

## STATE PROPERTIES REVIEW BOARD

### Minutes of Meeting Held On December 12, 2022 – 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 December 12, 2022 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**

Ronald Wilfinger, DAS/DCS  
Joseph Daneo, DVA  
Shirin Khan, DVA

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 December 8, 2022 Meeting. The motion passed unanimously.

#### **2. COMMUNICATIONS**

#### **3. REAL ESTATE- UNFINISHED BUSINESS**

#### **4. REAL ESTATE – NEW BUSINESS**

<i>PRB #</i>	22-186
<i>Transaction/Contract Type:</i>	RE – Voucher
<i>Origin/Client:</i>	DOT/DOT
<i>Project Number:</i>	044-156-018A
<i>Grantee:</i>	David M. Jamieson, et al
<i>Property:</i>	East Lyme, Flanders Rd (280)
<i>Project Purpose:</i>	I-95 Interchange 74 Improvements at Route 161 and Replacement of Bridge No. 00250
<i>Item Purpose:</i>	Voucher

**DAMAGES: \$6,225**

**DOT PROJECT:**

The purpose of the project is to address vehicular safety on I-95 at Interchange 74 and address traffic operational concerns between Interchanges 74 and 75 in East Lyme. In addition, this project will address traffic operational concerns and improve safety for all roadway users (motorists, pedestrians and bicyclists) on Route 161 in the vicinity of the exit 74 interchange ramps. It is also proposed to replace the I-95 bridge over Route 161 due to its poor condition and to accommodate the widening on Route 161.

I-95 will be widened to accommodate three travel lanes in each direction (one of the three lanes is intended for future use). An auxiliary lane will be constructed between exits 74 & 75 in each direction. As a result of the I-95 widening, the bridges over Pattagansett River and Latimar Brook will be extended or replaced contingent on the hydraulic analysis of the existing bridges.

The terminus of the northbound I-95 exit 74 ramp will be relocated southerly to form a new signalized intersection with Route 161 and the Burger King Driveway. Vehicles on southbound Route 161 will be accessing I-95 northbound on a new entrance “loop” ramp approximately 500 feet south of its current location. The entrance ramp to I-95 northbound for vehicles on northbound Route 161 will be realigned slightly at its present location.



Under this Proposal (PRB #22-186) DOT is seeking SPRB approval pursuant to CGS 13a-73(h) for DOT to acquire two construction easements in conjunction with the DOT Project “I-95 Interchange 74 Improvements at Route 161 and Replacement of Bridge No. 00250” with Damages totaling \$6,225. DOT’s enabling legislation to acquire land and easements is pursuant to CGS13a-73(c), 13b-36(a) and 13a-79.

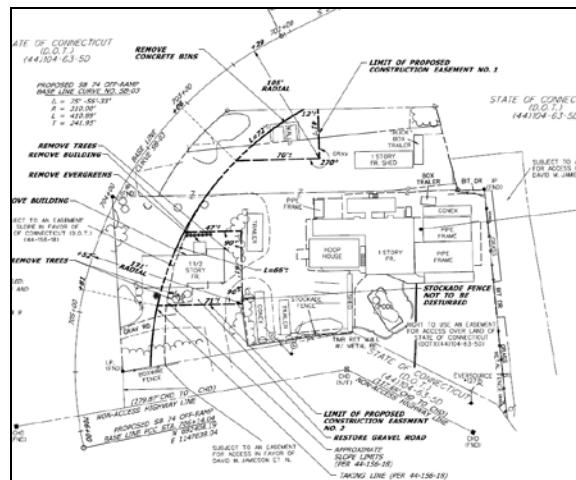
**SITE DESCRIPTION:** The subject property is comprised of a 1.35 +/- acre (58,806 sf) parcel of land. The site is improved with a mixed use property containing a single-family dwelling and commercial improvements in support of a pool business.

