

## STATE PROPERTIES REVIEW BOARD

### Minutes of Meeting Held On September 14, 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 September 14, 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  
Jack Halpert  
Jeffrey Berger  
William Cianci

#### **Members Absent:**

John P. Valengavich, Secretary

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

Dimple Desai  
Thomas Jerram

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

Mr. Halpert moved and Mr. Berger seconded a motion to enter into Open Session. The motion passed unanimously.

### **OPEN SESSION**

#### **1. ACCEPTANCE OF MINUTES**

Mr. Halpert moved and Mr. Berger seconded a motion to approve the minutes of the September 11, 2023 Meeting. The motion passed unanimously.

#### **2. COMMUNICATIONS**

Director Desai informed Members that he is in the process of reviewing the Board's Annual Report to the Governor, and will be forwarding to Members for their input and comment. The report must be delivered by October 1, 2023.

### 3. REAL ESTATE- UNFINISHED BUSINESS

Mr. Halpert moved and Mr. Berger seconded a motion to go out of Open Session and into Executive Session at 9:50. The motion passed unanimously.

#### EXECUTIVE SESSION

**PRB #:** 23-148-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 9:53. The motion passed unanimously.

#### OPEN SESSION

### 4. REAL ESTATE – NEW BUSINESS

**PRB File #:** 23-146  
**Transaction/Contract Type:** RE –Release  
**Origin/Client:** DOT/DOT  
**DOT Project #:** 139-073-001B  
**Grantee:** Town of Suffield  
**Property:** Suffield, Overhill Dr & East Street North  
**Project Purpose:** Release of 27.5 Acres of Land  
**Item Purpose:** QC Deed

**CONVEYANCE FEE: \$209,000 (+ Administrative Fee = \$1,000)**

#### **Project Background**

From 11-2-2022 Suffield Board of Selectmen Meeting Minutes: The Connecticut Department of Transportation (DOT) has owned two pieces of property located off the end of Overhill Drive since the 1960's. The DOT acquired the properties to accommodate the proposed project of extending Route 190 from Enfield to Bridge Street. The highway project was abandoned in the 1970's and the properties have been sitting unused by the DOT since that time. Staff reached out to the DOT in 2019 to find out if they would be interested in disposing of the properties, as they are adjacent to other open space land the town is in the process of preserving. The DOT determined the parcels are excess land not necessary for highway purposes and agreed to offer them to the Town before putting them on the market. On July 5, the DOT sent a letter to the town offering the properties for \$231,000, which includes a \$1,000 administrative fee. First Selectman Moll countered by offering \$210,000, which the DOT accepted, contingent upon receiving all necessary approvals and performance of a Phase I Environmental Site Assessment to determine if there are any areas of environmental concern.

The purchase was approved by Suffield residents at a November 22, 2022 Town Meeting.

Under this Proposal (PRB #23-146), DOT is seeking SPRB approval to release a parcel of land containing 27.5 acres of unimproved, wooded land, to the Town of Suffield for \$209,000, plus an administrative fee of \$1,000.



The property was acquired in three transactions in 1964 and 1967 for the extension of Route 190.

The Appraisal is subject to the following Extraordinary Assumption and Hypothetical Conditions.

**Extraordinary Assumptions:** None

**Hypothetical Conditions:** None

**Appraisal Report** –With the release of this Parcel, Independent Appraiser Kerin & Fazio estimated the market value of the site as of June 13, 2022. The Appraiser considered the following three comparable sales in the greater market area:

