

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On March 9, 2023

– 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 9, 2023 remotely via telephone conference at (860)-840-2075 and use passcode 284890492#.

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

Jaime Smith, Director, DoAG
Cameron Weimar, DoAG

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 6, 2023 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Mr. Berger provided Board Members with a summary of his appearance (on March 6th) before the CT Legislature's Government Administration and Elections Committee testifying in support of HB 6827 An Act Concerning the State Properties Review Board.

All Members were reminded of their annual requirement to submit their Statement of Financial Interest as soon as possible. All Members were emailed with the appropriate link to complete the on-line form.

Staff presented the Board with a monthly voucher statement pursuant to CGS 13a-73(h) identifying DOT real estate acquisitions for less than \$5,000.

3. REAL ESTATE- UNFINISHED BUSINESS

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Open Session and into Executive Session at 9:37. The motion passed unanimously. Ms. Smith and Mr. Weimar, both of the Department of Agriculture, were invited to attend the Session and both left the Meeting at 9:51.

EXECUTIVE SESSION

PRB #: 23-004-A
Transaction/Contract Type: AG / PDR
Origin/Client: DoAG/DoAG

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

PRB #: 23-008-A
Transaction/Contract Type: AG / PDR
Origin/Client: DoAG/DoAG

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

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Executive Session and into Open Session at 9:52. The motion passed unanimously.

OPEN SESSION

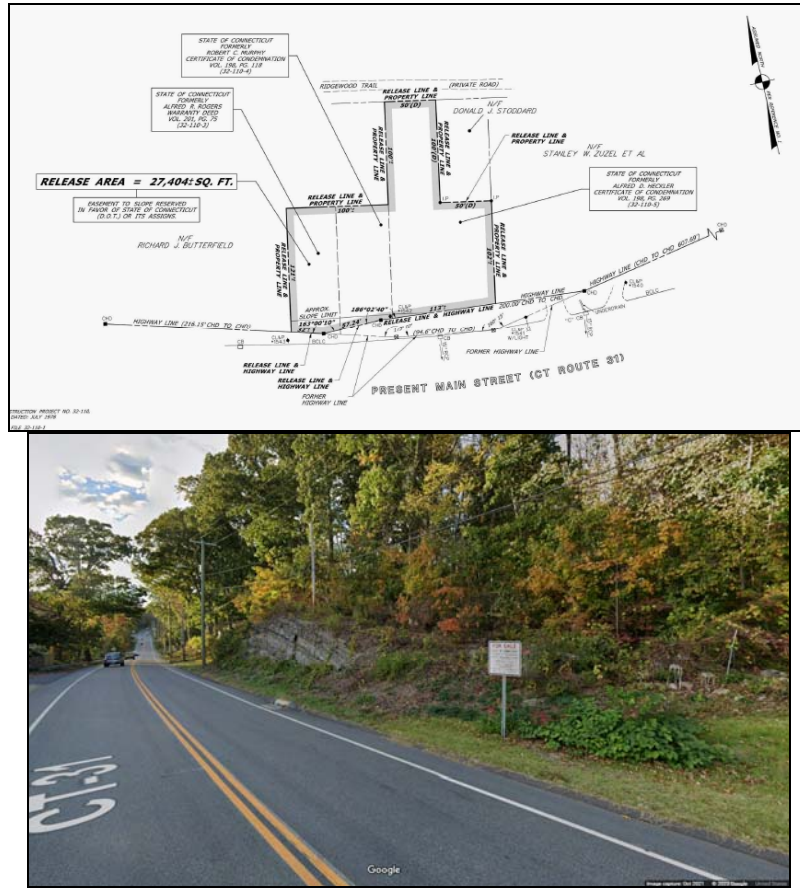
4. REAL ESTATE – NEW BUSINESS

PRB # 23-011
Transaction/Contract Type: RE – Sale
Origin/Client: DOT/DOT
DOT Project #: 32-110-5A
Grantee: DeHart, Rocky A. & Mariah A.
Property: Coventry, Main St (Lots 152, 156 & 157)
Project Purpose: Sale by Public Bid
Item Purpose: QC Deed

Sale Price: \$30,500 plus \$1,000 Admin Fee

Description – The release parcel consists of three contiguous Assessor’s Parcels totaling 27,404 square feet (0.629 acre) with a total of 202.24 feet of frontage on the northerly side of Main St (Rt 31) and 50 feet on the southerly side of Ridgewood Trail. The site has views of the northerly end of Coventry Lake. The topography increases from approximately 542’ at the highway frontage up approximately 568’ at the Ridgeview Trail frontage. Rock outcroppings are readily visible on the highway frontage. The property is located in the LR Lake Residential Zone is non-conforming regarding minimum lot area requirements (40,000 sf minimum).