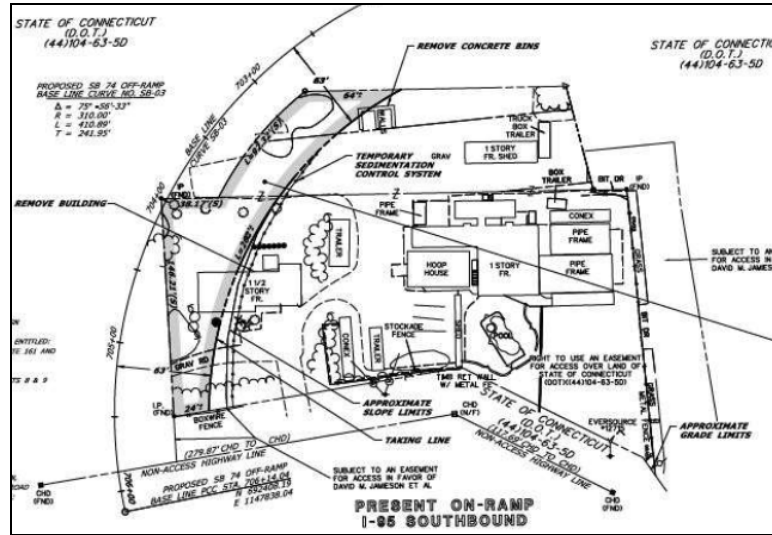
In January 2022, DOT acquired a 9,676 square foot portion of this property, an 822 square foot slope easement, and the right to remove a building and concrete bins, all via condemnation (1074/467).



**The Taking:** DOT will acquire the following:

- A construction easement for the purpose of access and removal of concrete bins during the I-95 Interchange 74 Improvements acquired over an area of 1,810± square feet; and
- A construction easement for the purpose of access and removal of buildings and removal of trees and evergreens during the I-95 Interchange 74 Improvements acquired over an area of 3,410± square feet.





Project #044-156-018

**EOC Valuation:** Consistent with DOT’s agreement with FHWA an estimate of compensation (EOC) worksheet has been prepared for the subject taking. This process is used for simple acquisitions related to minor site improvements where the total cost is typically less than \$10,000. In this instance, DOT Staff valued the 1.35 acre commercially-zoned site at \$10.00/SF (\$588,060 lot value). The following table indicates the results of the DOT Estimate of Compensation, prepared as of 10/04/2022:

<i>Item</i>	<i>Calculation</i>	<i>Damages</i>
Construction Easement	5,220 SF @ \$10/SF x 10%	\$5,220
Contributory Value of Affected Trees & Shrubs	Lump sum	\$1,000
		<b>Total:</b> \$6,220
		<b>Rounded</b> \$6,225

Staff inquired with DOT for clarification of the following issues:

1. In January 2022, DOT acquired a 9,676 square foot portion of this property, an 822 square foot slope easement, and the right to remove a building and concrete bins, all via condemnation (1074/467).

a) Please provide a copy of the real estate appraisal prepared in conjunction with the taking, via condemnation, under DOT Project #044-156-018.

**DOT Response:** See attached appraisal and appraisal analysis.

**Staff Response:** Staff reviewed the documents. OK

b) Please clarify why DOT is now seeking to compensate the Property Owner for these two construction easements when the State acquired the right to remove the building and bins under #044-156-018.

**DOT Response:** On July 27, 2022 DOT’s demolition contractor TRC arrived at the subject property to perform the inspection necessary to begin the demolition process. During the on-site visit, TRC noted that it would be impossible to get equipment and materials in via the easements that were already acquired via condemnation under File 044-156-018. TRC couldn’t access the structures from the recently acquired DOT property due to low hanging utility lines. TRC’s inability to access the utility line is being addressed under 18A now as a part of the utility aspect of the 044-156 East Lyme project during the preconstruction stage. While ideally the wiring would have been addressed at the initiation of the project, the utility

*provider's timing to address this aspect would not have met DOT's timeline for pre-construction and planning activities. Mr. Jamieson also explicitly refused DOT access to any additional portion of his property without compensation. Mr. Jamieson made the argument that the contractor had no right to use any additional portion of his property to remove or work around the other structures, so it was agreed upon to acquire the necessary additional construction easements to provide the space for the contractors to work.*

Staff Response: Based on the original Taking Map, no easement areas surrounding the impacted area were taken. OK

**RECOMMENDATION:** Board approval of damages in the amount of \$6,225 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**

<b><i>PRB File #:</i></b>	22-192
<b><i>Origin/Client:</i></b>	DCS/DVA
<b><i>Transaction/Contract Type</i></b>	AE / Task Letter
<b><i>Project Number</i></b>	BI-C-300
<b><i>Contract</i></b>	OC-DCS-MEP-0053
<b><i>Consultant:</i></b>	BVH Integrated Services, Inc.
<b><i>Property</i></b>	Rocky Hill, West St (287) – Veterans' Home & Hospital
<b><i>Project purpose:</i></b>	Boiler Replacement
<b><i>Item Purpose</i></b>	Task Letter #4

At 9:32 Mr. Wolfinger of DCS and Mr. Danao and Ms. Khan, both of Department of Veterans' Affairs joined the Meeting to participate in the Board's discussion of this proposal. All left the Meeting at 10:00.

