

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On March 17, 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 March 17, 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

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 March 14, 2022 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 #	22-028
Origin/Client:	DCS/DCS
Transaction/Contract Type	AE / On-Call Vehicular Parking Consulting Contracts
Contract:	OC-DCS-VEH-0029
Consultant:	Macchi Engineers, LLC
Item Purpose:	New On-Call Consultant Contracts

PRB #	22-029
Origin/Client:	DCS/DCS
Transaction/Contract Type	AE / On-Call Vehicular Parking Consulting Contracts
Contract:	OC-DCS-VEH-0030
Consultant:	Vanasse Hangen Brustlin, Inc.
Item Purpose:	New On-Call Consultant Contracts

PRB #	22-030
Origin/Client:	DCS/DCS
Transaction/Contract Type	AE / On-Call Vehicular Parking Consulting Contracts
Contract:	OC-DCS-VEH-0031
Consultant:	SLR International Corp.
Item Purpose:	New On-Call Consultant Contracts

This is the 7th series of On-Call Vehicular Parking Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2002. The three (3) On-Call Contracts that are the subject of this memorandum have a maximum total cumulative fee of \$500,000 per contract and a common expiration date of 7/01/2024. The prior series of On-Call Vehicular Parking Consulting Contracts expired on 11/30/2021 that included a maximum total cumulative fee of \$300,000 per contract.

DESCRIPTION: The scope of work under these contracts shall encompass, but not be limited to:

Provide DAS with vehicular consulting services for sites, properties, structures, and/or buildings under its care and control or under the care and control of other state agencies. The scope of work under these on-call contracts shall encompass, but not be limited to, the entire spectrum of services affecting vehicular parking structure and/or parking lot management, maintenance and repair, design, and related services.

Each contract is exactly the same except for the name and address of the firm, and the named individuals and their titles in Exhibit A. The rates for this series have been carefully reviewed and deemed appropriate for the type of work to be assigned.

The On-Call Contract can be utilized on DCS projects with construction budgets of up to five million dollars (\$5,000,000).

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

- Expansion of Article W language – Non-Discrimination;
- Removal of Article X language – Executive Orders regarding references to XO 49;
- Expansion of Article Z language – Summary of State Ethics Laws to reflect new laws effective July 1, 2021;
- Removal of Article EE language – Related to an Attachment Notice for Campaign Contributions;
- Addition of Article JJ language – Access to Contract and State Data – requiring the Contractor to provide information to the Client Agency and State Auditors of Public Accounts;
- Addition of Article KK language – Large State Contract Representation for Contractor – requiring the Contractor to comply with Acting Governor Susan Bysiewicz’ Executive Order No.21-2, effective July 1, 2021 regarding gifts and the Contractor’s Principals or Key Personnel;
- Addition of Article LL language – Large State Contract Representation for Official or Employee of State Agency – requiring the State Official or Employee represents that the selection of a Contractor was not the result of collusion, gift, promise of a gift, etc;
- Addition of Article MM language – Iran Energy Investment Certification;
- Addition of Article NN language – Consulting Agreement Certification; and
- Addition of Article OO Language – Notices; and
- Addition of Exhibit A – Hourly Rate Schedule.

A Request for Qualifications (RFQ) for the consultant services was released on September 3, 2021 and elicited four (4) responses at the September 28, 2021 due date for response. All Respondents were 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 three firms under this series. The selection of the firms was approved by DAS Deputy Commissioner Petra on 11-17-2021.

This proposal before the SPRB is for review and approval of the following Firms under this Series:

PRB 22-028 – Macchi Engineers, LLC (“MEL”) originally established in 1945 and is locally located in Hartford. MEL has a staff of 10 employees including 6 civil/structural engineers, 1 construction inspector and 1 CADD tech. DCS reports the Consultant has been awarded four contracts in the last five years with \$560,039.76 total volume of work. The company has been awarded the following Formal Contracts and Task Letters for the prior two years:

OC-DCS-VEH-0025:

• Task Letter #1	Lafayette Street Garage Inv. & Repairs	\$88,200	(Informal)
• Task Letter #1A	Lafayette Street Garage Inv. & Repairs	\$10,000	(Informal)
• Task Letter #1B	Lafayette Street Garage Inv. & Repairs	\$222,900	(PRB #21-131)
Total Fee to Date:		\$321,100	

OC-DCS-STR-0031

• Task Letter #7	NVCC – Core Garage Repairs	\$309,600	(PRB #20-193)
• Task Letter #8	DOC – Soffit Repairs - 24 Wolcott Hill Rd	\$4,000	(Informal)
Total Fee to Date:		\$313,600	

MEL will be operating under their Professional Engineering Corporation License (PEC#0000720). Fenner & Esler Insurance Inc. reported that MEL has incurred three (3) general liability or professional policy losses or claims during the past 5 years. Two of these claims are related to state funded projects: Ella Grasso Regional THS and UCONN Stamford parking garage. A third claim is not state related. All claims are closed (\$0). MEL scored a total of 290 out of a possible 300 points.