	Subject	Sale # 1	Sale # 2	Sale # 3
Address	Overhill Drive & East Street North	East Street South	23 Silkey Heights Drive	99 Rockville Road
City	Suffield	Suffield	Granby	East Windsor
Date of Sale	N/A	9/10/2020	12/17/2021	5/19/2021
Sale Price	N/A	\$58,000	\$185,000	\$70,000
Land Acres	27.50	6.26	19.07	7.15
Zone	R-25	R-25	R2A	A-1
<b>Price/Acre</b>	<b>N/A</b>	<b>\$9,265</b>	<b>\$9,701</b>	<b>\$9,790</b>
Property Rights Conveyed		Fee Simple	Fee Simple	Fee Simple
Adjustment		0.0%	0.0%	0.0%
Financing Terms		Cash to Seller	Cash to Seller	Cash to Seller
Adjustment		0.0%	0.0%	0.0%
Conditions of Sale		Abutter	Abutter	Abutter
Adjustment		0.0%	-10.0%	0.0%
Expenditures Immediately After Purchase				
Adjustment		0.0%	0.0%	0.0%
Time/Market Conditions (months elapsed)		20.1	4.8	11.8
Market Conditions Adjustment		20.0%	10.0%	10.0%
<b>Subtotal Price/Acre</b>		<b>\$11,118</b>	<b>\$9,604</b>	<b>\$10,769</b>
Location		5.0%	0.0%	0.0%
Physical Characteristics - Shape		0.0%	0.0%	0.0%
Physical Characteristics - Topography		0.0%	-10.0%	0.0%
Zoning		0.0%	0.0%	0.0%
Parcel Size		-25.0%	-5.0%	-25.0%
<b>Net Percent Adjustment</b>		<b>-20.0%</b>	<b>-15.0%</b>	<b>-25.0%</b>
<b>Adjusted Price/Acre</b>		<b>\$8,894</b>	<b>\$8,163</b>	<b>\$8,077</b>

After adjusting for transactional, locational and physical characteristics, the Appraiser concluded the fair market value of the subject property was \$230,000, or \$8,400/acre (rounded).

## Release Summary

DOT provided the following narrative in support of this conveyance:

The subject vacant parcel consists of 27.5± acres of land and is located on the northerly side of Present Overhill Drive, in the Town of Suffield (the Town), in the R-25 Residential Zone and is conforming.

On May 13, 2022, an appraisal was prepared by Fee Appraisers Michael Fazio and Vincent O'Brien, of Kerin & Fazio, LLC, who established a release value of \$230,000.00. An offer for the parcel was presented to the Town on July 5, 2022, with a sale price of \$231,000.00, including a \$1,000.00 administrative fee.

On July 20, 2022, the Town presented a counteroffer of \$210,000.00 for the parcel, which includes the \$1,000.00 administrative fee. The offer was based on the Town Assessor's appraised value of \$205,800.00 and consistent on a price per acre basis when compared to similar properties in Suffield that have limited development potential. The Town's offer is contingent on performing a Phase 1 Environmental Site Assessment of the property without any findings of significant environmental concern.

The subject parcel offers limited marketability for development since the parcel has several ponds, and wetland areas. According to the Town, it can only support one residential lot due to restrictions of road length of dead-end streets.

The Town's offer is approximately ninety percent (90%) of the appraised value, and by releasing the subject State property it will end the State's liability and obligation to maintain excess land that is not being utilized for highway purposes.

Considering the above information, and that the release of the subject parcel would benefit the Town and the State, it is herewith recommended that the Town's offer of \$210,000.00 be accepted and forwarded to the Office of Policy and Management, State Properties Review Board and the Office of the Attorney General for approval.

**Recommendation** – Staff recommend approval of the proposed release of the unimproved 27.5 acres in the amount of \$209,000 (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 legislative delegation received their required notice for this release on June 16, 2021;
- The release value of \$209,000 is reasonable in that it represents 90.8% of the appraised value and it will eventually return the property to the Town of Suffield and relieve the State of all future expenses;
- The description in the Quit Claim Deed is consistent with the compilation map to be filed in the Town of Suffield Land Records.

