

## STATE PROPERTIES REVIEW BOARD

### Minutes of Meeting Held On July 3, 2023

– solely by means of electronic equipment - via telephone conference –

Pursuant to CGS §1-225a, the State Properties Review Board conducted its Regular Meeting at 9:30AM on July 3, 2023. Pursuant to the statute, this Meeting was held solely by means of electronic equipment, with Participants connecting via telephone conference at (860)-840-2075 and used passcode 284890492#.

The Notice provided designated this Regular Meeting as open to the public. Call in instruction were provided as: Dial toll free (860)-840-2075 and use passcode 284890492#. If you have any questions or need assistance to attend these Meetings, you can contact SPRB Director Dimple Desai at [dimple.desai@ct.gov](mailto:dimple.desai@ct.gov) to make appropriate arrangements.

#### **Members Present – solely by means of electronic equipment:**

Edwin S. Greenberg, Chairman  
Bruce Josephy, Vice Chairman  
John P. Valengavich, Secretary  
Jack Halpert  
Jeffrey Berger  
William Cianci

#### **Members Absent:**

#### **Staff Present – solely by means of electronic equipment:**

Thomas Jerram

#### **Guests Present – solely by means of electronic equipment:**

David Barkin, DAS-CS

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 29, 2023 Meeting. The motion passed unanimously.

#### **2. COMMUNICATIONS**

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

#### 4. REAL ESTATE – NEW BUSINESS

<b>PRB #</b>	23-087
<b>Transaction/Contract Type:</b>	RE – Sale
<b>Origin/Client:</b>	DOT/DOT
<b>DOT Project #:</b>	34-000-101B
<b>Grantor:</b>	46 Mill Plain, LLC
<b>Property:</b>	Danbury, Mill Plain Rd (14,413 sf)
<b>Project Purpose:</b>	Sale by Sole Abutter Bid
<b>Item Purpose:</b>	QC Deed

#### CONVEYANCE FEE: \$55,000 (+ \$1,000 Administrative Fee)

Under this Proposal (PRB #23-087) DOT is seeking SPRB approval of a Quit Claim Deed for this Sale by Sole Abutter Bid for \$55,000 plus a \$1,000 Administrative Fee to the Grantee, 46 Mill Plain, LLC. DOT identifies CGS §13a-80 as their statutory authority to sell this land.



Courtesy: Google

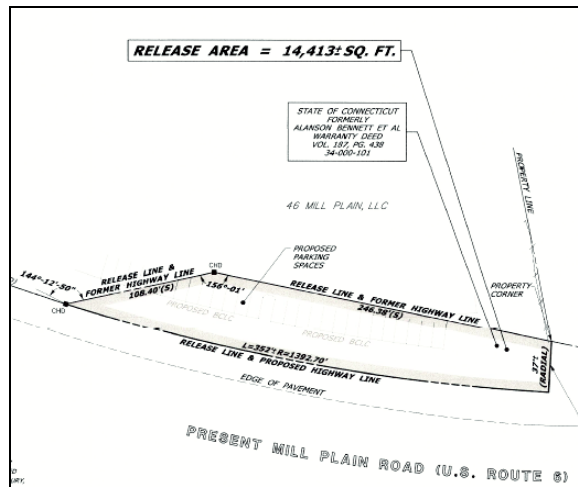


Courtesy: Google

The release land is an irregularly-shaped remnant parcel containing 14,413± square feet within the Mill Plain Rd (Route 6) right of way. The parcel consists of lightly wooded, rocky land with sloping topography. The property is located in the CA-80 zoning district providing for general and heavy commercial uses on a minimum 80,000 square feet, making the Release Parcel a non-conforming lot.

Highest and Best Use: The State's Release Land lacks accessible road frontage, and does not meet the minimum lot size requirement of the underlying municipal zone. The release has poor utility for most any economic use, and cannot be treated as a standalone building parcel of record. The release land is best suited for assemblage purposes to an abutter. The release land abuts to only one property, being the Sole Abutter to its east. It is the opinion of your appraiser that the "Highest

and Best Use” for the Release Land “As- Vacant” is for assemblage to an abutting property, to which there is only one, the Sole Abutter.