PROPOSED AMOUNT: \$391,088

PROJECT BACKGROUND – FORM 1105

This project request is the second phase of three phases to replace three boilers (2 - 1939, 1-1951) that were condemned by FM Global on December 18, 2020. Since condemnation the DVA took action to complete the demolition of the three boilers. The remaining boiler is a single 1991 800 HP steam boiler requiring a temporary boiler as back up. The temporary boiler costs approximately \$30,000 a month to operate.

The first phase of this project was to conduct a pre-design study to determine best path forward to replace the condemned boilers. The best path forward defined as recommendations to enhance the campus heating reliability and resiliency while focusing also on energy consumption conservation and greenhouse gas emission reduction. The study was completed on February 01, 2022 and is incorporated in full by reference (BI-C-300). The study indicated the first step which is most cost effective, urgent in timeline to completion, and provides reduced energy consumption is to install two 400 horsepower steam boilers.

Phase II - Design Phase:

The Commissioner of DVA accepted the path forward as the second phase of the project. He requested from the State Bond Commission and received an allocation of \$595,000 on March 31,

2022 to begin phase two - Design installation of two steam boilers. This is an urgent matter to not only save greenhouse gas emissions but to save the monthly expenditure of \$31,000 on a temporary boiler.

Project objectives

1. Design installation of two boiler 400 horsepower in existing power plant facility in accordance with pre-design study
2. Design considerations
  - a. Project timeline is urgent
  - b. Electrical, steam, condensate, exhaust distribution upgraded as necessary for safe operation of installed boilers
  - c. Design incorporate narrative and table calculations addressing Executive Order 1 regarding reduction of greenhouse gases (GHG) along with option enhancements to further save GHG.
  - d. This project design will require federal VA approval for consideration of a matching grant of up to 65% of eligible costs
  - e. This project will require consultation with utility companies providing electrical and gas services to the boiler to capture any possible project incentives.
  - f. Design checks at 30%, 60%, and 90%
  - g. Development of a full cost estimate at 30% of design
  - h. Consider future options for energy savings
  - i. Facility will remain open and operating on existing boilers during construction
  - j. Confirm utilities capacity to support design installation

Previously, DCS had retained the Consultant under Task Letter #6 to OC-DCS-MEP-0048 on July 28, 2021 (\$92,832 fee) to provide a pre-design study with the following project scope:

Conduct a pre-design study to evaluate and recommend viable, cost effective, energy efficient alternatives to replace the Central Plant steam boilers that serve the DVA main campus. The scope of work shall include, but is not limited to the following:

- Develop a preliminary cost estimate for owner's budgeting purposes and schedule of anticipated design and construction phases.
- Develop a narrative for the options evaluated including pros, cons, relative operational costs, and anticipated comparative energy usage and greenhouse gas production with the objective to achieve 50% reduction in water, electricity and natural gas usage.

In April 2022, SPRB approved (PRB #22-044) BVH Integrated Services, PC (BVH) as one of five firms under the latest *On-Call MEP (Mechanical, Electrical and Plumbing) Engineer* series of consultant contracts. The On-Call Contract has a maximum total cumulative fee of \$1,000,000 per contract and a common expiration date of 7/01/2024. Under PRB #22-176, the On-Call Contract was amended to increase the maximum cumulative fee from \$1,000,000 to \$1,500,000.

Under this Proposal (#22-192), DCS is now seeking approval of Task Letter #4 to the On-Call Contract OC-DCS-MEP-0053, of an additional \$391,088 to compensate the Consultant, BVH Integrated Services, Inc. (BVH), for the following Scope of Work:

Design and installation of two (2) four hundred (400) horsepower (HP) boilers in the existing power plant facility; upgrade electrical, steam, condensate and exhaust distribution as necessary for safe operation; consult Utility Company for electrical and natural gas associated credits and future energy savings and Greenhouse Gas emission reduction; conduct building management system and reporting.

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

Project scope of work will be based off the Boiler Replacement Option in the DVA Boiler Replacement Study dated February 1, 2022, and summarized as follows:

Design for the installation and proper sequence of operations for two (2) new natural gas 400 HP steam boilers; existing 800 HP boiler to remain for peak/redundant use. Include necessary repairs for continued service with upgrade combustion controls to match new boilers; lower the steam generation pressure to below 100 psig; review credits offered by Utility Companies and High Performance Building Requirements; provide new exterior wall openings and roll-up door for installation of boilers and future access; coordinate layout and design with equipment dimensions and requirements, including required service clearances within the project area; localized patching and flashing of roofing associated with equipment curbs and penetrations for new HVAC equipment, and skylight infill;

**Structural** – Document boiler stack demolition (stack foundations to remain); new boiler exhausts to replace the demolished stack; review expansion joints and insulation at the visible steam and condensate distribution piping, and associated repairs where required; new structural steel platform for deaerator; localized roof framing modifications associated with the support of new rooftop equipment and skylight infill; structural steel framing and details associated with new deaerator platform; structural support for new independent boiler flues; Slab-on-grade modifications associated with new under-slab utilities; Housekeeping pads associated with new MEP equipment; Localized framing and exterior wall backup modifications associated with new exterior wall opening; Remove glass skylights and infill with new structural support and roof infill.