## 5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

<b>PRB #</b>	23-093
<b>Origin/Client:</b>	DAS/SCSU
<b>Transaction/Contract Type:</b>	AE / Task Letter
<b>Project Number:</b>	BI-RS-372
<b>Contract:</b>	OC-DCS-CA-0038
<b>Consultant:</b>	Arcadis U.S., Inc.
<b>Property:</b>	New Haven, Crescent St (501) – SCSU Academic Science & Lab
<b>Project purpose:</b>	Emergency Flood Repairs
<b>Item Purpose:</b>	Task Letter #2A

**CONSULTANT FEE: \$149,880 ~~\$147,605~~**

At the State Properties Review Board meeting held on June 5, 2023, the Board voted to suspend this file pending Board clarification of the following issues:

- Receipt of a revised Task Letter #2A;
- Reflecting proper job titles with corresponding hourly rates that matches the approved on-

call contract including a staffing matrix for the duration of the project including closing  
**DAS Response:** Please be advised that the subject revised task letter has been uploaded to the SPRB shared drive

**Staff Response:** Staff compared the differences resulting in an increase in fee to \$149,880, and at the same time shortened the duration of the project from 304 days plus 90-day closeout to 150 days, inclusive of closeout.

So it looks like the project end date would be Oct. 31, 2023; which means that the closeout period will be from August to October 2023. Why is there a full time staff support for the August and September months?

Task Letter #2 (Informal) matrix:

**Construction Administration Services Fee Matrix**

Pre-construction Phase		Months (month #1 start from after the issuance of the commission letter)										Total Hours	Total Amount
Title	Hourly Rates	1	2	3	4	5	6	7	8	9	10		
Sr. Project Manager	\$ 185.00	2	2	2	2	1.5						9.5	\$ 1,757.50
Project Manager	\$ 150.00	40	40	40	40	10.5						170.5	\$ 25,575.00
Pre-construction subtotal													\$ 27,332.50
Construction Phase		Months (month #1 start from after the issuance of the commission letter)										Total Hours	Total Amount
Title	Hourly Rates	1	2	3	4	5	6	7	8	9	10		
Sr. Project Manager	\$ 185.00	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	22.5	\$ 4,162.50
Project Manager	\$ 150.00	45	45	45	45	45	45	45	45	45	45	450	\$ 67,500.00
Construction subtotal													\$ 71,662.50
Total CA Services													\$ 98,995.00

Original:

**Construction Administration Services Fee Matrix**

Title	Hourly Rates	March	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Total Hours	Total Amount
Sr. Project Manager	\$185.00				32	32	32	16	16			96	\$23,680.00
Project Manager	\$150.00				80							80	\$12,000.00
Sr. Project Manager	\$185.00				80	160	160	160	45			240	\$111,925.00
subtotal													\$147,605.00

Revised:

**Construction Administration Services Fee Matrix**

Title	Hourly Rates	March	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Total Hours	Total Amount
Project Manager	\$180.00				32	32	32	16	16			96	\$23,640.00
Assistant Project Manager	\$150.00				80							80	\$12,000.00
Project Manager	\$180.00				80	160	160	160	78			240	\$114,840.00
subtotal													\$149,880.00

**Staff 9-5-2023 Email:** I am following up on the updated information provided to the Board. Pl see the highlighted text needing clarification. Once addressed, I can put it up for Board action. Let me know if you want to discuss this, thanks.

The Consultant did not address the issue that the \$150/hour position included for 10 months in Task Letter #2 has now been replaced with a \$180/hour position.

What level of expertise does DAS-CS require for this Project?

Why there is an increase of 33 hours in the month of October?

**DAS Response:** My apologies as I did not notify you. Upon further review and consideration for the comments and concerns presented by SPRB, DAS CS elected to forego the additional task letter and managed the process internally. The project is in closeout phase.

**Staff Response:** Can you please let me know what process was used? I will recommend the Board to reject the proposal as presented and close the SPRB book for this proposal.