PRB 22-029 – Vanasse Hangen Brustlin, Inc. (VHB) originally established in 1978, located in Springfield, has a local branch in Wethersfield Hill and has a local staff of 45± employees including 19 civil/transportation engineers and 1 environmental planner and retained a sub-consultant (Walker Parking Consultants/Engineers – parking structural engineering) located in Boston, MA. The company has been awarded the following Formal Contracts and Task Letters for the prior two years:

- None.

VHB will be operating under its Professional Engineering Corporation License (PEC#0000456). Poole Professional LTD reported that VHB had 184 general liability or professional policy loss or claims during the past 5 years. None appear to be state-related. Four appear to be municipally related. Poole reported the Consultant has sufficient coverage for any open claim and provide required coverage for this On-Call Contract. VHB scored a total of 272 points out of a possible 300 points.

VHB self reported it is/was involved in litigation (17 cases) over the past 10 years, of which four litigants are located in Connecticut. No litigants were involved in a DCS project.

PRB 22-030 - SLR International Corporation (SLR) has 37 branches throughout the US and entered Connecticut by acquiring Milone & MacBroom, Inc. originally established in 1984. SLR has over 400 employees. The local office is located in Cheshire with a staff of 112± employees including 14 civil engineers, 11 landscape architects and 8 surveying professionals. DCS reports SLR was awarded 6 contracts over the past five years with \$293,061.22 total volume of work. The company has been awarded the following Formal Contracts and Task Letters for the prior two years:

OC-DCS-EPA-0029

- No Task Letters to date.

OC-DCS-CIV-LA-0034 (formerly Milone & MacBroom):

• Task Letter #4	Statewide DESPP Infrastructure Review	\$144,700	(#20-121)
• Task Letter #5	ECSU-Fine Arts Building Plumbing Remed	\$9,000	(Informal)
• Task Letter #5A	ECSU-Fine Arts Building Plumbing Remed	\$30,540	(Informal)
Total Fee to Date:		\$184,240	

SLR will be operating under its Professional Engineering Corporation (PEC#0001904). Crum & Forster reported that SLR has incurred 12 general liability or professional policy losses or claims during the past 5 years. All are closed. None of these claims are related to state funded projects. SLR scored a total of 254 out of a possible 300 points.

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

Macchi Engineers	Proposed	Prior	Vanasse Hangen Brustlin	Proposed	Prior	SLR International	Proposed
Principal	\$230	\$200	Principal	\$230	\$220	Principal	\$230
Project Manager	\$190	\$150	Project Manager	\$190	\$185	Project Manager	\$190
Senior Engineer	\$185	\$125	Senior Engineer	\$185	\$165	Senior Engineer	\$185
Engineer	\$155	\$100	Engineer	\$155	\$155	Engineer	\$155
Senior Designer	\$140	\$115	Senior Designer	\$140	\$140	Senior Designer	\$140
Designer	\$115	\$100	Designer	\$115	\$130	Designer	\$115
CAD Operator	\$100	\$95	CAD Operator	\$100	\$110	CAD Operator	\$100

Staff have requested clarification of the following issues:

1. Please clarify the need for increasing the maximum cumulative value of each contract to \$500,000, and limiting the maximum amount of a Task Letter to \$490,000 (Item 1.11 of Advertisement).

DCS Response: DAS, overtime, has increased the majority of on-call contract series dollar values to reflect increases in the cost of work over time and as a means to provide DAS with greater flexibility for procurement of on-call services when warranted, i.e., using an on-call contract instead of going through a formal selection. Increasing the amount, in addition, avoids the need for an amendment to the contracts. Presently, only the scheduling, environmental policy, energy and auditor on-call contracts are at \$300,000. The cap of \$490,000 recognizes that a "project" is defined by the requirement of consultant services in excess of \$500,000 and a "project" requires a formal procurement process.