Courtesy: Google Maps

The Appraiser opined the Highest and Best Use of the property, as vacant, is for assemblage to the Logical Abutter at 2304 Main Street.

The Logical Abutter at 2304 Main Street is a 30,492 square foot parcel of land with 121 feet of frontage on Main Street and additional frontage on Ridgewood Trail and has upward sloping topography from the Main Street frontage to the northerly portion of the site. The site is improved with a one-family dwelling containing 2,268 sf (7/4/2.5), constructed in 1950.

Upon assemblage of the two parcels, the Logical Abutter will contain 57,896 square feet with 323 feet of frontage on Main Street.

Valuation – With the release of this parcel via a Sale by Public Bid, DOT Appraiser James P. Mansfield appraised the property, most recently as of June 1, 2022, in both the Before and After assemblage to the Logical Abutter, considering three sales (2021-2022) of similarly zoned land in Coventry, with a similar highest and best use, as follows.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3	
Address	2304 Main St & Ridgewood Trl Coventry	2075 Main St Coventry, CT 06238		35 Avery Shrs Coventry, CT 06238		120 Squirrel Trl Coventry, CT 06238	
Proximity to Subject		0.44 miles E		1.17 miles S		1.04 miles SW	
Sales Price	\$ Per S/F	\$	1.32	\$	2.32	\$	3.17
Price	\$ N/A	\$	49,900	\$	162,500	\$	42,750
Data Source	Inspection/Research	Assessor, Land Records, & MLS		Assessor, Land Records, & MLS		Assessor, Land Records, & MLS	
Date of Sale and Time Adjustment	DESCRIPTION	DESCRIPTION	+(-)\$ Adjust.	DESCRIPTION	+(-)\$ Adjust.	DESCRIPTION	+(-)\$ Adjust.
	6/1/2022	4/26/2022		1/4/2022		3/4/2021	
Location	Average-good	Average	+0.26	Average-good		Average-good	
Site/View	30,492+-SF/Lake view	37,861+-SF/Resid	+0.26	70,132+-SF/Lake view	+0.46	13,504+-SF/Resid	+0.16
Present Use	Residential	Vacant res. lot		Vacant res. lot		Vacant res. lot	
Highest & Best Use	Residential	Residential dev.		Residential dev.		Residential dev.	
Utilities/Topography	Well, Septic/Sloping	Well, Septic/Level	-0.13	Water, Sewer/Slope	-0.12	Water, Sewer/Lvl	-0.48
Zone	LR/Lql non-cnfrm.	GR40/Lql non-cnfrm		LR/Legal cnfrm	-0.12	LR/Legal non-cnfrm	
Sales or Financing Concessions		240 sf garage	-0.07			Deed restriction on 0.1 acres	+0.64
Net Adj. (Total)		<input checked="" type="checkbox"/> + <input type="checkbox"/> -	\$ 0.32	<input checked="" type="checkbox"/> + <input type="checkbox"/> -	\$ 0.22	<input checked="" type="checkbox"/> + <input type="checkbox"/> -	\$ 0.32
Indicated Value of Subject		\$	1.64	\$	2.54	\$	3.49

After adjusting for Transactional, Locational and Physical characteristics, the Appraiser concluded that the fair market value of the subject land was \$3/sf, calculated as follows:

Item	Calculation	Value
Land Valuation (Fee Simple)	30,492 sf x \$3/sf	\$91,476
	Rounded	\$91,500

After Land Valuation: Based on the sales comparison approach, the appraiser considered the same sales as in the Before Valuation and concluded that the fair market value of the subject land was \$2.00/sf, calculated as follows:

Item	Calculation	Value
Land Valuation (Fee Simple)	57,896 sf x \$2/sf	\$115,792
	Rounded	\$116,000

Release Value

Item	Value
After Valuation	\$116,000
Before Valuation	\$91,500
Release Value	\$24,500

It should be noted that the Release Parcel was appraised by DOT on four previous occasions in 2009 (\$34,000), 2014 (\$25,000), 2016 (\$26,000), and 2020 (\$24,000).