**DAS Response:** Although not ideal, Rahul provided the necessary oversight on site daily. He has also worked diligently with FM Global to review and compile all feedback and changes for the contractor.

**Staff Response:** DAS utilized the services of one of their DAS-CS Project Management Team staff to provide CA-Phase oversight on this Project.

- Revised schedule based on actual work to date including closeout time

**Staff Response:** The Consultant now reduced the CA Phase as follows:

**Original:**

The construction phase services shall be for a time period of three hundred four (304) calendar days plus the project closeout of ninety (90) calendar days.

**Revised:**

The construction phase services shall be for a time period of One Hundred Fifty (150) calendar days including the project closeout of ninety (90) calendar days.

As DAS utilized the services of one of their DAS-CS Project Management Team staff to provide CA-Phase oversight on this Project, this is no longer an issue.

- Revised narrative based on the above changes

**Staff Response:** The Consultant acknowledged the incorrect hourly rate and will correct in forthcoming billing, as follows:

NOTE: The original task letter 2 had the incorrect hourly rates and that will be corrected in the next invoice from the Consultant as a portion of the work has already been billed and the work was performed on a time and materials basis. The correction to be made is changing the hourly rate from \$185.00/hour to \$180.00/hour for Kelly Nelli and Andrew Gentile.

As DAS utilized the services of one of their DAS-CS Project Management Team staff to provide CA-Phase oversight on this Project, this is no longer an issue.

### **RECOMMENDATION:**

It is recommended that SPRB reject this Task Letter #2A in the amount of \$149,880 (NTE) as DAS-CS staff provided all necessary oversight after the Board raised inquiries regarding the Consultant's staffing and level of expertise required for this Project. The Board noted the following:

- The Board had inquired regarding the Consultant's staffing and level of expertise required for this Project including the proposed timeframe for the project.
- Following the Board inquiry, DAS CS notified the Board that - upon further review and consideration for the comments and concerns presented by SPRB, DAS CS elected to forego the additional task letter and managed the process internally. The project is in closeout phase.
- The Board commends the DAS CS staff for managing and overseeing the project internally.
- This is considered savings to the state.

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**CONSULTANT FEE: \$147,605**

Project Background

At its meeting held on January 14, 2010 the Board voted, under PRB #09-320, to approve BI-RS-283-ARC in the amount of \$7,606,746 to compensate the Consultant for design and construction administration in conjunction with the Project – a 103,608 Academic Science and Laboratory Building at Southern Connecticut State University in New Haven. (<https://www.youtube.com/watch?v=kSkgezEqcJs>)

On June 28, 2018, under PRB #18-084, the Board approved Amendment #1 to the Consultant's Contract compensate the Consultant an additional \$283,370, extending the construction duration to 809 days from the 637-day construction duration in the original Contract.

On August 2, 2010, the Board voted, under PRB #10-194, to approve BI-RS-283-OR in the amount of \$442,002 to compensate the Consultant for Owner's Representative services during the design and procurement phases (through GMP) for a new 3-story academic building to house classrooms, teaching laboratories, research laboratories and administrative offices for the departments of Biology, Chemistry, Environmental Sciences, Physics and the Center for Math and Science Education.

And, on July 15, 2013, the Board voted, under PRB #13-157, to approve BI-RS-283-CA in the amount of \$1,700,010 to compensate the Consultant - LiRo Program and Construction Management PE, P.C – for CA services during the construction phase of the Project. The contract was initially suspended as DCS considered revising the scope to an Owners' Representative Contract but DCS had decided to execute the Contract under the more comprehensive *Construction Administrator Scope* due to the complexities of the project (<https://www.liro.com/projects/ct-academic-science-and-laboratory-building>).

The \$49 million Project was constructed by FIP Construction and completed in 2015.

