>					
Pre Design Study		\$73,904			
Topography & Wetlands Survey		\$10,000			
Geotechnical Services		\$15,000			
HAZMAT Services		<u>\$32,000</u>			
<b>TOTAL SPECIAL SERVICES (B)</b>		\$130,904			
<b>TOTAL FEE ( PRB #23-099) (A) + (B)</b>			\$1,669,742	\$16,500,000	10.12%

- The April 2022 RFQ elicited two responses. The Selection Panel interviewed both firms and ultimately recommended the retention of Friar Architecture, Inc. The selection was approved by Deputy Commissioner Petra on 1/26/2023.
- FAI is locally located in Farmington and was originally established in 1985. FAI currently has a local staff of 19 employees including 7 professional architects and 1 interior designer. FAI has an Architecture Corporation License with the CT State DCP as ARC.000113 that is currently active.
- Victor Insurance Managers reported that FAI has experienced four general or professional policy loss or claims during the past 5 years. All are closed. One of these claims was related to projects funded by the State of Connecticut, with \$22,653 expense paid.
- The submittal is accompanied by a Campaign Contribution Affidavit notarized on 2/2/23.

Staff followed up with DCS and asked following to clarify:

1. Please confirm funding is available for \$1,669,742, as only \$1,538,838 was confirmed. Form 1267 indicated \$1,668,206 as recommended fee. Please reconcile the differences.  
**DAS Response: Revised funding confirmation for \$1,669,742 is attached and has been uploaded to the shared drive for use.**

Subsequent to **attached** form 1267, DAS-RECS and Friar held a remote meeting on 3/28/23 to review cost percentages by phase, durations, the need to maintain building use, and some specific clarifications such as verification of existing systems and capacities early in the SD Phase. During this meeting per protocol DAS-RECS requested Friar review items discussed to provide a summarizing proposal letter. Friar's resulting proposal dated 4/7/23 totals \$1,669,742. Friar's revised proposal dated 5/23/23 clarified Supplemental Services breakdown however it did not change in value.

**Staff Response:** Form 1267, recommending the Consultant – Friar – be selected was prepared and dated on January 26, 2023. The recommended fee was \$1,668,206 and after consultation with DAS was subsequently increased by \$1,536. OK

2. Please provide initial cost proposal, cost proposal template spreadsheet, a list of all proposed sub-consultants and their respective scopes of work, and clarifications and/or exclusions to the Consultant's fee proposal from the other firm - Russell and Dawson, Inc.

**DAS Response:** Please see the following documents:

- **Attached 1264 Consultant Services Fee Proposal Spreadsheet**
- **Attached Copy of ARC Fee Matrix Template**
- **Attached R&D QBS Submittal Booklet which includes proposed subconsultants and their respective scopes of work are listed within Division 1**

**Staff Response:** All attachments were reviewed. Following is a comparison of the two Respondents Proposals: Friar Architecture and Russel and Dawson.

Date:	23-May-23					
Consultant Name:	Friar Architecture Inc.					
DAS Construction Services - Project Number:	(Insert)					
DAS Construction Services - Contract Number:	BI-2B-483-ARC					
DAS Construction Services - Project Title:	OCME Expansion & Renovation					
DAS Construction Services - Project Address:	11 Shuttle Road, Farmington, CT					
<b>TOTAL FIXED-FEE PROPOSAL SUMMARY</b>						
Total Basic Services*						\$1,538,838
Total Supplemental Services						\$130,904
<b>Total Fixed-Fee Proposal Amount</b>						<b>\$1,669,742</b>
<b>BASIC SERVICES CALCULATION</b>	<b>Schematic Design</b>	<b>Design Development</b>	<b>Construction Documents</b>	<b>Bidding Phase Services</b>	<b>Construction Phase Services</b>	<b>Fees for Basic Services</b>
Architectural Fee	\$65,900	\$87,867	\$131,800	\$21,967	\$131,800	\$439,334
Structural Fee	\$16,800	\$22,400	\$33,600	\$5,600	\$33,600	\$112,000
Mechanical, Electrical, and Plumbing (MEP) Fee	\$60,000	\$72,000	\$120,000	\$20,000	\$120,000	\$392,000
Cost Estimating Fee	\$7,000	\$7,000	\$6,000	\$0	\$0	\$20,000
Civil Design Fee	\$10,950	\$14,600	\$21,900	\$3,650	\$21,900	\$73,000
Landscape Design Services Fee	\$4,500	\$6,000	\$9,000	\$1,500	\$9,000	\$30,000
Furniture, Fixtures, and Equipment Design Fee	\$9,000	\$12,000	\$18,000	\$3,000	\$18,000	\$60,000
Interior Design Fee	\$9,000	\$12,000	\$18,000	\$3,000	\$18,000	\$60,000
Carbon Neutral / Net Zero Energy Design Fee	\$0	\$0	\$0	\$0	\$0	\$0
Medical Examiner Specialist	\$47,512	\$92,292	\$84,154	\$3,790	\$72,756	\$300,504
Technology/Security	\$4,800	\$6,400	\$9,600	\$1,600	\$9,600	\$32,000
Door Hardware Consultant	\$1,500	\$2,000	\$3,000	\$500	\$3,000	\$10,000
Specification Writer	\$1,500	\$2,000	\$3,000	\$500	\$3,000	\$10,000
<b>Total Basic Services</b>	<b>\$238,462</b>	<b>\$336,559</b>	<b>\$458,054</b>	<b>\$65,107</b>	<b>\$440,656</b>	<b>\$1,538,838</b>