The Sole Abutter property land includes 8 parcels containing approximately 1,358,026+/- square feet (31.18+/- acres). It lies in an irregular shape with topography that ranges from level in its southerly sections to sloping in its northerly and easterly sections. The property consists of wooded wetlands in its central sections and open land in its easterly and southeasterly sections. The Release Parcel abuts the southeasterly portion of the Sole Abutter property.

It is noted that there are deed restrictions running for a 50-year period, through June 2058, prohibiting certain retail and commercial uses, as detailed in a Limited Warranty Deed conveying the land to 46 Mill Plain, LLC (2004/932).

The site is zoned for commercial purposes via the CA-80 Zone and residential purposes via the RMF-4 zone.

The Sole Abutter property received zoning approval in 2019 for a mixed use development to include offices, apartments, and a continuing care facility over the entire Sole Abutter property. The property also received a zoning variance to, "Allow construction of buildings or off-street parking on slopes which exceed 25% grade in their "pre-application state."

After assemblage, the Sole Abutter totals 31.51± acres (1,372,439± square feet) of land.

It is the opinion of the appraiser that the “Highest and Best Use” of the Sole Abutter property is development with commercial and residential uses.



**Before Valuation** – With the release of this parcel via a Sale by Sole Abutter Bid, DOT Appraiser Matthew Malia appraised the property, as of August 30, 2022, in both the Before and After assemblage. Based on the sales comparison approach, the Appraiser utilized three sales of land in Bethel and Brookfield that sold in 2021 with a similar highest and best use as follows:

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3	
Address	Mill Plain Rd Danbury, CT 06811	36 Stony Hill Rd Bethel, CT 06801		48 Stony Hill Rd Bethel, CT 06801		518 Federal Rd Brookfield, CT 06804	
Proximity to Subject		6.87 miles E		7.12 miles E		7.43 miles NE	
Sales Price	\$ N/A	\$ 10.87		\$ 9.35		\$ 2.11	
Price \$/Sq. Ft.		\$ 4,500,000		\$ 2,520,000		\$ 1,800,000	
Data Source(s)	Assessor/Inspection	Town Hall/Drive-by Inspection		Town Hall/Drive-by Inspection		Town Hall/Drive-by Inspection	
ITEM	DESCRIPTION	DESCRIPTION	+(-) \$ Adjust.	DESCRIPTION	+(-) \$ Adjust.	DESCRIPTION	+(-) \$ Adjust.
Date of Sale/Time Adj.	5/1/2019	12/11/2021		5/26/2021		12/11/2021	
Location	Good	Good		Good		Average	+0.42
Site/View	31.51 Acres	9.5+/- Acres	-3.26	6.19+/- Acres	-3.74	19.58+/- Acres	-0.21
Present Use/H&BU	Vacant/Office&Apts	Vacant/Office&Apts.		Vacant/Commercial		Vacant/Apartments	
Zoning	CA-80/RMF-4	RT6 - Commercial	-1.09	RT6 - Commercial	-0.94	C2/R80 - Com/Res	
Average Daily Traffic	13,600+/- Vehicles	11,500 +/- Vehicles	+0.54	11,500+/- Vehicles	+0.47	9,600 +/- Vehicles	+0.32
Wetlands/Topography	Yes/Level to Sloping	None/Level	-2.17	None/Level	-1.87	None/Rolling/Sloping	-0.21
Sales or Financing Concessions	Demo Houses	None Noted	-0.12	None Noted	-0.19	Demo Houses	+0.18
	Zoning Approvals	Zoning Approvals		None	+0.94	Zoning Application	+0.21
Net Adj. (Total)		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$	-6.10	<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$	-5.33	<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$	0.71
Indicated Value of Subject		\$ 4.77		\$ 4.02		\$ 2.82	

After adjusting for transactional, locational and physical characteristics the appraiser concluded the fair market value of the subject land was \$3.50/square foot x 1,358,026 = \$4,753,094, rounded to \$4,755,000.

In the **After Valuation**, the Appraiser utilized the same three sales and concluded the fair market value of the subject property, as assembled, was unchanged at \$3.50/sf x 1,372,439 sf = \$4,803,537, rounded to \$4,805,000.