From DAS Form 1105:

Southern's Academic Science Building was constructed in 2015 by FIP construction with DCS project administration. Over the past weekend, 2/3/23 – 2/5/23, exterior temperatures dropped below 0 degrees. Although the facility was prepared for the cold conditions, interior interstitial spaces dropped below 32 degrees. Significant damage occurred caused by freezing water, sprinkler and HVAC pipes in the upper level new Science Building plenum space, enclosed pedestrian bridge between the Science Building and Jennings Hall and related water damage in Jennings Hall. Southern's initial reports placed up to 50 rooms in the new Academic Science Building and 25 rooms in Jennings Hall damaged.

The State Insurance Risk Division has been alerted to this incident. FM Global has visited the site, reviewed the damages to both the facility and equipment and provided recommendations that Southern can follow. A remediation contractor is currently on site removing areas of environmental concern and providing dehumidification. A separate contractor will be hired to complete repair work. Both vendors will start working on an hourly basis. Southern currently estimates the repair, restoration and equipment replacement work exceeding \$2,000,000.

On March 7, 2023, DAS retained Arcadis U.S., Inc. under Task Letter #2 to their on-call contract OC-DCS-CA-0038, to provide pre-construction and CA Services on this Project. Their negotiated fee was \$98,995 (NTE) and included the following Scope of Work:

The Academic Science Building and Jennings Hall at Southern Connecticut State University suffered leaks and flood damage during February 2023. The project requires construction administration services to oversee all work associated with the flood repairs at the aforementioned locations.

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

- Coordinate the remedial and restoration work with various vendors/contractors and FM Global.
- Manage project documentation.
- Manage correspondence and expenses associated with the work.

- Coordinate and attend meetings, as required, and take meeting minutes at each respective meeting.
- Oversee on-site work and review payment applications and change orders, as required.

**Construction Administration Services Fee Matrix**

Pre-construction Phase		Months (month #1 start from after the issuance of the commission letter)										Total Hours	Total Amount
Title	Hourly Rates	1	2	3	4	5	6	7	8	9	10		
Sr. Project Manager	\$185.00	2	2	2	2	1.5						9.5	\$ 1,757.50
Project Manager	\$150.00	40	40	40	40	10.5						170.5	\$ 25,575.00
Pre-construction subtotal													\$ 27,332.50
Construction Phase		Months (month #1 start from after the issuance of the commission letter)										Total Hours	Total Amount
Title	Hourly Rates	1	2	3	4	5	6	7	8	9	10		
Sr. Project Manager	\$185.00	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	2.25	22.5	\$ 4,162.50
Project Manager	\$150.00	45	45	45	45	45	45	45	45	45	45	450	\$ 67,500.00
Construction subtotal													\$ 71,662.50
Total CA Services													\$ 98,995.00

- CA Services were for 304 calendar days plus 90 days for close out.

Under this Proposal (PRB #23-093), DAS is now seeking Board approval of Task Letter #2A for the Consultant to provide extended construction administration services in conjunction with this Project. The fee for the proposed Consultant's services is \$147,605 (NTE).

DAS provided the following narrative in support of this request:

The original task letter was executed for a not-to-exceed amount \$98,995.00. The CA is performing the role of a construction administrator and a construction manager at the same time as they are managing different contractors on site hired through the trade labor contract. Due to this effort, the CA needs to spend more hours on the project. In addition, the contractors hired through the trade labor contract are not very familiar with the State construction process and associated paperwork, which puts an additional burden on the CA to ensure compliance. This effort required the CA to work full time on the project. We are projecting that the \$98,995 will be exhausted by end of May 2023. This supplemental task letter for another not-to-exceed \$147,605.00 is for continued CA services through the end of the project. We expect the construction to continue until the end of September and closeout period after that. Please note- Arcadis currently has a project manager available to cover the project until June based on his availability and will only have a Sr. PM available to serve the project after that due to staffing availabilities.

There is an open FM Global claim to cover the costs of the damage through the State's insurance policy. The costs for the construction administrator will be part of the insurance claim and the State will be looking to recoup the monies spent after the deductible and the State's contribution.

