STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On July 6, 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 6, 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 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

Members Absent:

William Cianci

Staff Present – solely by means of electronic equipment:

Thomas Jerram

Guests Present – solely by means of electronic equipment:
Michele Helou, 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 July 3, 2023 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE - NEW BUSINESS

 PRB #
 23-088

 Transaction/Contract Type:
 RE – Sale

 Origin/Client:
 DOT/DOT

 DOT Project #:
 098-000-125A

Grantor: Totoket Land Holdings, LLC

Property: North Branford, Foxon Rd (2,698 sf) adjacent to Foxon

Rd (224)

Project Purpose: Sale by Sole Abutter Bid

Item Purpose: QC Deed

CONVEYANCE FEE: \$8,000 (Administrative Fee = \$1,000)

Under this Proposal (PRB #23-088), DOT is seeking SPRB approval of a Quit Claim Deed for this Sale by Sole Abutter Bid for a 2,698 square foot parcel of land, to the sole abutter at 224 Foxon Rd, North Branford. The subject parcel will be conveyed for \$8,000 plus an administrative fee of \$1,000.

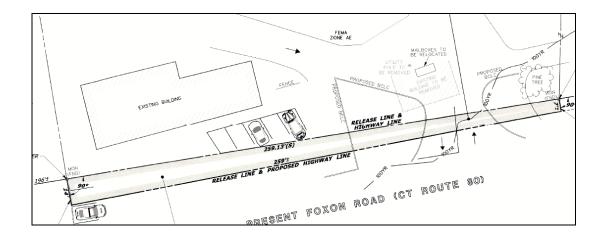
The property was acquired by the Department of Transportation for the construction of Route 80. A portion of the land is subject to a 100-year flood zone and use within that area is restricted by a DEEP Flood Management Certificate.





The Release Parcel consists of $2,698\pm$ square feet (0.0619 \pm acre) of land located within the Route 80 Right of Way in the town of North Branford. The land is generally level at grade. The land is within the

AE Flood Zone and is not impacted by inland-wetland soils.



The highest and best use of the Release Parcel is for its assemblage to an abutting property. According to the Release Map, the Release Parcel only shares a border with one other property, resulting in the highest and best use of the Release Parcel being its assemblage to the Sole Abutter property.

The Sole Abutter property land parcel totals $609,629\pm$ square feet $(13.9952\pm$ acres) with 259 feet of frontage on the northerly side of Foxon Road. The site is irregular in shape. Approximately 50% of the site is impacted by inland-wetland soils and approximately 80% of the site is within a 100-year flood zone. The Farm River forms a portion of the western border.

After the assemblage, the Sole Abutter increases to approximately 612,327+/- square feet (14.0571+/- acres). The property will retain its moderately irregular shape after the assemblage.

Before Valuation – With the release of this parcel via a Sale by Sole Abutter Bid, DOT Appraiser Steven C. Miller appraised the property, as of November 16, 2022, in both the Before and After assemblage. Based on the sales comparison approach, the Appraiser utilized three sales of land in North Branford (2) and Branford that sold in 2021-2022 with a similar highest and best use.

After adjusting for transactional, locational and physical characteristics the appraiser concluded the fair market value of the subject land was \$2.75/sf. The Appraiser then calculated, on a Direct Valuation basis, the value of the Release as follows:

Item	Calculation		Value
Land Valuation (Fee Simple)	2,698 sf x \$2.75/sf =		\$7,419
		Rounded	\$7,400

Sale by Abutter Bid & Negotiations –

Attached are a deed and release map for the proposed release of 2,698± square feet of unimproved land, located on the northwesterly side of Present Foxon Road (CT Route 80) in the Town of North Branford. The subject State land was a portion of the former Foxon Road that was relocated.

On November 16, 2022, an appraisal was prepared by staff appraiser Steven C. Miller who determined the value of the property to be \$7,400.00.

On December 29, 2022, a written offer to pay \$11,000.00 (including a \$1,000.00 administrative fee) was presented to the sole abutter, Mr. Donald Cappelli, Jr. of Totoket Land Holdings, LLC. Following negotiations, an agreement was reached with Mr. Cappelli to pay \$9,000.00 (including a \$1,000.00 administrative fee) for the property.