**Value of the Release**

After Valuation	\$4,805,000
Before Valuation	\$4,755,000
Value of Release	\$50,000

**Sale by Abutter Bid & Negotiations –**

On September 23, 2022, a written offer to pay \$76,000.00 (including a \$1,000.00 administrative fee) was presented to the sole abutter, Mr. Albert Salame of 46 Mill Plain, LLC. Following negotiations, an agreement was reached with Mr. Salame to pay \$56,000.00 (including a \$1,000.00 administrative fee) for the property.

**Recommendation** – Staff recommend approval of this Proposal - Sale by Sole Abutter Bid - in the amount of \$55,000 (plus \$1,000 Admin Fee = \$56,000 in QC Deed) for the following reasons:

- The proposed sale complies with Sections §3-14b, and §13a-80 of the CGS in that the City of Danbury declined to purchase and the legislative delegation received the required notification on October 18, 2022.
- The release value of \$55,000 is 110% of the appraised value, and it will return the property to the Danbury 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 Danbury Land Records.

**5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS**

**6. ARCHITECT-ENGINEER – NEW BUSINESS**

**PRB #** 23-103  
**Origin/Client:** DAS/DMHAS  
**Transaction/Contract Type** AE / ARC Services Contract  
**Project Number:** BI-MH-146  
**Contract:** BI-MH-146-ARC  
**Consultant:** Page Southerland Page, Inc.  
**Property** Middletown, Obrien Dr (70) – CVH Campus  
**Project purpose:** Whiting Forensic Hospital Relocation Study  
**Item Purpose:** New Consultant Contract

At 9:30 Mr. Barkin joined the Meeting to participate in the Board’s discussion of this Proposal. He left at 9:52.

PROPOSED AMOUNT: \$659,911

Project Background:

From Form 1105

The Existing Whiting Forensic Hospital was built in 1970. Current square footage is 110,200. The building has passed its useful life. It requires extensive work including the replacement of HVAC, windows, flooring, lighting, ceilings, sprinkler system and fire alarm system. It also requires updates to meet the current building code including modifications to the paths of emergency egress. The building houses 100 patients and the design does not meet current psychiatric therapeutic standards.

The purpose of this study is to evaluate the site adjacent to the existing facility bordering Bow Lane to determine if a new state-of-the-art forensic hospital can be accommodated. The property is currently state owned and under the care and control of the Department of Mental Health and Addiction Services (DMHAS.) The following are the study requirements:

The Study will engage a national expert in forensic hospital design to properly program and site a new facility in accordance with current and future best practices. The selected consultant will interview key stakeholders and hold workshops as necessary to determine the appropriate adjacencies and program elements. The study will look at options on the site (maximum of 3) for configuration of a new facility including conceptual building layouts, site access, parking etc. The study will include order of magnitude cost estimates to Unifomat II Level 1 standards.

The work will involve an A2 Survey including topographical information accurate to 1' contours. The survey shall indicate underground utilities based on existing data and mapping; wetlands will be mapped, and easements identified.

The work will include a Phase 1 Environmental Site Assessment.

The work will include demographic analysis to determine the likely facility population for a 20-year horizon.

The selected consultant will assist the agency and DAS Construction Services with Public Scoping and following the Connecticut Environmental Policy Act (CEPA) including public engagement and response to all comments by interested parties. The Scope of the study will include a traffic study to support the impact evaluation.

Under this proposal (PRB #23-103), DAS is now seeking Board approval of a new Consultant Contract – BI-MH-146-ARC to expend \$659,911 for the Consultant - Page Southerland Page, Inc. (PSP) – to provide the following ARC services:

- A. Study Phase 1: One (1) electronic report containing the following items: Site analysis and initial design approach for each site. High level MEP, Food Service and Security concerns. Geotechnical data, including boring locations and preliminary surveys of both sites. Information gathered from visioning sessions and initial programming discussions. A narrative outlining the findings of the existing conditions survey.
- B. Study Phase 2: One (1) electronic set of drawings of three (3) site plan options for each site and three (3) blocking / stacking diagrams for each site. One (1) Revised report from Phase 1 including updated in- progress draft program.
- C. Study Phase 3: One (1) electronic set of further developed drawings from Phase 2. One (1) Revised report from Phase 2 including updated results from Geotechnical investigations, further refined in-progress program and initial adjacency diagrams.
- D. Final Study Deliverables: One (1) electronic set of final drawings including site plans for each site and Blocking / Stacking diagrams at each site. Concept floor plans at each site. One (1) Finalized report including a narrative from each discipline. One (1) cost estimate for the preferred scheme on each site.