Staff Response: OK

2. Has DCS reviewed the litigation self-reported by Vanasse Hangen Brustlin, Inc.?

DCS Response: Yes, DAS reviewed the litigation self-reported by Vanasse Hangen Brustlin, Inc. and see no issue proceeding with its contract. The company has over thirty locations along the eastern seaboard,

over 1,500 employees and thousands of projects. As to the cases self-reported, the only pending case in Connecticut is an action for a declaratory judgment regarding contract terms, particularly an indemnification clause. While DOT and a subcontractor arbitrated issues based on design, VBH was not a party to the arbitration, and there was no finding against the firm as of this date. The two other pending cases involves a slip and fall where the plaintiff named 13 defendants including VHB and a Florida claim regarding flooding on residential property. The three settled Connecticut cases reported by VHB are from 2013, 2014 and 2015. Two of the claims were brought by general contractors against the owners and VHB, and the third (2013) was resolved among VBH, the owner and DOT.

Staff Response: OK

3. Please provide a Task Log for the Consultants under OC-DCS-VEH-0025 to 0028.

DCS Response: Cathy will provide you with a copy of the task log for consultants under OC-DCS-VEH-0025 to 0028.

Staff Response: DCS provided. The Task Log summary identifies only 3 Task Letters were issued for this series, all to Macchi Engineers and all related to the Lafayette Street Garage in Bridgeport. OK

RECOMMENDATION – Staff recommend approval of the three On-Call Contracts that have a maximum total cumulative fee of \$500,000 per contract and a common expiration date of 07/01/2024.

PRB #19-191 to #19-194 approved September 19, 2019.

UPDATE: 9/12/19

RECOMMENDATION – DCS provided answers to the questions raised by the Board on Sept. 10th (see attached). Upon review of the information provided by DCS, staff recommends **APPROVAL** of the four On-Call Contracts that have a maximum total cumulative fee of \$300,000 per contract and a common expiration date of 11/30/2021.

This is the 6th series of On-Call Vehicular Parking Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2002. The four (4) On-Call Contracts that are the subject of this memorandum have a maximum total cumulative fee of \$300,000 per contract and a common expiration date of 11/30/2021. The prior series of On-Call Scheduling Consulting Contracts expired on 07/15/2019.

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

- Removal of references to Division of Construction Services (DCS);
- Expanded *Indemnification* language;
- Expanded *Suspension of the Work* language;
- Expanded *Termination of Contract* language; and
- Addition of *Notices* clause.

The 5th series of On-Call Vehicular Parking Consulting Contracts was approved by the Board in April 2015 under PRB Files #15-085 and #15-086 and lastly in August 2015 under PRB Files #15-160 and #15-161. A contract amendment extending the expiration date until July 15, 2019 was approved under PRB #17-071 to #17-074. Only two (2) of the firms under this current 6th series RFP submittal have been previously approved for *Vehicular Parking Consulting On-Call Contracts*: Macchi Engineers, LLC and Alfred Benesch & Company, Inc.

A Request for Qualifications (RFQ) for the consultant services was released on April 11, 2019 and elicited six responses. Four of the six 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 submittal is for SPRB review and approval of the following four firms under this series.

PRB 19-171 – Macchi Engineers, LLC (“MEL”) originally established in 1945 and is locally located in Hartford. MEL has a staff of 11 employees including 5 civil/structural engineers, 1 construction inspector and 2 CADD techs. The company has not been awarded any on-call contract or formal contracts with the DCS in the past two years.

MEL will be operating under their Professional Engineering Corporation License (**PEC#0000720**). Fenner & Esler Insurance Inc. reported that MEL has incurred three (3) general liability or professional policy losses or claims during the past 5 years. Two of these claims are related to state funded projects: Ella Grasso Regional THS and UCONN Stamford parking garage. Both claims remain open. A third claim is not state related. MEL scored a total of 280 out of a possible 320 points.

PRB 19-172 – Alfred Benesch and Company, Inc. (ABC) originally established in 1946, has a local staff of 23± employees including 1 project executive, 12+ civil/structural engineers and 3 transportation engineers. ABC is locally located in Rocky Hill through its 2012 acquisition of Purcell Associates. The company has been awarded the following On-call or Formal Contract with the DCS in the past two years.

OC-DCS-CIV/SUR/LA-0035					
• Task Letter #1	SCSU-Parking Lot #9	Renovation	\$97,300	(Informal)	
• Task Letter #2	New CSP Forensic Laboratory		\$199,275	(PRB #18-196)	
• Task Letter#3	Eastern CT Fire School		\$15,000	Pending 8/15/2018	
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			\$311,575		
OC-DCS-MDE-0022					
• Task Letter #4B	Enfield C.I. Water Tower		\$114,910	(PRB #17-046)	
• Task Letter #4C	Enfield C.I. Water Tower		\$4,099	(PRB #18-048)	
			<hr/>		
			\$119,009		

ABC will be operating under its Professional Engineering Corporation License (**PEC#.0001421**). Ames & Gough Insurance Inc. reported that ABC has incurred 75 general liability or professional policy loss or claims during the past 5 years. Sixteen claims remain open. One of these claims is related to a new football field at Derby High School regarding a flooded residential basement and remains open. ABC scored a total of 279 out of a possible 300 points.