The Scope of Work includes:

Coordinate the remedial and restoration work with various vendors/contractors and FM Global.

- Manage project documentation.
- Manage correspondence and expenses associated with the work.
- Coordinate and attend meetings, as required, and take meeting minutes at each respective meeting.
- Oversee on-site work and review payment applications and change orders, as required.
- CA Services are unchanged at 304 calendar days plus 90 days for close out.



In a May 15, 2023 communication, the Consultant summarized their services under this proposed Task Letter #2A as follows:

**Additional Scope**

The scope of work has exceeded the expectations of the original intent. Arcadis's on site staff is working up to 12 hour days and some weekends to allow contractors access in the morning and ensuring safety of the buildings at the end of the day. The original intent was for this project not to involve a full-time person on site, but now requires that someone from Arcadis be on site whenever work is taking place. We have also brought in additional staff to assist our on-site representative. Additional time for our Senior Project Manager for solicitation of trades, tracking costs and all change orders, and supporting the onsite staff has also been needed. Please note that we will have expended all original hours planned to the project at the end of May. This add service only includes hours as show in the graph below under Additional Services and may not include enough for a full close out of the project. Also starting in June we will be working only 8 hours a day on site.

Based on this communication, it appears that the Fees (Pre-con/CA) approved under Task Letter #2 were projected on a part-time basis through January 2024. However, in light of the Consultant's expanded scope their part-time effort was expanded to a full-time effort consuming all approved Fees by the end of May approximately seven months ahead of schedule.

The Consultant's proposed fee is outlined in the following staffing matrix:

**Additional Services**

Title	Hourly Rates	March	April	May	June	July	Aug	Sep	Oct	Nov	Dec				Total Hours	Total Amount
Sr. Project Manager	\$185.00				32	32	32	16	16						96	\$23,680.00
Project Manager	\$150.00				80										80	\$12,000.00
Sr. Project Manager	\$185.00				80	160	160	160	45						240	\$111,925.00
subtotal																\$147,605.00

In November 2022, SPRB approved Arcadis U.S., Inc. ("AUS") (PRB #22-166) as one of seven Firms under the latest *On-Call CA Series* of consultant contracts. These contracts have a maximum cumulative fee of \$1,000,000/contract and a common expiration date of February 28, 2025.

The Consultants' hourly rates approved under the latest on-call series were as follows:

Labor Category	Per hour
Project Executive	\$240.00
Project Manager	\$180.00
Assistant Project Manager	\$150.00
Plan Reviewer	\$185.00
Estimator	\$180.00
Scheduler	\$180.00

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

• Task Letter #1	OSCG&R – per square foot analysis	\$70,860	(Informal)
• Task Letter #2	SCSU – Emergency Flood Repair	\$98,995	(Informal)
• Task Letter #2A	SCSU – Emergency Flood Repair	\$147,605	(#23-093 Pending)
		<u>Total</u>	<u>\$169,855</u>

DAS confirmed funding is in place for this Task Letter #2A.

The construction budget and project budget for Task #2A was established at \$1,100,000 and \$2,050,000, respectively.

Task Letter #2 – AUS Basic Services Fee (Informal)	Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Pre-Design Phase	\$27,332.50				
Construction Administration-NTE (304 days + 90 day close out)	<u>\$71,662.50</u>				
TOTAL BASIC SERVICE FEE (Informal) (A)	\$98,995			\$1,250,000	7.9%
Extended and Expanded Construction Administration	<u>\$147,605</u>				
TOTAL BASIC FEE - #23-093 (A1)	\$147,605				
TOTAL BASIC SERVICE FEE (#23-093) (A) + (A1)	\$246,600			\$1,100,000	22.42%

Staff had following questions:

1. Please provide the Consultant’s initial Proposal presented for TL#2 and all subsequent invoices presented to DAS for the Consultant’s services provided under Task Letter #2 to the on-call Contract – OC-DCS-CA-0038.

