

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On January 21, 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 January 21, 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
William Cianci
Jeffrey Berger

Members Absent:

Staff Present:

Dimple Desai
Thomas Jerram

Guests Present

James Mason, Transportation Principal Property Agent, DOT
Alan Lo, City of Norwalk

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

Vice Chairman Josephy 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 January 19, 2021 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB #	20-238
Origin/Client:	DCS/DCS
Transaction/Contract Type	AE / MBE Architect Consulting On-Call Contracts
Contract:	OC-DCS-MBE-ARC-0016
Consultant:	Pirie Assoc. Architects, LLC
Item Purpose:	New On-Call Contract

PRB # **20-239**
Origin/Client: DCS/DCS
Transaction/Contract Type AE / MBE Architect Consulting On-Call Contracts
Contract: OC-DCS-MBE-ARC-0017
Consultant: ID3A, LLC
Item Purpose: New On-Call Contract

PRB # **20-240**
Origin/Client: DCS/DCS
Transaction/Contract Type AE / MBE Architect Consulting On-Call Contracts
Contract: OC-DCS-MBE-ARC-0018
Consultant: O'Riordan Migani Architects, LLC
Item Purpose: New On-Call Contract

PRB # **20-241**
Origin/Client: DCS/DCS
Transaction/Contract Type AE / MBE Architect Consulting On-Call Contracts
Contract: OC-DCS-MBE-ARC-0019
Consultant: AEPM International, LLC
Item Purpose: New On-Call Contract

This is the 4th series of On-Call MBE Architect Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2014. Previously, on October 29, 2018, the Board under PRB #18-192 to #18-195 approved the 3rd series of the On-Call Contract that had a maximum total cumulative fee of \$500,000 per contract and a common expiration date of 12/15/2020.

Under this Proposal DCS seeks the Board’s approval of the 4th Series of the On-Call Contract that has a maximum total cumulative fee of \$500,000 per contract and a common expiration date of 3/15/2023. The On-Call Contract can be utilized on DCS projects with construction budgets of up to two million dollars (\$2,000,000).

DAS/DCS has made some revisions to the contract for this series to include:

- Section G by adding “Notwithstanding the preceding sentence, a pre-approved hourly rate shall not exceed a reasonable rate, as determined by the Commissioner, taking into consideration the skills and experience of the person providing the services.” II. Fees and Payments, Subsection A. added last paragraph:
- Addition of Exhibit A to include the Consultant’s hourly rates.

A Request for Qualifications (RFQ) for the consultant services was released on July 10, 2020 and elicited eight (8) responses. All respondents were considered “responsive” to the submittal requirements and as such interviewed. The State Selection Panel consisted of three members and rated each firm based upon a weighted ranking system.

At the completion of the State Selection Panel process; DCS Management Team reviewed the results and recommended the approval of four firms under this series.

This proposal before the SPRB is for review and approval of the following four firms under this series.

PRB 20-238 – Pirie Associates Architects, LLC (PAA) originally established in 2002 and locally located in New Haven, Connecticut. PAA has a local staff of 8 employees including 5 architects and one interior design professional. DCS reports PAA was not awarded any contracts within the past 5 years.

PAA will be operating under the individual professional Architect's License of Ms. Laura Marie Pirie (ARI.0004750) with the CT State DCP which is active until 7/31/2021. Smith Brothers Insurance, LLC reported that PAA has not experienced any professional policy or liability losses or claims during the past 5 years. PAA scored a total of 310 out of a possible 320 points and was identified as one of the most qualified Firms.

PRB 20-239 – Id3A, LLC (ID3) originally established in 1985 as AI Perkins + Will, Inc., more recently in 2011 the firm has reorganized under the name id3A, LLC. ID3 has a local staff of 13 employees including 6 architects and 5 interior design professionals. DCS reports ID3 was awarded two contracts with a total volume of work of \$196,400. The company has been awarded the following On-call Contract and Formal Contracts with the DCS in the past two years.

- PRB #18-027 – BI-2B-413-ARC – 505 Hudson HVAC/Int. Improvements - \$805,250
- PRB #18-040 - BI-N-345 – OC-DCS-Roof-0032 - DESPP HQ Roof/Atrium - \$177,000
- PRB #18-027 – BI-2B-413-ARC-A#1 – 505 Hudson HVAC/Int. Improvements - \$30,000
- PRB #20-044 - BI-Q-672C – OC-DCS-MBE-ARC-0003 - Enfield Armory - \$45,743

The Board voted to return the following Consultant Proposal on June 13, 2019:

PRB #19-109 - BI-Q-672C – OC-DCS-MBE-ARC-0003 - Enfield Armory - \$51,804. This Consultant Proposal was subsequently re-submitted to the Board under #20-044.