The Consultant's total fee \$659,911 is broken down as follows:

- A. Phase 1 Study: \$152,397 (30 days);
- B. Phase 2 Study: \$156,610 (30 days);
- C. Phase 3 Study: \$180,341 (30 days).
- D. Phase 4 Study: \$170,563 (30 days).

Included in the fee above, DAS has authorized the Consultant to retain the following Sub-Consultants:

- WSP USA Buildings, Inc., located in Boston, MA, to provide MEP, Civil, Geo Technical and Survey Engineering services for a total fee of \$171,540;
- Culinary Design, LLC d/b/a Culinary Advisors, Elliott City, MD, to provide Kitchen / Food Service Design Consultant services for a total fee of \$11,800;
- Martin-Forman Consulting, LLC of Forman, MO, to provide Forensic Behavioral Health Operations Consulting services for a total fee of \$28,000;
- Cumming Management Group, Inc. of NY, NY to provide Conceptual Design Cost Estimating services for a total fee of \$33,000;
- Professional Systems Engineering, LLC of Lansdale, PA to provide Security, Telecom, Audio Visual, and Fire Alarm services for a total fee of \$30,550

In July 2022 DAS issued a Request for Qualifications for Architect/Engineer (A/E) Consultant Services related to the CMR Construction Manager at Risk Project – WFH: Planning Study-New Building, HHA-1343. DAS elicited nine (9) responses to the advertisement of which eight (8) submittals were considered “responsive”. The State Selection Panel consisted of 5 members and interviewed each firm for evaluation purposes based upon an established weighted ranking system. DAS then proceeded to review the submittals and after the completion of the internal review process five (5) firms were selected for short-listed interviews. These firms were as follows, STV Air JV, Page Sutherland Page, Inc. (Page acquired EYP in 2022), Environments for Health (NE), Inc., Array Architects, and The SLAM Collaborative, Inc.

At the conclusion of the process Page Sutherland Page, Inc. (“PSP”) as the most qualified firm.

No construction budget or total project budget have been established for this Project.

The overall compensation rate for this basic service is \$362,295 with an additional \$297,616 for Special Services, for a total fee of \$659,911.

DAS has confirmed funding is available for this Project.

PSP Basic Service Fee (#23-103)	ARC Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Pre-Design Phase – Total Basic Fee	\$362,295				
Design Development Phase	\$0				
Construction Document Phase	\$0				
Bidding Phase	\$0				
Construction Administration Phase	<u>\$0</u>				
TOTAL BASIC SERVICE FEE (#23-103) (A)	\$362,295				
<b><u>SPECIAL SERVICES:</u></b>					
Pre-Design Phase Studies		\$146,101			
Topographic & Wetlands Survey Services		\$20,500			
Subsurface Geotechnical Investigation Services		\$93,000			
Electronic Audio/Visual Services		\$4,335			
Kitchen/Food Service Design Services		\$11,800			
Security Design Services		\$14,790			
Telecom / Data Design Services		<u>\$7,090</u>			
TOTAL SPECIAL SERVICES (B)		\$297,616			
TOTAL FEE ( PRB #23-103) (A) + (B)			\$659,911	\$0	0%

- The July 2022 RFQ elicited nine (9) responses, of which eight were ‘responsive.’ The Selection Panel interviewed five firms and ultimately recommended the retention of Page Sutherland Page, Inc. The selection was approved by Deputy Commissioner Hobbs on 4/4/2023.
- PSP is an international firm with 20 offices. Offices are nearby in Boston and Albany. PSP currently has a Boston staff of 206 employees including 78 architects, 15 electrical engineers and 10 mechanical engineers. PSP has an Architecture Corporation License with the CT State DCP as ARC.000817 that is currently active.
- The submittal is accompanied by a Campaign Contribution Affidavit notarized on 5/19/23.