Public Bid & Negotiations – The public bid was held multiple times, most recently on September 7, 2022, with an asking price of \$30,000. Two bids were received, \$30,001 and \$30,500 offer from Rocky and Mariah DeHart, which was accepted by DOT (+ \$1,000 Admin Fee).

<https://portal.ct.gov/DOT/Properties/Active-Public-Bids/032-110-005A-Coventry-Item-No-824>

It should be noted that a Public Bid for the Release Parcel was held in 2010 (\$5,000), 2014 (\$10,000), 2017 (\$0), 2020 (\$0), and in February 2022 (\$18,000, \$19,850, 28,750).

Recommendation – Staff recommend approval of the proposed Sale by Public Bid in the amount of \$30,500 (plus \$1,000 Admin Fee = \$31,500 in QC Deed) for the following reasons:

- The proposed sale complies with Sections §3-14b, and §13a-80 of the CGS in that the Town of Coventry declined to purchase and the legislative delegation received the required notification on August 4, 2014.
- The release value of \$30,500 is 127% of the appraised value and it will return the property to the Coventry tax rolls and relieve the State of all future expenses.
 The description in the Quit Claim Deed is consistent with the survey map filed in the Coventry Land Records.

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER – NEW BUSINESS

PRB # 23-029
Origin/Client: DCS/DCS
Transaction/Contract Type AE / Amendment
Contract: OC-DCS-ENGY-0030
Consultant: Source One, Inc (DE)
Item Purpose: Amendment #2

At the State Properties Review Board meeting held on November 12, 2021, the Board approved PRB Files 21-180 to 21-183, four Consultant Contracts under the 7th series of On-Call Engineer-Energy Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2003. The four On-Call Contracts have a maximum total cumulative fee of \$300,000 per contract and a common expiration date of 3/01/2024.

And, at the March 7, 2022 SPRB Meeting, the Board, under PRB #22-036 approved Contract Amendment #1 to OC-DCS-ENGY-0030 to increase the maximum total cumulative fee to \$500,000, an increase of \$200,000.

Under this Proposal (23-029), DCS is now resubmitting this Firm to the Board for approval under Contract Amendment #2 to OC-DCS-ENGY-0030 to increase the maximum total cumulative fee to \$900,000, an increase of \$400,000.

Source One, Inc (DE) has been assigned the following Tasks under this On-Call Contract:

• Task Letter #1	CDECCA Feasibility/Upgrades	\$265,050	(22-008) terminated
• Task Letter #1	CDECCA Feasibility/Upgrades	\$320,066	(22-062)
• Task Letter #1A	CDECCA Feasibility/Upgrades	\$100,896	(22-179)
• Task Letter #2	CDECCA Feasibility/Upgrades	\$50,000	(Informal)
Total Fee to Date:		\$470,962	

Changes to the On-Call ENGY Consulting Contract since the First Amendment include the following:

- Section E is changed to increase the maximum fee to \$900,000;
- Replacement of Section P language – Indemnification;
- Replacement of Section V language – Confidentiality of Documents;
- Replacement of Section W language – Non-Discrimination;
- Replacement of Section X language – Executive Orders;
- Replacement of Section AA language – Whistleblowing;
- Replacement of Section EE language –Related to Campaign Contributions;
- Replacement of Section HH language – Audits and Inspection;
- Replacement of Section II language – Disclosure of Records;
- Replacement of Section JJ language – Access to Contract and State Data;

- Addition of Section LL 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 Section MM language – Iran Energy Investment Certification;
- Addition of Section NN language – Consulting Agreement Certification; and

RECOMMENDATION – Staff recommend **approval** of Amendment #2 to the On-Call Contract to increase the maximum fee to \$900,000, an increase of \$400,000. The common expiration date remains unchanged at 3/01/2024.