Recommendation – Staff recommend approval of the proposed Sale by Sole Abutter Bid in the amount of \$8,000 (plus \$1,000 Admin Fee) for the following reasons:

- The proposed sale complies with Sections §3-14b(b), and §13a-80 of the CGS in that the Town of North Branford declined the purchase and the legislative delegation received the required notification on October 18, 2022;
- The release value of \$8,000 is reasonable in that it represents 108% of the appraised value and it will return the property to the Town of North Branford tax rolls and relieve the State of all future expenses; and
- The description in the Quit Claim Deed is consistent with the compilation map to be filed in the Town of North Branford Land Records.

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

PRB # 23-082
Origin/Client: DAS/DPH
Transaction/Contract Type: AE / Task Letter
Project Number: BI-2B-473

Contract: OC-DCS-ROOF-0039
Consultant: Gale Associates, Inc.

Property: Rocky Hill, West St (395) – Public Health Laboratory

Project purpose: Water Infiltration Repairs

Item Purpose: Task Letter #1A

At 9:32 Ms. Helou of DAS joined the Meeting to participate in the Board's Discussion. She left the Meeting at 9:45.

PROPOSED AMOUNT: \$20,710

At its meeting held on November 12, 2021 the Board voted, under PRB #21-162, to approve TASK LETTER #1 in the amount of \$214,677 (NTE) to compensate the Consultant for design and construction administration in conjunction with the Project at the Department of Public Health Laboratory in Rocky Hill.

The Project was bid on September 2, 2022, with responses due no later than October 12, 2022. DAS subsequently cancelled the Bid on February 1, 2023. There was only one response to the Bid that was subsequently withdrawn by the Contractor.

And, on April 26, 2023, DAS retained Construction Solutions Group, LLC under Task Letter #2 to their on-call contract OC-DCS-Cam-0010, to provide pre-construction and CA Services (112 days + 90-day close out) on this Project. Their negotiated fee was \$97,590.

Under this Proposal (PRB #23-082), DAS is now seeking Board approval of Task Letter #1A for the Consultant to provide extended design and construction administration services in conjunction with revisions to the Contract Documents, rebidding the Project and addition of two weeks CA Phase services. The fee for the proposed Consultant's services is \$20,710.

The Scope of Work includes:

- 1. Update Contract Documents (CD) Phase \$10,555
- 2. Bidding/Negotiation (Bid Round 2) \$5,990
- 3. Construction Administration (Additional 2 weeks) \$4,165

In May 2021, SPRB approved Gale Associates, Inc. ("GAL") (PRB #21-053) as one of five Firms under the latest *On-Call Roof Series* of consultant contracts. These contracts have a common expiration date of August 31, 2023 and have a maximum cumulative fee of \$750,000.

Since the award of this contract GAL has been approved for the following tasks under this series:

 Task Letter #1 	DPH Water Infiltration	\$214,677	(#21-162)
 Task Letter #1A 	DPH Water Infiltration	\$20,710	(#23-082 Pending)
 Task Letter #2 	CCSU - New Engineering Building	\$4,000	(Informal)
 Task Letter #3 	Hartford Armory - Limited Repointing	\$12,550	(Informal)
	Total	\$251 937	

DPH and DAS confirmed funding (Federal-CDC Grant) is in place for this Task Letter.

The construction budget and project budget for Task #1A was established at \$2,124,717 and \$2,787,057, respectively. The construction budget was increased 42% from the initial project budget for Task #1 (\$1,500,000).

Task Letter #2 – GAI Basic	Base	Special	Total Fee Construction		% of
Services Fee (#21-162)	Fees (\$)	Services	Total ree	Budget (\$)	Budget
Schematic Development Phase	\$39,500				
Design Development Phase	\$18,200				
Contract Documents Phase	\$18,510				
Bidding Phase	\$4,900				
Construction Administration-Fixed	\$32,600				
Construction Administration-NTE	\$75,425				
TOTAL BASIC SERVICE FEE (#21-162) (A)	\$189,135			\$1,500,000	12.6%
Contract Documents Phase-revised	\$10,555				
Bidding Phase – rebid	\$5,990				
Construction Administration-2 wks	<u>\$4,165</u>				
TOTAL BASIC FEE - #23-082 (A1)	\$20,710				
TOTAL BASIC SERVICE FEE (#23-082) (A) + (A1)	\$209,845			\$2,124,717	9.88%
Special Services					
Roofing Contractor - NTE		\$14,960			
Industrial Hygienist Testing		\$2,937			
Nuclear Moisture Scan		\$3,960			
Aerial Lift Rental - NTE		\$3,685			
TOTAL SPECIAL SERVICE FEE (#21-162) (B)		\$25,542			
Total Fee #23-082 (A) + (A1) + (B)			\$235,387	\$2,124,717	11.1%

Staff had following questions:

1. Provide justification why it is costing \$10,555 for revisions while Gale charged \$18,200 to prepare the CD phase submission for the entire project?