Date:	5-Aug-22					
Consultant Name:	Russell and Dawson Inc.					
DAS Construction Services - Project Number:	BI-2B-483-ARC					
DAS Construction Services - Contract Number:	BI-2B-483-ARC					
DAS Construction Services - Project Title:	OCME Expansion & Renovation					
DAS Construction Services - Project Address:	15 Shuttle Road, Farmington, CT					
<b>TOTAL FIXED-FEE PROPOSAL SUMMARY</b>						
Total Basic Services*						\$1,219,351
Total Supplemental Services						\$125,851
Total Additional Services (Pre-Set Design and Construction Phase Contingency Allowance)**						\$30,000
<b>Total Fixed-Fee Proposal Amount</b>						<b>\$1,375,202</b>
<b>BASIC SERVICES CALCULATION</b>	<b>Schematic Design</b>	<b>Design Development</b>	<b>Construction Documents</b>	<b>Bidding Phase Services</b>	<b>Construction Phase Services</b>	<b>Fees for Basic Services</b>
Architectural Fee	\$92,840	\$154,734	\$185,681	\$61,894	\$123,787	\$618,936
Structural Fee	\$9,615	\$16,026	\$19,731	\$6,410	\$12,821	\$64,103
Mechanical, Electrical, and Plumbing (MEP) Fee	\$42,927	\$71,544	\$85,853	\$28,618	\$57,236	\$286,178
Cost Estimating Fee	\$14,551	\$24,252	\$29,103	\$9,701	\$19,402	\$97,008
Civil Design Fee	\$9,568	\$15,947	\$19,136	\$6,379	\$12,758	\$63,788
Landscape Design Services Fee	\$3,189	\$5,316	\$6,379	\$2,126	\$4,253	\$21,263
Furniture, Fixtures, and Equipment Design Fee	\$3,000	\$5,000	\$6,000	\$2,000	\$4,000	\$20,000
Interior Design Fee	\$7,212	\$12,019	\$14,423	\$4,808	\$9,615	\$48,077
<b>Total Basic Services</b>	<b>\$182,903</b>	<b>\$304,838</b>	<b>\$365,805</b>	<b>\$121,935</b>	<b>\$243,870</b>	<b>\$1,219,351</b>

Both Respondents included, as a sub-consultant, McClaren, Wilson & Lawrie, Inc. (<https://mwlarchitects.com/>) of Ashland, VA, with the same five Staff. In the Proposal before the Board (PRB #23-099), DAS authorized the Consultant to retain the services of McClaren for \$300,504. DAS informed Staff that McClaren's proposal was identical for both proposals. No other proposals were provided by Russell and Dawson. OK

3. Please provide the categories the selection panel members considered when rating the consultants on the Form 1266. How is this new rating procedure working compared to the rating points? What are the advantages and disadvantages of this new procedure?

DAS Response: By "rating" DAS presumes SPRB is referring to the "Selection Interview Rating Criteria Categories", as described in the "1263.1 Selection Interview Rating Sheet Guidelines" and listed on the "1263 Selection Interview Rating Sheet", which the Selection Panel members considered when determining the final ranking of firms on the form 1266:

1. *Proposed Team's Experience With Projects Of Similar Size & Scope As This Project*
2. *Proposed Team's Approach To The Work Required For This Project*
3. *Proposed Team's Organizational Structure and Availability For This Project*
4. *Prime Firm's Geographic Proximity To & Familiarity With The Area In Which The Project Is Located*
5. *Team's Relevant Knowledge Of Connecticut Building & Fire Codes*

Each of the above rating categories is assigned a "responsiveness rating letter grade", identified as (A) Highly Responsive, (B) Responsive, (C) Minimally Responsive and (D) Unacceptable.

