

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On June 13, 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 June 13, 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

Peter Simmons, DCS ADPM
Steven Udeh, PM

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 9, 2022 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

<i>PRB File #:</i>	22-079
<i>Transaction/Contract Type</i>	RE – MOU
<i>Origin/Client</i>	DAS/WCC/DOL
<i>Property:</i>	Middletown, South Main St (645)
<i>Project Purpose:</i>	WCC/DOL Shared Space/Expenses
<i>Item Purpose:</i>	Memorandum of Understanding

Background

At the State Properties Review Board meeting held on May 10, 2021, under PRB #21-081, the Board approved a New Lease for Workers' Compensation Commission (WCC) to relocate to 6,520 square feet of Call Center space formerly utilized by the Department of Labor (DOL) located at 645 South Main Street in Middletown. At the time DAS stated that DOL no longer requires use of this 6,520 square feet of Call Center Space



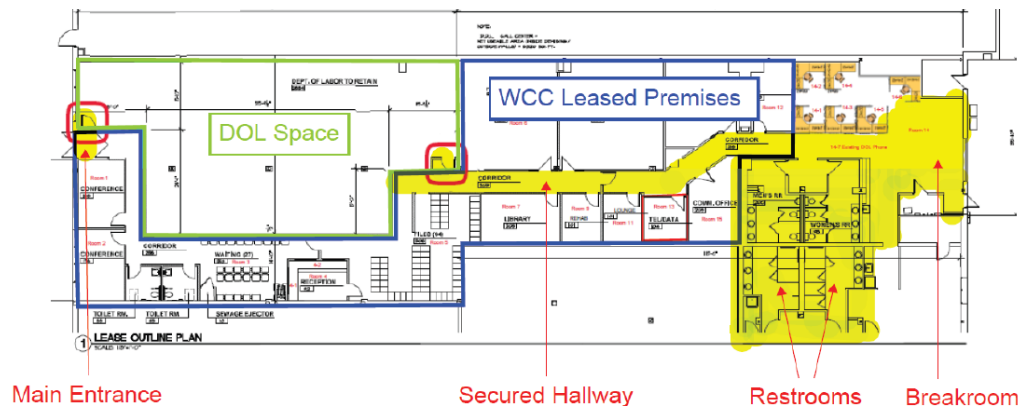
Courtesy: Google Maps

By way of background DOL has been in 15,000 square feet of office space at this Middletown location with this Lessor since 1998, at which time the building exterior walls, windows, roof, HVAC were replaced and the parking lot was resurfaced. In 1998, DOL amortized approximately \$300,000 in tenant improvements over the first five year term of the original Lease.

Under this Proposal (PRB #22-079) DAS, WCC and DOL are seeking SPRB approval for a new Memorandum of Understanding for DOL to utilize certain areas within the WCC Leased Premises including: Staff Restrooms; Breakroom; and IT Room.

The terms of the MOU are as follows:

1. WCC hereby grants unto the DOL staff the right to use the breakroom, staff restrooms, secured main entrance & the secured hallway for purposes of ingress & egress to and from the DOL Space, as depicted in Exhibit A attached hereto and made a part hereof. DOL will be given access cards to the secured areas.
2. The IT/Data room within the secured WCC Space, as depicted in Exhibit A, shall be shared by both WCC and DOL. If access is needed, the agency accessing the IT/Data room shall notify the other agency's IT Department.
3. Unless there is an emergency situation, neither agency shall use or occupy the others space, for any reason other than as outlined in this MOU, without prior consent.
4. If it is found that there are utilities and/or services that can be shared between DOL and WCC, an agreement shall be made between the agencies.
5. As part of WCC's Janitorial contract, the vendor provides paper products for the breakroom and restrooms. WCC shall charge DOL on a monthly basis for 50% of the cost of the paper products supplied for these areas. WCC will request that this charge is itemized on their monthly invoice from the vendor.
6. In the interest of efficiency, the wee and DOL will share a trash dumpster onsite. DOL will bill WCC 27% of the monthly cost the dumpster. This percentage is derived at by taking the total square footage occupied by both DOL and wee at the site (23,445 SF) and averaging WCC' percentage of total space (6,425 SF - 27%).



The MOU has been approved by each party as follows:

- DOL Commissioner: January 26, 2022;
- WCC Chairman: February 4, 2022;
- DAS Deputy Commissioner: February 7, 2022;
- Office of Policy & Management: April 18, 2022.