<u>DAS Response</u>: After the first round of bidding resulted in only one bidder who could not be recommended, I requested Gale Associates and the Department of Public Health team rereview the construction documents and meet to discuss revisions that would make the project more appealing to potential bidders on a second bid round. These changes included revisions to work sequence, sub-contractor qualifications, product specifications, unit prices and base bid quantities, liquidated damages, and contract schedule and duration. In addition to these revisions to drawings and specifications, the addenda items from bid round 1 require a second conformed set. Also, updated cost estimate and all state administrative forms are required with the re-submission; this work accounts for a significant portion of the fee. DAS CS reviewed the Engineering Services Fee Estimate – Updated Tracing & Masters at page 8 and all hours appear to be reasonable.

This project is complex and critical – the roof and curtain wall systems of a 12-year old multi-million dollar state building are leaking into interior laboratory testing rooms and the unforeseen damage to the roof structure, ceiling and wall systems will continue until these repairs are completed. The Federal Grant to pay for these repairs expires at year end. The design of the repair work requires an experienced building envelope engineer or architect and the state is fortunate to have Marc Loranger, P.E. from Gale Associates take the lead on this project.

Staff Response: ok

2. Provide justification why it is costing \$5,990 for bid/negotiation phase while Gale charged \$4,900 previously?

<u>DAS Response</u>: DAS CS reviewed the Engineering Services Fees Estimate for Re-Bid Period Services at page 9 and all hours appear to be reasonable to complete the necessary tasks for pre-bid meeting, clarifications, addenda, general contractor qualifications review, sub-contractor qualifications review, and contractor bid scope review agenda and meeting, etc. According to Gale Associates, the increase in fee is partly due to the need to involve more experienced personal to address complicated questions during the bidding process. Staff Response: OK

- 3. In November 2021, DAS-CS, in justifying **higher CA Services fees** under TL #1, DAS-CS specifically stated that **there will be no 3rd party CA consultant involvement**. In light of this statement please address the following:
 - a) What circumstances lead to hiring of a 3rd party CA? Specifically, clarify what transpired with this Project that DAS-CS retained Construction Solutions Group under Task Letter #2 (4-26-23) to their Contract OC-DCS-Cam-0010 with a \$97,590 fee.

 DAS Response: The primary reasons for hiring CSG as for CA services was to provide daily safety inspections and observations and to provide administrative assistance to avoid construction delays. CSG's superintendent has over 15 years of construction experience and is OSHA-30 certified. He will be on-site every morning to review conformance with safety plans for fall protection systems, crane operation, scaffolding/stair construction, and all site logistics at this four-story fully occupied building. He will also provide pre-inspection services to make best use of time from OSBI and OSFM. CSG's project manager has over 20 years of experience including state projects and she is familiar with the DAS administrative requirements and can provide a secondary check on submittals, change orders, payment applications, and close out documents.

Staff Response: OK

b) Please reconcile the need for an additional 2 weeks (attending 2 additional progress meetings) of CA Services, in light of the CA Services approved under Task Letter #1 to this Contract. Why was the CA Phase increased to 112 days, up from the original 98 days?

<u>DAS Response</u>: The purpose of increasing the construction duration to 112 days was to provide a more reasonable schedule given that there have been some extended lead times on procurement of materials such as insulation, roofing membranes, etc. The design team agreed that the original 98 day duration was too tight and could unfairly subject a contractor to liquidated damages given possible extended material lead times. The work is also subject to weather conditions, and although there is a process for contract extension due to weather, the design team agreed that extending the schedule would allow more weather days to be built in.

Staff Response: OK

c) Why DAS-CS has not re-negotiated Gale's contract for CA services now that a 3rd party CA consultant is providing those duplicative services?

<u>DAS Response</u>: CSG omitted duplicative services that Gale was already providing in their contracted task letter scope of work. For example, CSG is not leading Owner – Engineer – Contractor meetings or taking minutes, etc. CGS is not providing full-time on-site construction observation – only half-time. CSG is not taking the lead on final inspections, punch list, and close out items. CSG's scope of services was negotiated to compliment the services already contracted with Gale Associates.