FROM PRB 22-036

At the November 12, 2021 SPRB Meeting, the Board approved the 7th series of On-Call Engineer-Energy Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2003. 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 3/01/2024. The prior series of On-Call Engineer-Energy Consulting Contracts expired on 11/30/2021.

Under this Proposal (#22-036), DCS is now resubmitting this Firm to the Board for approval under Contract Amendment #1 to OC-DCS-ENGY-0030 to increase the maximum total cumulative fee to \$500,000, an increase of \$200,000.

Changes to the Contract OC-DCS-ENGY-0030 include the following:

- Article E is changed to increase the maximum total cumulative fee to \$500,000;
- Article #5 of the Amendment reiterates the language contained in Article EE of the original On-Call Contract.

Source One has been selected for the following Tasks under the On-Call Contract.

• Task Letter #1	CDECCA Plant Acquisition (NTE Fee)	\$265,050	(22-008)
Total Fee to Date:		\$265,050	

RECOMMENDATION:

It is recommended that the Board **APPROVE** this Contract Amendment #1 to increase the maximum total cumulative fee to \$500,000 for Source One, Inc (DE) and OC-DCS-ENGY-0030.

FROM PRB #21-180 – #21-183

This is the 7th series of On-Call Engineer-Energy Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2003. 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 3/01/2024. The prior series of On-Call Engineer-Energy Consulting Contracts expired on 11/30/2021.

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

Provide DAS with engineering and consulting services to identify, evaluate, and recommend energy conservation modifications in order to reduce energy consumption, and energy and operating costs of state owned and leased buildings. Emphasis shall be on system improvements and upgrades.

Each contract is exactly the same except for the name and address of the firm, and the hourly rates and job classifications in Exhibit A.

Certain services performed under this contract do not require a license. If a license is required that a firm does not possess, it will subcontract the portion of the work for which the license is required. Copies of individual licenses for Members of Colliers Project Leaders USA NE, LLC, and of a firm license for Loureiro Engineering Associates, Inc. are attached.

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

- Article B.2.7 – Threshold Engineering Services – Struck from Contract;
- Article B.2.8 – Qualifications of the Engineer for Threshold Limit Review and Structural Engineering Assignments – Struck from Contract;
- Article D – Changed to reflect new 3-1-2024 expiration date;
- 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;
- 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 August 11, 2021 and elicited eight responses at the September 9, 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 four firms under this series. The selection of the firms was approved by DAS Deputy Commissioner Petra on 10-18-2021.

This Proposal before the SPRB is for review and approval of the following firms under this new On-Call Engineer-Energy Consulting Contracts series.

#21-180 - Colliers Project Leaders USA NE, LLC (CPL) established in 2019 with its acquisition of Strategic Building Solutions, has a local staff of 124± employees including 1 electrical engineer, 5 mechanical engineers and 3 civil engineers and 72 project managers. The company has offices throughout the east coast and is locally located in Madison. DCS reports CPL was awarded 5 contracts within the past 5 years with a total \$458,897 volume of work.

CPL was approved for the following task(s) under OC-DCS-CA-0031:

• Task Letter #1	CCSU Eli Burritt Library	\$498,568	PRB #21-006
• Task Letter #2	Bridgeport JD Roof & Parapet	\$170,850	PRB #20-138
Total Fee to Date:		\$475,000	

CPL was approved for the following task(s) under OC-DCS-CA-0031:

• Task Letter #1	Parking Garage Repairs, Housatonic CC	\$277,400	(PRB #17-151*)
• Task Letter #2	Ana Grace Academy of the Arts	\$489,000	(PRB #18-209)
• Task Letter #3	Harkness Mansion – Maintenance Plan	\$15,400	(Informal)
Total Fee to Date:		\$781,800	

*PRB 17-151, approved by the Board on July 6, 2017, was originally presented under DCS Contract OC-DCS-CA-0019, Task Letter #8. Subsequent to Board approval, the contract expired on June 30, 2017. DCS Staff informed Board Staff that at that time it was agreed to utilize the new On-Call Contract approved by the Board on June 8, 2017.