PRB 19-173 – Weston & Sampson Engineers, Inc (WSE) was originally established in 1899. WSE, located in Albany, NY, has a local branch in Rocky Hill and has a local staff of 27± employees including 1 project executive, 5+ civil/sanitary engineers and 4 water resources engineers and retained a sub-consultant (Parking Garage Specialist) located in Blue Bell, PA. The company has not been awarded an On-call Contract or formal contract with the DCS in the past two years.

WSE will be operating under its Professional Engineering Corporation License (**PEC#.0000428**). Ames & Gough Insurance Inc. reported that WSE has incurred 4 general liability or professional policy loss or claims during the past 5 years. One claim remains open. None of these claims involved state-related projects. WSE scored a total of 278 out of a possible 300 points and was the third most qualified firm.

19-174 – Vanasse Hangen Brustlin, Inc. (VHB) originally established in 1978, located in Springfield, has a local branch in Wethersfield Hill and has a local staff of 45± employees including 1 program manager, 19+ civil/transportation engineers and 1 environmental planner and retained a sub-consultant (Simpson Gumpertz & Heger – parking structural engineering) located in Waltham, MA. The company has not been awarded an On-call Contract or Formal Contract with the DCS in the past two years.

VHB will be operating under its Professional Engineering Corporation License (**PEC#.0000456**). Poole Professional LTD reported that VHB had 162 general liability or professional policy loss or claims during the past 5 years. None appear to be state-related. Four appear to be municipally related. VHB scored a total of 268 points out of 300 points and was identified as the fourth most qualified firm.

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

Macchi Engineers	Proposed	Alfred Benesch	Proposed	Weston & Sampson	Proposed	Vanasse Hangen Brustlin	Proposed
Officer/Principal	\$200	Officer/Principal	\$198	Officer/Principal	\$220	Officer/Principal	\$220
Project Manager	\$150	Senior Project Manager	\$182	Project Manager	\$165	Project Manager	\$185
Senior Engineer	\$125	Senior Project Engineer	\$143	Senior Engineer	\$120	Senior Engineer	\$165
Engineer 2		Project Engineer II	\$136	Engineer 2		Engineer 2	
Engineer	\$100	Project Engineer I	\$116	Engineer	\$105	Engineer	\$155
Senior Designer	\$115	Senior Designer	\$98	Senior Designer	\$160	Senior Designer	\$140
Designer	\$100	Designer II	\$112	Designer	\$100	Designer	\$130
Field Engineer	125	Field Engineer		Field Engineer	\$95	Field Engineer	\$120
CAD Operator	\$95	CAD Operator		CAD Operator	\$95	CAD Operator	\$110
Administrative Assistant	\$75	Project Assistant	\$75	Administrative Assistant	\$65	Administrative Assistant	\$100

Staff have requested clarification of the following issues:

- Please provide a Task Log for the Consultants under OC-DCS-VEH - 0022 & 0023.
DCS provided the task log.

RECOMMENDATION – Staff recommend **APPROVAL** of the four On-Call Contracts that have a maximum total cumulative fee of \$300,000 per contract and a common expiration date of 11/30/2021.

- PRB # 17-071, DESMAN, Inc.....Contract #OC-DCS-VEH-0021**
PRB # 17-072, Macchi Engineers, LLC.....Contract #OC-DCS-VEH-0022
PRB # 17-073, Alfred Benesch & Company, Inc.....Contract #OC-DCS-VEH-0023
PRB # 17-074, Walker Parking Consultants, Inc.....Contract #OC-DCS-VEH-0024

This series of On-Call Vehicular Parking Consulting Contracts was approved by the Board in April 2015 under **PRB Files #15-085 and #15-086** and then again September 2015 under **PRB Files #15-161 and #15-162**. This was the 5th series of Claims Analyst Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2002. DCS is now resubmitting these four firms to the Board for approval under a contract amendment to extend the contract expiration dates from July 15, 2017 until July 15, 2019. DCS is requesting that these contracts be extended for an additional two years while maintaining the current maximum contract value at \$300,000.