Gale Associates, as the Designer of Record, will conduct owner meetings, review all submittals, respond to requests for information, prepare proposal requests, review change order proposals and payment applications, provide site visits and field reports to document work is consistent with drawings and specifications, provide final inspections, and prepare close out documentation such as record drawings. These tasks are included in their base CA fee and are consistent with their on-call contract and DAS CA requirements for Architects/Engineers.

CSG is providing only 15 hours a week of construction observation in the mornings – primarily to review the safety plans and work plans for the day, and report on progress and general consistency with construction documents. This is a standard scope under the CA on-call contract. Gale Associates was contracted to provide up to 35 half day visits (up to two ½ day visits per week) on a per diem/as needed basis to review unforeseen conditions, review technical questions or issues in the field that can only be addressed by the licensed Designer of Record. As stated in the original proposal from Gale Associates, these visits will be requested and scheduled by the DAS Project Manager. Any unused funds from this allowance would be returned to the state.

Staff Response: Pl provide update on the project and the burn rate.

RECOMMENDATION:

It is recommended that SPRB approve Task Letter #1A in the amount of \$20,710.

DAS confirmed \$20,710 is available for the Task Letter.

FROM PRB #21-162

PROPOSED AMOUNT: \$214,677 (NTE)

DCS Project Narrative

On January 20, 2021, DCS retained the services of the Consultant under Task Letter #2 to OC-DCS-ROOF-0035, to investigate to the causes of water infiltration at the high roof level, the intermittent roof level, the vertical face of the building and at selected window locations. The investigation included review of original construction documents with AZ Corporation, the CAc during the construction of the Lab. The Consultant's fee under Task Letter #2 was \$34,961. The results of the investigation follow:

The facility has been experiencing roof leaks at the perimeter of the building and adjacent to the AHU's (ERUs) in Area 1 (West Wing). A field investigation was conducted on 05/20/2020 and it was determined that there is extensive moisture accumulating under the roof membrane at various locations adjacent to the roof curbing that supports the large AHU's. There are several locations where the roof membrane is no longer fully adhered to the substrate and the insulation board is completely saturated. The existing roof construction consists of an EPDM roof membrane fully adhered to a 1/4" protection board over tapered insulation. The tapered insulation is on top of a composite deck consisting of lightweight concrete and metal decking. There is a 24"h x 12"w reinforced concrete equipment curb that supports the AHU and metal panel enclosure. The exterior face of the curb has a 2" thick nail base insulation board which is covered by EDPM. It could not be determined if the roof membrane extended over the curb. The AHU (ERUs) were brought to the roof in modular sections and field assembled in place. The ERUs exterior walls are constructed of a series of double wall panels fabricated of a 14 gauge embossed aluminum outer shell with an 18 gauge solid interior panel. There is 2-9/16"

polyisocyanurate insulation between the inner and outer aluminum skins. The outer skin is pop-riveted to the structure. There is a field applied flashing that appears to go over the concrete curb. The specification states that "All panel seams will be externally caulked with sealant". The caulking was not visible from the exterior seams. The roof structure of the ERUs is covered by a fully adhered TPO on tapered insulation. There is a gutter system with downspouts at the corners. In summary, it could not be determined from the site observations the specific cause or location of the water infiltration.

It is DAS|FM recommendation to hire an AE Consultant specializing in the investigation and evaluation of the building envelope systems in accordance with the project description. The contract should be phased as follows:

- PHASE I FORENSIC STUDY: The scope of work is to include a comprehensive field investigation to diagnose and resolve the cause of the moisture problem at the roof. Their services would include specifying the necessary remedial repairs, cost estimates, etc.
- PHASE II CORRECTIVE ACTION: The consultant will provide construction documents for bidding, bidding phase and construction administrative/project closeout services.

Given that this building is less than 10 years old and that the roof is still under warranty, DAS|FM is respectfully requesting that this project be managed by DAS Construction Services.

At the State Properties Review Board meeting held on May 10, 2021, under PRB #21-053, the Board approved Gale Associates, Inc. (GAI) and the On Call Contract OC-DCS-ROOF-0039. The On-Call Contract has a maximum total cumulative fee of \$750,000 and an expiration date of 08/31/2023.

Under this Proposal (PRB #21-162), DCS is now seeking Board approval of Task Letter #1 for the Consultant to provide ROOF design and construction administration services in conjunction with the Project at the Department of Public Health Laboratory in Rocky Hill. The fee for the proposed Consultant's services is \$214,677.