In October 2018, the Contract was amended (#1) under PRB #18-177 to increase the maximum contract amount from \$1,000,000 to \$1,500,000 while maintaining the common contract expiration date of July 31, 2019.

In July 2018, the Contract was amended (#2) to change the consultant’s name to Colliers Project Leaders USA NE, LLC from Strategic Building Solutions, LLC.

Two staff of CPL will be operating under individual Professional Engineering Licenses when required for certain professional consulting services. AON Insurance reported that the firm has no experienced any professional policy or general liability claims during the past 5 years. CPL scored a total of 300 out of a possible 300 points and was identified as one of the most qualified firms.

21-181 - SourceOne, Inc. (DE) (SOD) SourceOne was established in 1997 with the expectation that large entities would require expert support and guidance as they navigated the emerging energy marketplace and faced on-going issues, while trying to maintain a sustainable and economically beneficial energy infrastructure. In April 2007 SourceOne was acquired by Veolia Energy, NA, a leading operator and developer of energy efficient solutions. SOI has a staff of 90± employees in the United States focused on various engineering disciplines and construction management with offices in New York, Boston and Los Angeles. DCS reports SOD was awarded 4 contracts over the past five years with \$582,039 total volume of work. The company has not been awarded any formal contracts or tasks the prior two years.

SOD does not have staff with a Professional Engineering License assigned to this on-call series and will retain sub-consultants with property engineering credentials when necessary. Marsh USA Inc. reported that SOD has not experienced any 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. SOD scored a total of 300 out of a possible 300 points.

21-182 – Loureiro Engineering Associates, Inc (LEA) is located in Plainville and has a local staff of 134± employees including 15 civil engineers, 21 environmental engineers and four mechanical engineers. DCS reports LEA was awarded 3 contracts over the past five years with \$357,004 total volume of work. The company has not been awarded any formal contracts or tasks for the prior two years.

LEA will be operating under its Professional Engineering Corporation (**PEC#0000379**) when required for certain professional consulting services. Willis Towers Watson reported that LEA has incurred 2 general liability or professional policy losses or claims during the past 5 years. Both are closed. No claims were paid. LEA scored a total of 260 out of a possible 300 points

21-183 – GreenerU, Inc. (GRU) is located in Waltham, MA and established in 2009. They have a staff of 16 employees including 4 energy engineers. DCS reports GRU was not awarded any contracts over the past five years. The company has not been awarded any formal contracts or tasks the prior two years.

GRU does not have staff with a Professional Engineering License assigned to this on-call series and will retain sub-consultants with property engineering credentials when necessary. Inland Underwriters Insurance Agency, Inc. reported that GRU has not experienced any general liability or professional policy loss or claims during the past 5 years. GRU scored a total of 252 out of a possible 300 points.

Colliers Project Leaders Hourly Rates:	SourceOne, Inc.(DE) Hourly Rates:																																								
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DCS was asked to clarify the following:

- Can you pl provide reasoning for variation in the hourly rates between the 4 consultants?
DCS Response: As to item 1 below, this on-call series will be used to provide a diverse array of energy-related services, from the analysis of systems operations and economics of district heating and cooling systems to carbon reduction and energy retrofit projects for HVAC and lighting. The DAS or its client agencies may need energy audits, retro-commissioning, or the analysis of systems for the reduction of utility costs. Tasks may require knowledge of photovoltaic, solar, thermal, fuel cell or wind turbine systems. As a result of the diverse array of projects and their required services, this series requires utilization of both larger, national firms to handle projects of a larger size, scope and complexity in a timely manner, as well as smaller firms that can address other capital projects related to the afore-mentioned tasks. The difference in fees represent this distinction among the firms and is necessary to ensure that DAS has available to it the appropriate firm for a given project. For these reasons, we have not provided a rate by personnel category, but carry the rates provided by the firms in response to the RFQ, which have been reviewed and determined reasonable.
Staff Response: OK
- Pl identify or match the names of staff identified in their organization chart with the hourly rates schedule. This will be particularly helpful in understanding which staff is assigned to which title in the hourly rate schedule. Going forward it will be helpful if DCS can provide the information in similar format for the future on-call contracts.