RECOMMENDATION: Board approval is recommended for the following reasons:

- The colocation complies with CGS 4-67g(f) (OPM statutes); and
- The colocation complies with CGS 4b-29 (DAS statutes).

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Open Session and into Executive Session at 10:06. The motion passed unanimously.

EXECUTIVE SESSION

PRB #	22-078
Origin/Client:	DCS/CCSU
Transaction/Contract Type	AE / Amendment
Project Number	BI-RC-395
Contract	BI-RC-395-CA
Consultant:	Turner Construction Corporation
Property	New Britain, Stanley St (1615) – CCSU
Project purpose:	New Engineering Building
Item Purpose	Amendment #4

Statutory Disclosure Exemptions: 1-200(6)(e) & 1-210(b)(4)

OPEN SESSION

Mr. Halpert moved and Mr. Berger seconded a motion to go out of Executive Session and into Open Session at 10:15. The motion passed unanimously.

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB #	22-082
Origin/Client:	DCS/DMHAS
Transaction/Contract Type	AE / Task Letter
Project Number	BI-MH-121
Contract	OC-DCS-CA-0035
Consultant:	Michael Baker International
Property	Bridgeport, Central Ave (1635) Greater Bridgeport Community MHC
Project purpose:	Parking Structure Project
Item Purpose	Task Letter #1B

At 9:32 Mr. Simmons joined the Meeting to participate in the Board's discussion of this Proposal. Mr. Udeh joined the Meeting at 9:49. Both left the Meeting at 10:00.

PROPOSED AMOUNT: \$374,600 (NTE)

Under prior PRB Files #15-234, 16-229, 17-185 and 20-177, the State Properties Review Board approved Task Letters #1, #1A, #1B and #1C to the On Call Contract OC-DCS-MDE-0028 to provide Multi-Discipline Engineering design and construction administration services for the rehabilitation of an existing two-level parking structure at Greater Bridgeport Community Mental Health Center in Bridgeport, CT. The project includes the addition of surface level parking spaces extending from the upper level of the parking structure, site storm water system upgrades, lead paint removal, and connection to a dedicated storm water system as required by the city.

Previously, DCS had retained the Consultant under Task Letter #1 (bid phase) and on February 9, 2022, issued Task Letter #1A to provide pre-construction and construction administration services during the initial 4 months of a 24-month (730 day + 90-day closeout) construction period.

Under this Proposal (#22-082), DCS is now seeking approval of an additional \$374,600 to compensate the Consultant, Michael Baker International (MBI), for the following Scope of Work:

Provide construction administrator services for the construction phase through the completion of the project as set forth in the subject on-call contract. The CA will provide part time onsite CA services on an average of 24 hours per week. This Task Letter will be a not to exceed Task Letter.

DCS provided the following narrative in support of this request:

Preceding Task No.1A did not contain the full negotiated Construction Administration Service fee but was intended to get the project started to avoid delay. The \$374,600.00 in Task No. 1B is the balance to complete the construction phase services fee of Four Hundred Sixty-Four Thousand Four Hundred Dollars \$464,400.00. Construction is progressing on this project and the scope of work remains the same.

In April 2020, SPRB approved (PRB #20-050) Michael Baker International (MBI) as one of seven firms under the latest *On-Call Construction Administrator Series* of consultant contracts. These contracts expire on August 31, 2022 and have a maximum cumulative fee of \$1,000,000.

MBI was approved for the following task(s) under this series:

•	Task Letter #1	Bridgeport MHC – Parking Project	\$6,000	(Informal)
•	Task Letter #1A	Bridgeport MHC – Parking Project	\$89,800	(Informal)
•	Task Letter #2	DESPP HQ Atrium & Re-roof	\$90,000	(Informal)
Total Fee to Date:			\$185,800	

The Construction Budget and total Project Budget have remained at \$9,560,911 and \$12,426,707, respectively.

Task Letter #1 – MBI- Contract (INFORMAL)	Base Fees (\$)	Special Services (\$)	Total Fee	Construction Budget (\$)	% of Budget
Bid Phase – TL #1 (A)	\$6,000				
Construction Administration Phase – TL #1A - Four Months (572 hours) – Informal (A1)	\$89,800				
PRB File #22-082 - TL#1B					
Construction Administration Phase - Twenty Months (2,374 Hours) (A2)	\$374,600				
TOTAL PROJECT FEE (A) + (A1) + (A2)			\$470,400	\$9,560,911	4.92%

Staff inquired with DCS regarding the following:

1. What were the reasons to divide the TL for this project into 3 TLs?

DCS Response: The breakup was done to accelerate the process because of an urgency in getting the CA onboard to start the project. There was significant delay by the State in Bonding and Contract approval by the AG that the GC was getting weary in holding his bid any longer.