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

 a. Provide design and construction administrative services based upon the DPH Water Infiltration Investigation Report dated May 14, 2021 as prepared by Gale Consultants, Inc.

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

- Western conference room curtain wall to precast panel transition including sealants and concrete coatings;
- b. Office window and Roof Area 4 parapet transition including metal panel, roof coping, window flashing, sealant and weeps, and air/vapor barrier renovations;
- Eastern stair tower penetrations and parapet to parapet transition including metal panel, roof coping, and roofing and air/vapor barrier renovations;
- Roof Area 4 to rising wall transition including metal panel, roof flashing, and air/vapor barrier renovations;
- e. ERU curb flashing and roofing including roof system replacement, membrane curb flashing, metal counter flashing, and penetration seals;
- f. ERU field joint waterproofing including seam stripping and sealant;
- g. ERU roof edge and gutter transition including roof membrane flashing, eave flashing, and gutters;
- h. Additional repairs that may include interior finish soffit repairs along the West elevation, various ceiling tile replacement, removal of protection board and penetration flashings below the ERU's, and Roof Areas 1 and 2 perimeter air/vapor sealing.
- Controlled water infiltration testing will occur at the following locations that are included in the design effort:
 - Area 2, East elevation. Full height window at end of Personnel Corridor at GF, 2nd, and 3rd.
 This window is between column lines 65 and 66 and is next to the entrance to Stair 2. Water
 on sills at each level.
 - ii. Lobby 1100 window wall at Column Line K.8 between Column Lines 7.8 and 8.
 - iii. Water on bottom sill and at intermediate sills.
 - Area 3, Room 2520, 2nd floor, at Column Line M-2. Saturated sheetrock at corner of window. This is a known ongoing situation. (Area 3 East Elevation)
 - v. Area 3, Room 2520, 2nd floor, at Column Line M-1. Water on sill at window wall that forms an outside corner. (Area 3 East Elevation)
 - vi. Room 1216, Column Line J plus six (6) windows from entrance at elevator.
 - vii. Room 2214, Column Line G plus three (3) windows from entrance at elevator.
- viii. Room 2214, Column Line G plus six (6) windows from entrance at elevator.
- ix. Room 2414, Column Line N plus zero (0) windows from entrance at elevator. (Area 2 North Elevation)
- x. Room 2414, Column Line P plus three (3) windows from entrance at elevator. (Area 2 North Elevation)
- xi. Room 2514, Column Line K between Columns 3 and 4.
- j. The following locations will not be leak testing yet will be included in the design effort by extrapolation of controlled leak testing results at similar areas noted above:
 - Area 1, 3rd Floor, between Column Lines A and B. Water on windowsill. This window is a continuation of the window on the North Elevation of Conference Room 3250.
 - Room 2214, Column Line E plus six (6) windows from entrance at elevator. (Area 1 North Elevation)
 - iii. Room 1216, Column Line F plus four (4) windows from entrance at elevator. (Area 1 North Elevation)

A breakdown of the Consultant's fee is as follows:

- 2A. Schematic Design Phase: \$65,042, paid as follows:
 - a. Gale Consultant's Design Fee: \$39,500;
 - b. Roofing Sub-Consultant/Contractor: \$14,960 (NTE);
 - c. Industrial Hygienist Testing Sub-Consultant: \$2,937;
 - d. Nuclear Moisture Scan Sub-Consultant: \$3,960; and
 - e. Aerial Lift Rental: \$3,685.00 (NTE).
- 2B. Design Development Phase: \$18,200.
- 2C. Contract Documents Phase: \$18,510.
- 2D. Bid Phase: \$4,900.
- 2E. Construction Administration: \$108,025 shall be paid as follows:
 - a. Construction Administration Fee (Fixed): \$32,600; and
 - b. Additional half-day site visits not-to-exceed (NTE) fee: \$75,425. Fee is based upon up to 35 site visits at a per diem rate of \$2,155.

DPH and DAS confirmed funding (Federal-CDC Grant) is in place for this Task Letter.

The initial construction budget and project budget for Task #1 have been established at \$1,500,000 and \$1,975,000, respectively.

Gale Associates, Inc. has not been approved for any Task(s) under this new on-call series.

