

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On October 19, 2023

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

Pursuant to CGS §1-225a, the State Properties Review Board conducted a Regular Meeting at 9:30AM on October 19, 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:

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

Members Absent:

Staff Present – solely by means of electronic equipment:

Dimple Desai
Thomas Jerram

Guests Present – solely by means of electronic equipment:

Ira Henowitz, DAS-CS
Shane Mallory, DAS Leasing

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 October 16, 2023 Meeting and October 17, 2023 Special Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Chairman Josephy thanked Mr. Henowitz for organizing the Board's Site Visit to Black Rock State Park on 10-17-23 to meet with the Architect, Construction Administrator, CMR and DEEP Staff regarding this new Project.

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB # 23-175
Origin/Client: DAS/DEEP
Transaction/Contract Type: AE / Amendment
Project Number: BI-T-615
Contract: BI-T-615-ARC
Consultant: TLB Architecture, LLC
Property: Watertown, Thomaston Rd (2065) – Black Rock State Park
Project purpose: New West District Headquarters at Black Rock State Park
Item Purpose: Amendment #4

PROPOSED AMOUNT: \$46,057

At its meeting held on July 7, 2022 the Board voted, under PRB #22-099, to approve Amendment #3 in the amount of \$109,110 to compensate the Consultant for expanded design and construction administration services in conjunction with the Project at the West District HQ, Black Rock St. Park in Watertown. Construction Phase Services were for 425 days (14 months), plus 90 days close out.

In the Scope under Amendment #3 included the following:

1. Construction Administration phase fee increase to address inflation escalation resulting from a two-year delay in the start of the construction phase.
2. Provide additional construction administration (CA) services of expanded site utilities and monitoring permitted work that is required by the utility and permitting authorities, not in the original scope.

Under this Proposal (PRB #23-175), DAS is now seeking Board approval of Amendment #4 to the Consultant's Contract for the Consultant to provide extended construction administration services in conjunction the recent time extension change order granted to the General Contractor to achieve substantial completion. The additional time requested is beyond the original CA Phase (plus 10%) of the Consultant's contractual requirement for CA Services. The fee for the proposed Consultant's services is \$46,057.

The Scope of Work includes:

1. Provide extended construction administration (CA) services to correlate with the recent one hundred twenty (120) day time extension change order granted to the general contractor to achieve project substantial completion.

DAS had previously informed the Board the Project has been bid twice and a letter of intent had been issued to the lowest responsible General Contractor bidder. A construction start was estimated for June 2022.

DAS awarded the construction contract to The Nutmeg Companies, Inc. of Norwich. The \$14,202,000 contract was signed by DAS on May 18, 2022 and approved by the AG on May 23, 2022.

DAS confirmed funding is in place for this Amendment #4.

The overall construction and total project budget have been increased to \$14,777,000 and \$19,192,566 from the previous budgets of \$7,500,000 and \$11,061,478 and from the originally established budgets of \$7,100,000 and \$10,285,478 respectively.

TLB Architecture Basic Services - PRB #18-089	COST (\$) (BASIC)	COST (\$) (SPECIAL)	TOTAL COST	C. Budget (\$)	(%) Budget
Schematic Design	\$129,029				
Design Development	\$172,619				
Construction Documents Phase	\$228,339				
Bidding Phase	\$20,350				
Construction Administration Phase	\$212,098				
TOTAL BASIC SERVICES Fee (A) #18-089	\$762,435			\$7,100,000	10.74%
SPECIAL SERVICES (B)					
Wetlands Crossing Design		\$64,000			
Traffic Study		\$14,250			
Survey		\$3,325			
Geotechnical Services		\$22,573			
Environmental Services		\$41,549			
Utility Extension Design		\$43,355			
Utility Easement Services		\$14,250			
Permitting Services		\$33,242			
Traffic Control Services		\$7,500			
LEED v4 Gold/Platinum		\$145,000			
TOTAL SPECIAL SERVICES (B)		\$389,044			
TOTAL PROJECT FEE (PRB #18-089) (A) + (B)			\$1,151,479	\$7,100,000	16.22%
TLB Architecture - Amendment #1 PRB #20-066					
Remove Test Borings for Street Utilities	(\$5,273)				
Provide up to 17 Test Borings up to 60' in length	\$24,065				
Elimination of Traffic Control Services	(\$7,500)				
TOTAL BASIC SERVICE FEE (#20-066) (A1)	\$11,292				
TLB Architecture - Amendment #2 PRB #21-158					
Expanded Design & Re-Bid Services	\$86,744				
TOTAL BASIC SERVICE FEE (#21-158) (A2)	\$86,744				
TLB Architecture - Amendment #3 PRB #22-099					
CA Phase Inflation Escalation	\$28,563				
Expanded Design Services	\$80,132				
TOTAL BASIC SERVICE FEE (#22-099) (A3)	\$108,695				
SPECIAL SERVICES (#22-099)					
USGBC FILING FEE (B1)		\$415			
TLB Architecture - Amendment #4 PRB #23-175					
Extended CA Phase Services (120 days)	\$46,057				
TOTAL BASIC SERVICE FEE (#23-175) (A4)	\$46,057				
TOTAL BASIC SERVICES Fee (A) + (A1) + (A2) + (A3) + (A4)	\$1,015,223			\$14,777,000	6.87%
TOTAL FEE (PRB #21-158) (A) + (A1) + (A2) + (A3) + (B) + (B1)			\$1,295,987	\$14,777,000	8.77%

Staff had following questions:

1. What is the status of the project?
DAS Response: Construction Phase
Staff Response: OK.
2. Provide the original substantial completion date vs. new

DAS Response: 6/20/2023 to 10/18/2023. DAS also provided a copy of the Change Order Proposal which included the following comments:

Description of Proposed Change(s): One Hundred Twenty (120) calendar day contract time extension, of which, 59 calendar days are to be compensable at \$1,493.05/day. With this approval, the substantial completion date will be revised from June 20, 2023 to October 18, 2023.