**Mechanical, Electrical and Plumbing** - Natural gas piping system modifications associated with the new boilers; New deaerator; Boiler make up water modifications/upgrades; Floor drain modifications associated with the new system; Existing boiler water chemical treatment is to be upgraded, if required; Addition of emergency eyewash and shower station, if required/warranted; Extension of steam supply and return header from existing pressure reducing station to new boilers and other associated support system piping; New 480/277 volt substation and transformer connected to existing 5kV switchgear; 480/277 volt and 208/120 volt distribution connected to new substation; Connect new boilers to the existing standby generator power distribution; Electrical feeds for new mechanical equipment; LED Lighting and controls within boiler room, pump room, and deaerator platform; Supplemental emergency lighting and exit lights as required by Code in renovated areas; Additional fire alarm devices as required by Code in renovated areas; New burner management, combustion controls, and pump controls; Remove existing pad mounted 225 kVA transformer and boiler plant switchboard and provide new unit substation to support the upgrade to 480V system in the plant; New air-handler within boiler room or on roof; New rooftop exhaust fans; New lighting at boiler room, pump room, and deaerator platform – coordinated with MEP; New exterior wall louver(s) for make-up and combustion air; New control room, instrumentation, metering, and plant control system.

**Environmental** - Perform a destructive NESHAP survey of the building elements that will be impacted by work; associated with the boiler replacement; Take bulk samples and analysis of samples and compile into a report to be incorporated in the Contract Documents through an Environmental Assessment Report; Perform an OSHA based lead paint survey screen of the painted building materials that will be impacted as part of this project and compile into a table and include in the Environmental Assessment Report. Develop an asbestos/lead abatement specification to address proper removal of impacted asbestos-containing and lead based painted materials in the Project Area. Both the Lead paint and the asbestos abatement specifications shall address proper worker protection, engineering controls / work practices, and waste disposal for the ACM and Pb wastes.

Provide for Air Permitting Services;

- a. Task 1: National Emission Standards for Hazardous Air Pollutants (NESHAP) for Area Sources: Industrial, Commercial, and Institutional Boilers (40 Code of Federal Register (CFR) Part 63, Subpart JJJJJ)
- b. Task 2: New Source Performance Standards, 40 CFR Part 60, Subpart Dc
- c. Task 3: Reciprocating Internal Combustion Engine (RICE) Rule Applicability, 40 CFR Part 60, Subpart IIII or 40 CFR Part 63, Subpart ZZZZ
- d. Task 4: Connecticut RCSA 22a-174-3b (Section 3b) and 22a-174- 22f (NOx RACT)  
Compliance Review
- e. Task 5: Connecticut RCSA 22a-174-33a (Section 33a) Permit by Rule Eligibility Review
- f. Task 6: Final Report

Provide a draft and final technical letter report, adequate for justification to a regulatory agency, which will summarize the information.

All associated Architectural, Structural, MEP and Environmental Services needed for a complete and functioning system and project.

DCS provided the following narrative in support of this request:

BVH Integrated Services was authorized for work on Project BI-C-300 under Task Letter No. 6 dated July 28, 2021, written under Contract No. OC-DCS-MEP-0048. That On-Call contract expired on March 15, 2022. Attached for the Board’s review is a copy of that task letter.

Design and installation of two (2) new natural gas four hundred (400) Horsepower (HP) steam boilers in the existing power plant facility; Electrical, steam, condensate and exhaust distribution upgraded as necessary for safe operation; Utility Company consultation for electrical and natural gas associated credits and future energy savings and Greenhouse Gas emission reduction; building management system and reporting.