RECOMMENDATION – Board approval for the following firms to have the contract expiration date extended to July 15, 2019 while maintaining the current contract value of \$300,000 is recommended. Each consultant has also provided the required updated Gift/Campaign and Consulting Affidavits accompanied by appropriate Corporate Resolutions.

PRB # 17-071, DESMAN, Inc.....Contract #OC-DCS-VEH-0021
PRB # 17-072, Macchi Engineers, LLC.....Contract #OC-DCS-VEH-0022
PRB # 17-073, Alfred Benesch & Company, Inc.....Contract #OC-DCS-VEH-0023
PRB # 17-074, Walker Parking Consultants, Inc.....Contract #OC-DCS-VEH-0024

The original project submittal memo was as follows:

This is the 5th series of On-Call Vehicular Parking Consulting Services Contracts awarded by the Department of Construction Services (“DCS”) since 2002. The On-Call Contract that is the subject of this memorandum has a maximum total cumulative fee of \$300,000 per contract and a common expiration date of 07/15/2017. DCS has approved the selection of four firms under this series. This on-call series has been developed by DCS for the purposes of providing vehicular parking engineering services related to the design layout, egress requirements and roadway/traffic impacts for various state funded surface lot or parking garage construction projects.

DCS has made some minor revisions to the boilerplate contract for this series to include the following: state’s rights for inspections, state ethics law, updated executive orders, new non-discrimination language and sovereign immunity language. The 3rd series, awarded in 2009, had a term of 24 months and a maximum total cumulative fee of \$300,000/contract. A 4th series was previously advertised and issued by DCS in 2013 but subsequently cancelled by the agency. This series included **OC-DCS-VEH -0017** through **OC-DCS-VEH-0020**. These contracts were never submitted to SPRB for review and approval. Three of the four (4) selected firms under this current 5th series RFP have been previously approved for *On-Call Cost Vehicular Parking Consultant Services Contract*. DESMAN, Inc. has been previously awarded a contract under the 2nd and 3rd series. Walker Parking Consultants, Inc. was awarded a contract under the third series.

A Request for Qualifications (RFQ) for the consultant services was released in February 2014 and elicited six (6) responses. All of the respondents was considered “responsive” and as such were considered for review. Thereafter, the DCS selection panel began the process of evaluating all four proposals. The State Selection Panel consisted of 4 members and rated each firm based upon a weighted ranking system with the following scoring methodology:

<i>Problem Solving</i>	<i>30 Points</i>
<i>Approach to Scope & Work Effort</i>	<i>15 Points</i>
<i>Organizational / Team Structure</i>	<i>25 Points</i>
<i>Past Performance Record</i>	<i>20 Points</i>
<i>Contract Oversight Capabilities</i>	<i>10 Points</i>
TOTAL POINT VALUE	100 Points

RECOMMENDATION – Board approval of the following firms as potential vehicular parking consultant for projects of various sizes and scope is recommended. The consultant has provided the required insurance, professional license, Gift/Campaign and Consulting Affidavits accompanied by appropriate Corporate Resolutions. The two firms recommended for approval at this time is the following.

PRB # 15-085, DESMAN, Inc.....Contract #OC-DCS-VEH-0021
PRB # 15-086, Walker Parking Consultants, Inc.....Contract #OC-DCS-VEH-0024

DESMAN, Inc.(DES) originally established in 1973, has a local staff of 9± employees including 1 project executive, 2+ professional engineers and 2 construction inspectors. DES is locally located in Rocky Hill. The company has not been awarded an On-call or Formal Contract with the DCS in the past two years.

DES will be operating under its Joint Professional Corporation License (**JPC#.000065**). OneBeacon Insurance Inc. reported that DES has incurred 20 general liability or professional policy loss or claims during the past 5 years. Four of these claims are currently open with loss reserves not yet established. DES scored a total of 300 out of a possible 300 points.

Walker Parking Consultants, Inc. (WPC) originally established in 1965 and has a regional office in Boston, Massachusetts. This office has a local staff of 20± employees including 1 project executive, 5+ professional engineers and 2 construction inspectors. The company has not been awarded an On-call or Formal Contract with the DCS in the past two years.

WPC will be operating under its Professional Engineering Corporation License (**PEC#.000674**). XL Design Professional Insurance Inc. reported that WPC has incurred over 40 general liability or professional policy loss or claims during the past 5 years. None of these claims appear to involve State of Connecticut funded projects and they all are in various phases of the claim process. WPC scored a total of 256 out of a possible 300 points.

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILES #22-028, #22-029 & #22-030 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILES #22-028, #22-029 & #22-030. The motion passed unanimously.

9. NEXT MEETING – Monday, March 21, 2022.

The meeting adjourned.

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