Staff followed up with DCS and asked following to clarify:

1. Provide a map of all the sites being considered for this project for study and who owns these sites  
DAS Response: Following up on our discussion, it is my understanding the root of this inquiry is regarding whether the planned sites are currently State property or would require rights of way or acquisition. All sites that will be investigated for this study are owned by the state and are part of the current CVH campus. The need for meets and bounds as well as charting wetlands and water courses, utilities, topo and boundaries are all to assist with the planning process.  
Staff Response: OK
2. Provide Professional Liability Claim History for this Consultant.  
DAS Response: Professional Liability insurance is not required for a study which is why no claims history was included in the package.  
Staff Response: OK
3. Please provide initial cost proposal, cost proposal template spreadsheet, a list of all proposed sub-consultants and their respective scopes of work, and clarifications and/or exclusions to the Consultant’s fee proposal from the other two firms - STV Atr JV and The SLAM Collaborative, Inc.



DAS Response: All final proposals are attached. These should not be shared or made public as they are confidential until a contract is in place and at that time only the selected firm's contact would be public.

Staff Response: DCS has requested exemption of certain items that has been shared with the Board. OK

4. Provide the categories the selection panel members considered when rating the consultants on the Form 1266.

DAS Response: Ratings questions are standard for all of our Consultant Formal selections, the following was provided a couple of weeks ago for the OCME project:

By "rating" DAS presumes SPRB is referring to the "Selection Interview Rating Criteria Categories", as described in the "1263.1 Selection Interview Rating Sheet Guidelines" and listed on the "1263 Selection Interview Rating Sheet", which the Selection Panel members considered when determining the final ranking of firms on the form 1266:

- 1 *Proposed Team's Experience With Projects Of Similar Size & Scope As This Project*
- 2 *Proposed Team's Approach To The Work Required For This Project*
- 3 *Proposed Team's Organizational Structure and Availability For This Project*
- 4 *Prime Firm's Geographic Proximity To & Familiarity With The Area In Which The Project Is Located*
- 5 *Proposed Team's Relevant Knowledge Of Connecticut Building & Fire Codes*

Each of the above rating categories is assigned a "responsiveness rating letter grade", identified as (A) Highly Responsive, (B) Responsive, (C) Minimally Responsive and (D) Unacceptable.

The responsiveness rating letter grades are a tool for the panel member to use in determining the final ranking of each firm. Previously the letter grades were converted to points and then tabulated to determine the most qualified firms. Now the letter grades are used to support the panel member's final rankings of each firm. Of course they should correlate, and there cannot be a tie in each panelists' ranking of the firms. During the final ranking of firms, the ranks are converted to points with 1<sup>st</sup> receiving 5 points and 5<sup>th</sup> receiving 1 point. Final rank is then determined through simple addition with the highest score receiving the top rank. The advantages of the new system are a simpler, more transparent process of determining the most qualified firm and panelists need to make clear recommendations (through independent ranking with no discussion or undue influence between panelists). The previous system allowed for discussion and potential influencing of the letter grades, and the panelists could just give all 'A's for instance and not really judge the respondents.

Staff Response: DAS' process for ranking the Respondents takes in a variety of factors for each Proposal to determine which is most responsive and representing the best value to the State. OK

5. Provide the negotiation team's review, summary and recommendations before meeting with the best value firm.

DAS Response: As we discussed, all discussion between the panelists occur concurrent with the interviews where we allow about 15 minutes between respective interviews. At the end of the interviews we ask all of the voting panelists to finalize their score sheet, rank the firms, and importantly provide comments then pdf the form and sign, submit to OLAPP directly (Randy Daigle and Jenna Padula). I specifically ask for panelists not to share their score sheet with other panelists so there is no internal review of scoring or ranking. During our discussion we do discuss what we perceive as strengths and weaknesses. We consider the panelists scoring and comments as confidential and so haven't attached them.

Staff Response: DCS provided required information for review and we are OK with the entire process.

6. Provide letter of recommendation submitted to Dep. Commissioner Hobbs.

DAS Response: Please see attached.