Task Letter #2 – GAI Basic Services Fee (#21-162)	Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Development Phase	\$39,500				
Design Development Phase	\$18,200				
Contract Documents Phase	\$18,510				
Bidding Phase	\$4,900				
Construction Administration-Fixed	\$32,600				
Construction Administration-NTE	\$75,425				
TOTAL BASIC SERVICE FEE (#21-162) (A)	\$189,135			\$1,500,000	12.6%

Special Services				
Roofing Contractor - NTE	\$14,960			
Industrial Hygienist Testing	\$2,937			
Nuclear Moisture Scan	\$3,960			
Aerial Lift Rental - NTE	<u>\$3,685</u>			
TOTAL SPECIAL SERVICE FEE (#21-162) (B)	\$25,542			
Total Fee #21-162 (A) + (B)		\$214,677	\$1,500,000	14.3%

Staff had following questions:

 The Consultant's Proposal indicates the construction duration is five months – June to October 2022 plus 90-day closeout. Please confirm the construction duration.

<u>DCS Response</u>: Since we are in the contract phase at this point in time it is hard to confirm a construction duration, but yes we (I) feel five months is a representative amount of time to perform the work. <u>Staff Response</u>: OK Please clarify the purpose/intent of seeking to permit the Consultant up to 35 half-day inspections over a 14-week period during the construction phase. The total CA fees represents 7.2% of the Project Budget, beyond 5% guideline rate for CA services.

DCS Response: Since this is a water infiltration repair project and the work will require removing and replacing building components on an almost daily basis, we (I) felt that having the design professional who designed the project and knows what best may/may not be expect as building components are removed readily available made sense. There will be no 3rd party CA involvement. The fourteen weeks comes from taking 2-3 weeks off the front and back ends of a 5 month construction project. 35 visits comes from 2-3 visits/per week (5 every two weeks) for 14 weeks. This made sense to me. Staff Response: OK

 On 5/17/2010 under PRB #10-122, the Board approved Contract BI-2B-179-CAc, for the Consultant (AZ Corporation) to provide CA services during the construction phase of the Public Health Lab. Please clarify if the CA's reports/submissions to DCS confirm that the affected roof areas were constructed in conformance with the ARC's Contract Documents.

DCS Response: Please see the attached e-mail I previously sent to you on 6/16/21 of this year. I'm not sure how best to respond to your request. My simple response is that it is not worth it to go after an entity to determine culpability, but those kinds of decisions are above my pay grade. With that said,

There appears to be many different reasons in many different areas of the building why some leaks are occurring. Based upon each condition one could make an argument that it was a design issue (architect), a construction issue (CMR and subcontractor), a maintenance issue (in the case of caulk older than 5 years). And then you have the design and installation of the ERUs which was pretty much a delegated design. So to point the finger at one specific entity as the responsible party does not seem cut and dry.

<u>Staff Response</u>: After reviewing the Consultant's Investigative Report, DAS/FM had the following Recommendation:

Based upon the submitted Water Infiltration Investigation Report summarized in the notes above, FM \mid Tech Services recommends the following project approach:

- Proceed with directing Gale Associates, Inc. to provide AE services for design/contract documents for bidding, bid phase, construction administrative/project closeout. Pending senior management approval, the F1105 for this project will be revised as required to include this scope.
 - 2. Gale in investigating the water infiltration was tasked with determining the cause and providing a solution. As noted above, this included document review (contract documents, shop dwgs., etc..) as well as field investigation and testing. Based upon Gale's findings, there are several conditions where the water infiltration could be attributed to either design detailing or the roof installation not complying with the contract documents. It is DAS | FM Tech Services recommendation that further investigative work needs to be done. This will require working with DAS | CS and the consultant to determine/confirm the cause, cost of repairs and if and what course of action should be pursued to make the state whole in regards to this matter.

OK

4. If it was not constructed according to specifications, is DCS considering to seek compensation from the responsible parties?

DCS Response: Again, please see the attached e-mail. Staff Response: OK

RECOMMENDATION: It is recommended that the Board **APPROVE** this TL#1 in the amount of \$214,677 pending response from DCS.

- 6. ARCHITECT-ENGINEER NEW BUSINESS
- 7. OTHER BUSINESS
- 8. VOTES ON PRB FILE:

PRB FILE #23-088 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #23-088. The motion passed unanimously.

PRB FILE #23-082 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #23-082. The motion passed unanimously.

9. **NEXT MEETING** – Special Meeting, Monday, July 10, 2023.

The meeting adjourned.

APPROVED:		Date:
	John Valengavich, Secretary	

Minutes of Meeting, July 6, 2023 Page 13