ID3 will be operating under the individual professional Architect's License of Mr. Jason E. Stabach (ARI.0012308) with the CT State DCP which is active until 7/31/2021. Smith Brothers Insurance, LLC reported that ID3 has not had any professional policy or liability loss or claims during the past 5 years. ID3 scored a total of 300 out of a possible 320 points and was identified as one of the most qualified Firms.

PRB 20-240 - O'Riordan Migani Architects, LLC (ORM) originally established in 2008. ORM has a local staff of 5 employees including 2 architects and 1 construction manager. DCS reports ORM was awarded six contracts with a total volume of work of \$244,625. The company has been awarded the following On-call Contract and Formal Contracts with the DCS in the past two years.

- PRB #18-193 – OC-DCS-MBE-ARC-0013 - \$500,000 maximum

ORM will be operating under the individual professional Architect's License of Ms. Joan O'Riordan (ARI.0006711) with the CT State DCP which is active until 7/31/2021. Smith Brothers Insurance, LLC reported that ORM has not had any professional policy or liability loss or claims during the past 5 years. ORM scored a total of 298 out of a possible 320 points and was identified as the 4th most qualified firms.

PRB 20-241 – AEPM International, LLC (AEP) originally established in 1910 as Fletcher Thompson, Inc. and reorganized under AEPM in 2008 and locally located in Ansonia, Connecticut. AEP has a local staff of 13 employees including 5 architects and 1 interior design professional. DCS reports AEPM was not awarded any contracts within the past 5 years.

Hanover Insurance Company reported that AEP has not had any professional policy or liability loss or claims during the past 3 years. AEPM scored a total of 274 out of a possible 320 points and was identified as the 5th most qualified Firm.

A summary of the Consultants' professional fee schedule is as follows:

HOURLY RATE SCHEDULE

Principal in Charge	\$185.00
Project Manager	\$160.00
Senior Architect/Engineer	\$165.00
Architect/Engineer	\$140.00
Senior Designer	\$145.00
Designer	\$120.00

RECOMMENDATION – Staff recommend **approval** of the four On-Call Contracts that have a maximum total cumulative fee of \$500,000 per contract and a common expiration date of 3/15/2023.

- All four Firms have submitted notarized OPM Form 1 and Form 5 affidavits.

This is the **3rd** series of On-Call MBE Architect Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2014. The On-Call Contract that is the subject of this memorandum has a maximum total cumulative fee of \$500,000 per contract and a common expiration date of 12/15/2020. The On-Call Contract can be utilized on DCS projects with construction budgets of up to two million dollars (\$2,000,000).

DCS has made some minor revisions to the boilerplate contract for this series to include:

- Removed all reference to Division of Construction Services or DCS;
- Modified *Antitrust Provision*;
- Expanded *Suspension of the Work*;
- Expanded *Termination of Contract*;
- Removal of language within *Executive Orders*; and
- Addition of *Notices* clause.

The remainder of the contract is similar to the previous contract terms and requirements under the 2016 agreements. The **1st** series, awarded in 2014 to four consultants, had a term of 24 months and a maximum total cumulative fee of \$300,000/contract. The **2nd** series, awarded in 2016 to four consultants, had a term of 24 months and a maximum total cumulative fee of \$500,000/contract.

A Request for Qualifications (RFQ) for the consultant services was released on April 26, 2018 and elicited six (6) responses. One of the six respondents was considered “unresponsive” to the submittal requirements and as such was disqualified. Thereafter, the DCS selection panel began the process of evaluating and short-listing all five remaining proposals. The State Selection Panel consisted of three members and rated each firm based upon a weighted ranking system.

At the completion of the State Selection Panel process; DCS Management Team reviewed the results and recommended the approval of all five shortlisted firms under this series. One consultant subsequently withdrew. This submittal is for SPRB review and approval of the following four firms under this series.

PRB 18-192 - Maier Design Group, LLC (MDG) originally established in 1993. MDG has a local staff of 9± employees including 3 architects and 1 CAD technician. The company has not been awarded a Task Letter

under the previous series in the past two years, but DCS states MDG was awarded one DCS contract within the past two years (informal).

MDG will be operating under the individual professional Architect's License of Mr. David Arai (ARI.0005115) with the CT State DCP which is active until 7/31/2019. Smith Brothers Insurance, LLC reported that MDG has been exposed to two professional policy or liability loss or claims during the past 5 years. Neither claim is related to a DCS project. MDG scored a total of 309 out of a possible 320 points and was identified as one of the most qualified firms.