Staff Response: In the Letter DAS provided a well-reasoned explanation to DC Hobbs with respect to the three Proposals and how DAS concluded PSP was recommended to be awarded this contract. OK

7. In the DAS Form 1267 – Selection Approval – a recommendation for this Consultant ‘with an Inclusive Fee Amount of \$689,911’ was made. This new ARC Contract is for \$659,911. Please clarify what changed to result in the contract fee being reduced to \$659,911.

DAS Response: Unfortunately the combined spread sheet I used includes a \$30,000 contingency for each consultant. I realize now that option has been removed by SPRB for various reasons but the spreadsheet still has the prefilled \$30,000 for all consultants. The math doesn’t change since the \$30,000 is added to all firms. I also noticed the final fee for STV and SLAM was not used in the table, it was an earlier fee; their fee actually went up to \$1,400,000 and \$650,565 respectively from what the table indicates as \$1,220,000 and \$636,240; that change further strengthens the best value selection in favor of EYP / Page. The following table is the corrected one:

	Score (interview panel)	Fee	\$ per Qual Point (fee / score)	Remarks
STV	24	\$ 1,400,000	\$ 58,300	Ranked first by 4 panelists and second place by 1 panelists
EYP	20	\$ 659,911	\$ 33,000	Ranked first by 1 panelists, second by 3 panelists and third by 1 panelist
SLAM	16	\$ 650,565	\$ 40,700	Ranked second by 1 panelist and third by 4 panelists

Please note the \$ per qual point actually decreased for EYP and increased for the other two firms further reinforcing the selection of EPY and correctly reflects EYP’s contract value at \$659,911. It is also worth noting that STV was the first choice of all panelists but there fee was over twice the others which didn’t justify their selection – this was reviewed with the agency prior to recommendation and they were comfortable with any of the firms as all were deemed qualified.

Staff Response: You correctly noted that there should not be contingency included in the fees. Is it correct that \$659,911 does not include contingency and should be used as the fee amount? **Yes.** Can you please explain why the fee proposed by STV was more than double EYPs and SLAMs based on DCS’s interview with them? Did they misunderstand the scope? Is there a chance they may come back for more money?

What factors does DCS consider in recommending a consultant with higher fees (for example in OCME’s case, Friar was 1<sup>st</sup> choice and was about \$300K more than Russell and Dawson; DCS selected Friar. In this case, STV is the first choice with higher fees but DCS selected EYP (second choice and lower fees).

DAS Response: I had a debrief with STV (their design principal) at his request and discussed their large fee discrepancy. He felt his firm leadership was overly cautious regarding certain categories of work and forced him to carry such a large fee. I have attached the scope document addenda shared with all the proposers and feel this accurately described the requested services.

There would be no justification for coming back for more fee – I think we are covered but I cannot guarantee what may happen in the future.

The recommendation is based on the \$/quality point, the lower the number the greater the value – that is what we base the recommendation on and this has been consistent for OCME and for Whiting. With a closer fee the first place team would have been selected. In this case, if STV’s fee were \$792,000 they would have tied for best value and would have been selected (still more expensive but with an equal fee / score ratio).

Staff Response: DAS provided the scoring sheets of the five short-listed Firms. Staff reviewed the DAS scoring methodology and we are satisfied.

**RECOMMENDATION:** Staff recommend APPROVAL of this Proposal for PSP prepare the Whiting Forensic Hospital Relocation Study.

- The July 2022 RFQ elicited nine responses. The Selection Panel interviewed five firms and ultimately recommended the retention of Page Southerland Page, Inc. The selection was approved by Deputy Commissioner Petra on 4/04/2023.
- PSP is an international firm with 20 offices. Offices are nearby in Boston and Albany. PSP currently has a Boston staff of 206 employees including 78 architects, 15 electrical engineers and 10 mechanical engineers. PSP has an Architecture Corporation License with the CT State DCP as ARC.000817 that is currently active.
- The submittal is accompanied by a Campaign Contribution Affidavit notarized on 5/19/23.

**7. OTHER BUSINESS**

**8. VOTES ON PRB FILE:**

**PRB FILE #23-087** – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #23-087. The motion passed unanimously.

**PRB FILE #23-103** – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #23-103. The motion passed unanimously.

**9. NEXT MEETING** – Thursday, July 6, 2023 – will be held solely by means of electronic equipment.

The meeting adjourned.

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