DCS Response: As to item 2 below, we will provide the names submitted by the firms of the personnel to be utilized in servicing the contract, their titles and hourly rates, together with language that prior DAS approval will be required for the substitution or addition of other personnel, with such approval to be based on qualifications and proposed hourly rates.

Firm Name: Colliers Project Leaders USA NE, LLC
On-Call Energy Consultant

Firm Name: SourceOne, Inc.
On-Call Energy Consultant

EXHIBIT A

ON-CALL CONTRACT OC-DCS-ENGY-0029

HOURLY RATE SCHEDULE

Labor Category	Team Member	Title	Per hour
Principal in Charge	Tom Wyse	Senior Director	\$300.00
Project Manager	Adam Hirschfeld	Senior Project Manager	\$165.00
Senior Engineer/SPM	Sarah Maston	Project Director	\$175.00
Engineer	Dyn Korygold	Energy Services Support	\$165.00
	Chris Latta		
Senior Designer	Ravi Chauhan	Energy Services Support	\$175.00
Designer	Mildred Dylam	Energy Services Support	\$165.00
	Rohit Lee		
	Mike Pinizzello		
Field Engineer	Chris Lim	Energy Services Support	\$165.00
	Rick Diaz		
	James Miller		
CAD/BIM Operator			\$165.00

Firm Name: Loureiro Engineering Associates, Inc.
On-Call Energy Consultant

EXHIBIT A

ON-CALL CONTRACT OC-DCS-ENGY-0031

HOURLY RATE SCHEDULE

Labor Category	Team Member	Title	Per hour
Principal in Charge	Nathan Strong	Principal in Charge	\$215.00
Project Manager	Rick Busswell	Senior Project Manager	\$165.00
	Hannes Klein	Project Manager	\$140.00
Senior Engineer/SPM	Richard Casera	Sr. Engineer	\$140.00
Engineer	Michael Andette	Engineer	\$125.00
Senior Designer			\$ 97.50
Designer			\$ 90.00
Field Engineer			\$105.00
CAD/BIM Operator	Chris Lindbotten	CAD/BIM Firm and Specialist	\$ 97.50

EXHIBIT A

ON-CALL CONTRACT OC-DCS-ENGY-0030

HOURLY RATE SCHEDULE

Labor Category	Team Member	Title	Per hour
Principal in Charge	Michael Byrnes, Sr. VP	Project Executive	\$350.00
Project Manager	Bruce Scandine	Project Contract Manager	\$250.00
	Mark Casade	Principal Engineer	
	Marnett Cruz	Sr. Project Manager	
Senior Engineer/SPM	John Wiley	Sr. Project Engineer	\$210.00
	Paul Grew	Sr. Project Engineer	
	Seth Harris	Sr. Project Engineer	
	Bruce Terry	Sr. Project Engineer	
Engineer	Tyler Estabill	Project Engineer	\$210.00
	Jason Kostovits	Project Engineer	
	Musa Akhmed	Project Engineer	
Senior Designer	N/A	N/A	N/A
Designer	N/A	N/A	N/A
Field Engineer			\$180.00
CAD/BIM Operator	N/A	N/A	N/A

Firm Name: GreenU, Inc.
On-Call Energy Consultant

EXHIBIT A

ON-CALL CONTRACT OC-DCS-ENGY-0032

HOURLY RATE SCHEDULE

Labor Category	Team Member	Title	Per hour
Principal in Charge	Darrel Adamsen, CEO	Project Executive	\$294.00
Project Manager	Chris Lewis	Project Manager	\$275.00
Senior Engineer/SPM		Sr. Energy Engineer	\$164.00
Engineer	Nicole Lutz	Energy Engineer II	\$142.00
Senior Designer	Anthony Oswate	Lighting Designer	\$166.00
Designer		Director of Change Management	\$142.00
Field Engineer		Energy Engineer I	\$134.00
CAD/BIM Operator			
Administrative			\$130.00

Staff Response: DCS notified staff that they are confirming the above tables with the firms.

RECOMMENDATION – Recommendations will depend on DCS response based on their confirmation with the firms for the On-Call ENGY Series.