The Consultant’s fee was calculated as follows:

BASIC SERVICES		FEE
Schematic Design (SD)	(BVH \$47,958 PM&C \$5,320)	\$ 53,278
Design Development (DD)	(BVH \$64,639 PM&C \$6,300)	\$ 70,939
Contract Documents (CD)	(BVH \$99,610 PM&C \$6,720)	\$ 106,330
Bid and Negotiation (BVH)		\$ 17,656
Contract Administration (CA)	(BVH)	\$ 105,973
<b>Subtotal</b>		<b>\$ 354,176</b>
BASIC SERVICES – ENVIRONMENTAL HAZMAT		
Environmental Survey & Report – TRC (HNTE)		\$ 11,339
Crane Rental (\$650/day – 3 days)		\$ 1,950
HazMat specification for Abatement Removal – TRC (HNTE)		\$ 2,763
BVH Markup (10%)		\$ 1,060
<b>Subtotal</b>		<b>\$ 17,112</b>
BASIC SERVICES – ENVIRONMENTAL AIR REGULATORY		
Air Regulatory Applicability Review & Report – TRC (HNTE)		\$ 18,000
BVH Markup (10%)		\$ 1,800
<b>Subtotal</b>		<b>\$ 19,800</b>
<b>TOTAL FEE</b>		<b>\$ 391,088</b>

BVH Integrated Services, Inc. has been assigned the following Tasks under this On-Call Contract:

- Task Letter #1                      Manchester CC – Cellular Study                      \$34,000    (Informal)
- Task Letter #3                      NVCC – Condenser Water Pipe Repl.                      \$100,000    (Pending)
- Task Letter #5                      Cheshire CI – Energy Implementation                      \$86,400    (Pending)



• Task Letter #6	RL Corrigan Implementation	CI	-	Energy	\$212,160	(Pending)
Total Fee to Date:					\$34,000	

The Construction Budget and total Project Budget have been estimated at \$3,025,000 and \$3,951,126, respectively.

DCS confirmed funding is in place for this Task Letter.

Task Letter #6 – BVH (INFORMAL)	Base Fees (\$)	Special Services (\$)	Total Fee	Construction Budget (\$)	% of Budget
Pre-Design Study	<u>\$92,832</u>				
Total – TL #6 (A)	\$92,832				
PRB #22-192 – TL #4 (A1)					
Schematic Design (60 days)	\$70,390				
Design Development (60 days)	\$90,739				
Contract Documents (90 days)	\$106,330				
Bid Phase	\$17,656				
Construction Administration (12 months)	<u>\$105,973</u>				
Total – PRB #22-192 - TL #4 (A1)	\$391,088		\$391,088	\$3,025,000	12.93%
TOTAL PROJECT FEE (A) + (A1)			\$483,920	\$3,025,000	16.00%

Staff followed up with DCS and asked following to clarify:

1. Clarify if the professional design services provided by the Consultant is required to complying with the Governor’s Executive Orders #1 and #3.

**DCS Response:** The Consultant’s are beholden to the Consultant Procedure manual and their On-Call Contract – Basically to summarize, they have to design to the following; Effective Date: November 1, 2022 Division of Construction Services Authority: Executive Orders 1, 3, and 21-3; Public Acts 19-35 and 22-25; Connecticut General Statutes, Section 4b-1, and Section 4b-52. Adoption of the International Green Construction Code. Also they have a duty role and responsibility to reach out to the Utility Companies and inquire as to any and all credits that would be available for the project.

**Staff Response:** OK

2. Does the 12 month period take into consideration delays due to supply chain, etc? How will the CA time be managed and fees calculated because of delays in delivering the equipment, if any?

**DCS Response:** I believe so, but I can not confirm nor deny. I do not know where the Supply Chain status is now. According to last reports via media, they (major news networks) keep touting that is has recovered. I believe it may just be a proverbial “Crutch” that is being used by all parties for various unexplained reasons. It has been my experience that the Designers -CA during construction is based on Hours and level of effort and not calendar days. The Consultant owes us also up to 10% inclusive coverage, beyond 10% then they have the right to inquire for reimbursement as per their on-call contract. So during the down time; the PM will hold back the effort by the A/E when they are not needed or required (ie no OAC when not needed).

**Staff Response:** OK

**RECOMMENDATION:** It is recommended that SPRB approve Task Letter #4 in the amount of \$391,088.

- DCS confirmed \$391,088 is available for the Task Letter.
- The Board approved the current On-Call Contract for a maximum fee of \$1,000,000 under #22-044 and increased under #22-176 to \$1,500,000.
- The submittal is accompanied by a Gift & Campaign Contribution Certification notarized on 6/08/2022.

**7. OTHER BUSINESS**

**8. VOTES ON PRB FILE:**

**PRB FILE #22-186** – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #22-186. The motion passed unanimously.

**PRB FILE #22-192** – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #22-192. The motion passed unanimously.

**9. NEXT MEETING** – Thursday, December 15, 2022.

The meeting adjourned.

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