**DAS Response:** Please find attached as requested.

**Staff Response:** The Proposal was reviewed and provided for two Staff (SR PM & PM), and DAS is responding to the issues of personnel tiles (not yet received).

2. At what point in this Project did DAS identify the Consultant’s efforts were exceeding the budgeted times allocated in Task Letter #2? And, how was the need for a Construction Manager to manage all of the Trades needed for this Project overlooked?

**DAS Response:** DAS was notified early May that the costs were projected to be exceeding the budgeted amount. Arcadis is hired as the construction administrator and due to the urgency of the project, the contractors were hired through the State Trade Labor contracts through different packages. We had to act quick to remediate the mold before it gets out of control and had to work overtime and weekends to get this taken care of, and restore the building for the school to make use of. Since there is no General Contractor or a Construction Administrator to manage the different trades, Arcadis needed to manage all sub-contractors. In addition, the trade labor contractors hired also needed a lot of “hand-holding” to get the work installed correctly. This also contributed to the increased burn-rate.

**Staff Response:** How many different Contractors had difficulty installing their work correctly?

3. Under Task Letter #2 (3/7/23), the Consultant provided two Staff (SR PM & PM) during pre-construction phase and two additional Staff were provided for the CA phase. The first five months of pre-construction and CA were overlapping. Please clarify the following:

a) In the most recent Contract – OC-DCS-CA-0038 – there is no Senior Project Manager title. Please reconcile the job titles/hourly rates included in the staffing matrix with the job titles/hourly rates in the on-call contract utilized in Task Letter #2.

**DAS Response:**

**Staff Response:** Awaiting a response to this issue.

b) This should be addressed for this proposed Task Letter #2A.

**DAS Response:** We will revise this accordingly in the re-submission.

**Staff Response:** OK

4. If the Consultant committed Staff for 45 hours/month during the CA Phase through the end of

the Project in January 2024 in Task Letter #2, why is DAS now releasing the Consultant from that commitment and substituting with a Staff with a different job title at a higher hourly rate in this Task Letter #2A?

**DAS Response:** The staff projections identified in TL#2 was based on the projections from before we went out to procure the contractors for the project. Also, the work was performed on a T&M basis. As mentioned earlier, significant effort was required during pre-construction and construction to keep the project moving forward and to get the university to make use of the spaces at the earliest available date. The substitution of the staff was because the Ron Rickey is no longer available after June and they only have a Sr. PM available.

**Staff Response:** Just because a PM was not available, why should state pay for Sr. PM? The Consultant is required to honor the rates and personnel per the original TL #2. Pl revise the rate as approved under TL #2.

**RECOMMENDATION:**

It is recommended that SPRB suspend Task Letter #2A in the amount of \$147,605 (NTE) pending response from DAS.

- DCS confirmed \$147,605 is available for the Task Letter.

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

**7. OTHER BUSINESS**

**8. VOTES ON PRB FILE:**

**PRB FILE #23-148-A** – Mr. Berger moved and Mr. Halpert seconded a motion to approve PRB FILE #23-148-A. The motion passed unanimously.

**PRB FILE #23-146** – Mr. Halpert moved and Mr. Berger seconded a motion to approve PRB FILE #23-146. The motion passed unanimously.

**PRB FILE #23-093** – Mr. Halpert moved and Mr. Berger seconded a motion to approve PRB FILE #23-093. The motion failed with all Members voting against.

The Board noted the following:

The Board has serious regarding the Consultant’s staffing and level of expertise required for this Project.

**9. NEXT MEETING** – Monday, September 18, 2023 – will be held solely by means of electronic equipment.

The meeting adjourned.

**APPROVED:** \_\_\_\_\_ **Date:** \_\_\_\_\_

John Valengavich, Secretary