PRB #19-181 to #19-184 approved December 19, 2019.

December 16, 2019 Update:

At its meeting held on September 5, 2019, the State Properties Review Board voted to suspend this series of On-Call Contracts pending response to the following issues:

1. DCS clarification whether the 48 general liability or professional policy loss or claims over the last five years against Fuss and O'Neill were discussed in general and whether the outcomes of the claims will impact the Consultant's insurance coverage/liability and qualification of this consultant.
DCS Response: Interviews are not part of the on-call procurement process. Selections are based upon submitted qualifications. The forty eight claims identified by SPRB, therefore, were not discussed with the firm prior to selection. See Conn. Gen. Stat. Sec. 4b-57(c); Form 1300 RFQ Web Advertisement For On-Call Energy Consultant Services, Paragraph 16; and, 0330 On-Call Consultant Services Selections & Task Assignment Procedure Manual (Manual). The final selection of the firm is conditional upon the firm submitting various professional credentials, business credentials and insurance requirements for DAS review and approval. See Manual, Article 13.1. Information about the requirements for professional credentials, business credentials and insurance requirements are explained in Form 1150 Credentials and Insurance Requirements. Concerning the insurance requirements, the Consultant is required to provide an insurance certificate with the mandated coverages, a statement from the Consultant's insurance agent or company, and five year professional liability and claims history. The statement of the agent or company confirms that he or she has reviewed the current claims and that the Consultant has sufficient coverage reserves to handle open claims while still providing the required coverage reserves for the DAS contract. Please note, in addition, that the on-call contract states in Paragraph R that, "If any claims are paid against its professional services liability insurance policy, Engineer agrees to purchase additional insurance in order to maintain the minimum coverage of \$1,000,000 each occurrence and per aggregate."

For this on-call contract, the Consultant's insurance company's statement (Statement) identified forty eight claims/incidents reported by the Consultant to its professional liability policy carrier. As to the claims at issue, there are three open items, \$1,951 paid on three closed claims and thirty nine claims carrying the status of "N/O" or *notice only*. Of the three open claims, two are personal injury claims. In this case, the firm is carrying professional liability insurance in the amount of \$5,000,000 per claim and \$5,000,000 aggregate, or five times the amount mandated by the DAS contract. OK

2. DCS clarification whether the 20 general liability or professional policy loss or claims over the last five years against WSP USA were discussed in general and whether the outcomes of the claims will impact the Consultant's insurance coverage/liability and qualification of this consultant.
DCS Response: As to the number of claims in general, the Consultant employs over 6,500 professional and support personnel, who are located throughout North America. Its work encompasses the design of complex highway interchanges, new commuter rail systems, bridges, parks, schools and greenways. It would seem reasonable that a large multi-state company engaged in these types of projects, would experience a higher number of incidents or claims. That being said, the claims history provided was for a period of ten years and if looking at the five year horizon there were only five claims made with three remaining open. Of these three claims, one involves the work of a subconsultant to the Consultant. All three of these claims occurred in states other than Connecticut, and are being contested by the firm. OK
3. Please clarify the divergence between the Consultant's hourly rates and whether those rates were negotiated between DCS and the Consultants.
DCS Response: We received rates from each of the four firms. Upon receipt, I reviewed the rates. I requested a reduction in rates from one firm for certain positions, in order to bring the rates more in line with the other three firms. While there may remain difference among the firms' rates, there are difference among the firms themselves, from smaller Connecticut based firm to firms with offices along the East coast and Midwest. In addition, the rates assigned by the firms can vary by position. For example, one firm may have the highest Principal in

Charge Rate, but the lowest rate for a Senior Engineer. Taking the rates for each firm and all the firms as a whole, DAS believes that the rates are reasonable under the circumstances. OK

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.

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILE #23-004-A – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #23-004-A. The motion passed unanimously.

PRB FILE #23-008-A – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #23-008-A. The motion passed unanimously.

PRB FILE #23-011 – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #23-011. The motion passed unanimously.

PRB FILE #23-029 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #23-029. The motion passed unanimously.

9. NEXT MEETING – Monday, March 13, 2023.

The meeting adjourned.

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