The responsiveness rating letter grades are a tool for the panel member to use in determining the final ranking of each firm. Previously the letter grades were converted to points and then tabulated to determine the most qualified firms. Now the letter grades are used to support the panel member's final rankings of each firm. Of course they should correlate, and there cannot be a tie in each panelists' ranking of the firms. During the final ranking of firms, the ranks are converted to points with 1<sup>st</sup> receiving 5 points and 5<sup>th</sup> receiving 1 point. Final rank is then determined through simple addition with the highest score receiving the top rank. The advantages of the new system are a simpler, more transparent process of determining the most qualified firm and panelists need to make clear recommendations (through independent ranking with no discussion or undue influence between panelists). The previous system allowed for discussion and potential influencing of the letter grades, and the panelists could just give all 'A's for instance and not really judge the respondents.

Staff Response: DAS' process for ranking the Respondents takes in a variety of factors for each Proposal to determine which is most responsive and representing the best value to the State. OK

4. Please provide the negotiation team's review, summary and recommendations before meeting with the best value firm.

DAS Response: David Barkin and Peter Simmons met with both firms and then made the recommendation based on the ranking and fee proposals to develop the best value recommendation memo.

Attached please find 12/29/2022 Memorandum from David Barkin and Peter Simmons to Noel Petra, which also provides the calculations used and an explanation.

Staff Response: DAS provided. OK

5. Provide letter of recommendation submitted to Dep. Commissioner Petra.

DAS Response: Attachment referenced in #4 above.

Staff Response: OK

6. Provide construction duration in the contract for CA services for this Architect contract including staffing matrix.

DAS Response: The following change on Page 2 of 13, letter E will be revised shortly and uploaded to SPRB: *E. In the event the State approves and allocates funds for construction, a sum of Four Hundred Forty Thousand Six Hundred Fifty Six Dollars (\$440,656) shall be paid to the Architect for construction administration services, if such administration is requested by the Department of Administrative Services based upon anticipated construction duration of 18 to 24 months.*

We have asked the consultant for the staffing matrix. We do not anticipate it will be available prior to an anticipated discussion on 6/26. Based on David Barkin's discussion with Dimple Desai the primary purpose of the staffing matrix is to address possible requests for additional services, particularly during the construction phase of the project. We would like for the SPRB to proceed with their review and promise to provide the matrix "for the record" upon receipt but hope SPRB can complete it's review given the highly sensitive nature of this project.

Staff Response: A revised contract was provided referencing the 18-24 month construction duration. Staff will incorporate the staffing matrix into the file when received. OK

After review of the responses from DAS, the following information was requested:

- a) If R&D provided all the sub-consultants proposals as part of their QBS submittal  
DCS Response: No, we did not request that from them, they were required to provide the cost proposal spread sheet as was Friar. We wouldn't request additional backup until a conditional selection is made therefore we only have the detail for Friar.  
Staff Response: OK
- b) Did R&D provide McClaren's proposal as part of their QBS submittal?  
DCS Response: No as explained above BUT... The cost of McClaren for both consultants was identical, in other words, McClaren didn't favor one over the other. This really drove us to the decision we made because it pulls McClaren out of the equation (they are a constant) and we are just comparing the two prime firms. The selection memo goes into more detail but Friar's experience and presentation to us was so superior to their competition in terms of prior experience and working in complex institutional environments such as at a Medical Examiner's office. This difference was clearly reflected in the letter grades for the ratings.  
Staff Response: OK

**RECOMMENDATION:** Staff recommend approval of this Proposal. The A/E basic fee of 9.33% of construction cost is within the DCS guideline of 10.75%. (Group C Renovation - per RFQ).

- The April 2022 RFQ elicited two responses. The Selection Panel interviewed both firms and ultimately recommended the retention of Friar Architecture, Inc. The selection was approved by Deputy Commissioner Petra on 1/26/2023.
- FAI is locally located in Farmington and was originally established in 1985. FAI currently has a local staff of 19 employees including 7 professional architects and 1 interior designer. FAI has an Architecture Corporation License with the CT State DCP as ARC.000113 that is currently active.
- Victor Insurance Managers reported that FAI has experienced four general or professional policy loss or claims during the past 5 years. All are closed. One of these claims was related to projects funded by the State of Connecticut, with \$22,653 expense paid.
- The submittal is accompanied by a Campaign Contribution Affidavit notarized on 2/2/23.

**7. OTHER BUSINESS**

**8. VOTES ON PRB FILE:**

**PRB FILE #23-097-A** – Mr. Valengavich moved and Mr. Halpert seconded a motion to suspend PRB FILE #23-097-A, pending response to SPRB questions and a site inspection of the Property. The motion passed unanimously.

**PRB FILE #23-098-A** – Mr. Halpert moved and Mr. Valengavich seconded a motion to suspend PRB FILE #23-098-A pending response to SPRB questions and a site inspection of the Property. The motion passed unanimously.

**PRB FILE #23-099** – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #23-099. The motion passed unanimously.

**9. NEXT MEETING** – Thursday, June 29, 2023 – will be held solely by means of electronic equipment.

The meeting adjourned.

**APPROVED:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
John Valengavich, Secretary