PRB 18-193 - O'Riordan Migani Architects, LLC (ORM) originally established in 2008. ORM has a local staff of 4± employees including 3 architects and 1 CAD technician. The company has not been awarded a Task Letter under the previous series in the past two years, but DCS states MDG was awarded one DCS contract within the past two years (informal).

ORM will be operating under the individual professional Architect's License of Ms. Joan O'Riordan (ARI.0006711) with the CT State DCP which is active until 7/31/2019. Smith Brothers Insurance, LLC reported that MDG has been exposed to two professional policy or liability loss or claims during the past 5 years. Neither claim is related to a DCS project. ORM scored a total of 294 out of a possible 320 points and was identified as one of the most qualified firms.

PRB 18-194 – Cheryl Newton Architect, LLC (CNA) originally established in 2010. CNA has a local staff of 3 employees including 2 architects and 1 administrative staff. The company has not been awarded an On-call Contract or formal contract with the DCS in the past two years.

ORM will be operating under the individual professional Architect's License of Ms. Cheryl Lynn Newton (ARI.0009196) with the CT State DCP which is active until 7/31/2019. Smith Brothers Insurance, LLC reported that CNA had no professional policy or liability loss or claims during the past 5 years. CNA scored a total of 282 out of a possible 320 points.

PRB 18-195 - Business Development & Telecommunications International Inc. d/b/a Amaya Architects (BDTI) originally established 2012. The company has a local staff of 2± employees including 2 architects, of which one is an interior design professional. The company has not been awarded an On-call Contract or formal contract with the DCS in the past two years.

BDTI will be operating under its Corporate Architecture License (ARC.0000572) with the CT State DCP which is active until 7/31/2019. Smith Brothers Insurance, LLC reported that MDG has been exposed to two professional policy or liability loss or claims during the past 5 years. Neither claim is related to a DCS project. BDTI scored a total of 260 out of a possible 320 points and was identified as one of the most qualified firms.

SPRB Staff had asked following questions regarding this new Task Letter 2B.

1. Please provide a task log for each of the 4 consultants selected from prior on-call contract.
 - a. DCS Response - In speaking with you yesterday you indicated the Board is interested in the distribution of the work to consultants. I have discussed this request with Deputy Commissioner Salemi who agrees with me the equitable distribution of the project work falls under our purview which, I assure you, we take very seriously. I don't think sharing prior task logs would be valuable as there are too many variables when I assign work to consultants. I take many factors into consideration, first and foremost are the distribution of fee in terms of \$, then the number of tasks assigned, the relative size of the tasks, sometimes the geographic proximity, if there is a specific expertise relevant to the project a particular consultant may have, whether there is a specific request from the client agency or project manager that has relevance to the selection, familiarity with a specific building, campus or client agency may, but not necessarily come into consideration. With all these factors going into my decision I am reluctant to share this with the Board especially since there

has been no complaints to how we administer the distribution of work and were there any complaints I would be completely accountable and responsible to respond to and defend our process.

2. Please provide current MBE Certificates for each of the four consultants.

a. The certificates are being uploaded to the sharepoint site this morning.

3. Pl clarify the difference among consultants' hourly rates for different titles; – see attached spreadsheet.

- I don't know what you are asking me to clarify – there are, and will continue to be differences between consultant rates for specific labor categories. When we started asking for labor rates at the request of the SPRB last year we start with me defining the categories and then review the rates when received. If I think a consultant's rates are significantly too high I will request an adjustment from the consultant; I won't make such a request if the rates are lower than average. I want to point out the spread sheet you shared does contain some math errors. If you have specific rates you think are out of line please let me know and I will attempt to address individually but overall I see no problem with these rates as negotiated.

RECOMMENDATION: Staff recommends to **SUSPEND** of this item until clarifications are provided to the above questions.

7. OTHER BUSINESS

At 9:32 Mr. Mason from DOT and Mr. Lo from the City of Norwalk joined the meeting to provide an update on Walk Bridge over Norwalk River reviewed under PRB #19-145. Mr. Mason and Mr. Lo left the meeting at 9:55.

8. VOTES ON PRB FILE:

PRB FILES #20-238, #20-239, #20-240 & #20-241 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILES #20-238, #20-239, #20-240 & #20-241. The motion passed unanimously.

9. NEXT MEETING – Monday, January 25, 2021.

The meeting adjourned.

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