Staff Response:

5-7-2021 – DCS advertises construction project

6-23-2021 – Responses due to DCS

7-20-2021 – Extended due date to 7-22-2021

12-21-2021 – Bond commission allocates \$9,600,000 (PA 21-111, Sec 2.(k)(1))

1-11-2022 – Nosal Builders signs contract

1-12-2022 – DCS signs contract

1-20-2022 – AG approves contract

It is unclear as to why DCS did not submit the larger TL in February 2022 – given the fact that the NTP to the contractor was on 5/16/2022 and the AG had approved the contract on 1/20/2022 and the consultant had provided the proposal on 2/4/2022 with the amount of fees that is requested now. We do not see any difference in the fees as part of negotiations.

2. Clarify the following related to the construction project:

a. What is the status of the construction project? Provide latest CPM schedule for the project.

DCS Response: CPM Construction is in progress attached.

Staff Response: DCS issued NTP for 5-16-2022.

b. When did the construction begin and when did the consultant commence the work? Provide notice to proceed given to the consultant

DCS Response: Attached. Does not include Pre-construction.

Staff Response: seems like the services started in February of 2022.

c. When did the first 4 months end or will end (under TL#1A)?

DCS Response: Not sure. Invoice attached.

Staff Response: DCS issued Task Letter #1A on 2-9-2022.

3. Please provide an accounting of how the \$89,800 fee under Task Letter #1A was expended and what services/deliverables were provided to DCS.

DCS Response: Invoices attached billed against Task 1A.

Staff Response: Invoice #1 was for services through 4-3-22 (\$30,175) and Invoice #2 was for services through May 1, 2022 (\$16,375). TL #1A = \$89,800 / 4 month = \$22,450/month.

4. What fees have been paid to the consultant as of end of May 2022?

DCS Response: Attached. Invoices 1 and 2.

Staff Response: See #3 above. OK

5. If Task Letter #1 (8-23-21) with the Consultant provided for Bid Phase services and Task Letter #1A (2-7-2022) provided for Pre-Construction and Construction Phase services (572 hours total) for the initial four months of a 24-month construction period, please clarify why 'Pre-Construction Services,' 'Project Safety,' and 'Schedule' are included in this Task Letter #1B when already included in Task Letter #1A.

DCS Response: Task #1B is to complete the total CA was fee which partially paid for in Task 1A. Nothing changed in the content of the contract. Task #1B is extension on Task #1A.

Staff Response: OK

6. In the DCS Memo to SPRB and Form 1105 it states the Project Budget is \$9,560,911 and in Task Letter #1B – Article 4 – it states the Project Budget is \$10,500,000. Which is correct?

DCS Response: \$10,500,000.

Staff Response: If the Nosal Contract, dated 1-12-2022, was awarded for \$9,510,000 why \$10,500,000?

7. This Task Letter #1B should be revisited for numbering of the articles and subsections of the articles for proper formatting.

DCS Response: OK.

Staff Response: Still waiting for updated TL with corrections.

8. The TL says it will be a "not to exceed" TL. What does this mean? Does it mean that there will not be additional TL for additional fees to the CA?

DCS Response: No. Any additional TL will be per Consultant's agreed hourly rate.

Staff Response: Need better explanation of using this term for an ongoing consultant contract.

RECOMMENDATION: It is recommended that SPRB **approve** Task Letter #1B in the amount of \$374,600 (NTE). The overall basic service fee of 4.92% of construction cost is within the DCS CA Services guideline of 5.0%.

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

Board Members were informed that PRB File #22-078 was inadvertently not included in the Meeting Agenda. Board Members agreed to add #22-078 to the Agenda for purposes of voting on the Proposal.

PRB FILE #22-079 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #22-079. The motion passed unanimously.

PRB FILE #22-078 – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #22-078. The motion passed unanimously.

PRB FILE #22-082 – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #22-082, subject to DCS issuing an updated Task Letter #1B with proper formatting. The motion passed unanimously.

9. NEXT MEETING – Thursday, June 16, 2022.

The meeting adjourned.

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