Staff Response: OK.

- Please clarify what the cause of delay was for the Contractor - The Nutmeg Companies, Inc. - in completing the Project, and provide a copy of the Change Order that requires additional time to achieve substantial completion.

DAS Response: See below for cause of time extension/delay & see a copy of change order.

The reasons for this extension are as follows:

- The basis of design SIP Panel manufacturer and the secondary named manufacturers declined to participate in the bid. This necessitated the General Contractor (Nutmeg Construction Industries) to seek a substitution request and locate another manufacturer in the Mid-west. The alternate SIP panels varied in dimension by 1/8th of an inch, which affected other building components including the foundation, base plate and roof line. This significantly affected the submittal review and approval process and required several meetings. To ensure complete incorporation of the architect's comments, the manufacturer conducted a redesign of the system for the revised submittal.
- Post pandemic labor shortages of trade labor on various subcontracts impacted progress. The GC worked proactively to mitigate production loss. Even so, the resultant loss is deemed unforeseeable and attributable to market forces beyond the GC's control.

Staff Response: OK.

- Please clarify what level of effort (staffing matrix) is being provided by the Consultant and Sub-Consultant during these final 60 days of the Project.

DAS Response: DAS received the following from the Consultant:

CA Staffing Matrix:

CA Staffing Matrix					
Title	Rate	Hours	Total	Monthly Hours	Monthly CA Fees
Project Manager	\$ 167.00	267	\$ 44,589.00	19	\$ 3,185
Project Engineer	\$ 137.00	1295	\$ 177,415.00	93	\$ 12,673
Administrative Assistant	\$ 95.00	257	\$ 24,415.00	18	\$ 1,744
				Total Per Month	\$ 17,601

Subconsultant Staffing Matrix:

Commissioning Staffing Monthly Matrix			
Title	Hours	Rate	Total
Project Manager	8	140	\$ 1,120.00
Commissioning Technician	8	100	\$ 800.00
Clerical	2.5	60	\$ 150.00
Total Per Month			\$ 2,070.00

Staff Response: The Consultant took the total hours for each position during the CA Phase and divided by the 14-month CA Phase to arrive at their effort for the 60-day extension. OK

RECOMMENDATION: Staff recommends approval of this Amendment #4 to the Consultant's Contract in the amount of \$46,057.

The overall basic service rate of 6.87% is consistent with the established guideline rate of 11.50% for New Construction Projects.

Proposed Amount: \$109,110

At the October 25, 2021 SPRB meeting, the Board approved under PRB #21-158, Amendment #2 to the Contract in the amount of \$86,744 to compensate the Consultant for the following ARC design services:

- A. Revise Construction Documents to Prepare for Re-bid
- B. Make adjustments to the estimate of probable construction cost, based on the recent bid results, and indicate those adjustments in the Consultant Bid Data Statement to reflect estimated values of new and revised supplemental bids.
- C. Additional Permitting and Utility Approval Engineering & Resubmission
Update project sewage disposal documents and permitting to address Thomaston Water Pollution Control Authority's additional review comments. Update project water service documents and permitting to address Connecticut Water Company's additional review comments.
- D. Perform bid phase services, in accordance with the terms and conditions of the contract, a second time since the project is to be re-bid.

DAS stated the project has been bid twice and a letter of intent has been issued to the lowest responsible General Contractor bidder. A construction start is estimated for next month (June).

DAS awarded the construction contract to The Nutmeg Companies, Inc of Norwich. The \$14,202,000 contract was signed by DAS on May 18, 2022 and approved by the AG on May 23, 2022.

Under this Proposal (PRB #22-099), DAS and DEEP are seeking Board approval to Amendment #3 to the Consultant's Contract to expend an additional \$109,110 for the Consultant to provide the following design services:

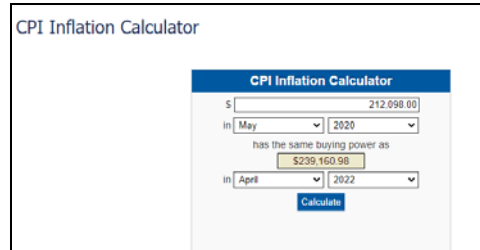
- A. Construction Administration phase fee increase to address inflation escalation resulting from a two-year delay in the start of the construction phase.
- B. Provide additional construction administration (CA) services of expanded site utilities and monitoring permitted work that is required by the utility and permitting authorities. Such expanded CA work was not part of the original work scope and involves the following:
 - a) additional water and fire protection service lengths to connect with Connecticut Water Company's water supply in the neighboring town of Thomaston;
 - b) sewer service crossing wetlands and the Waterbury water main adding significant length and complexity to the utility connection;
 - c) direct boring sewer and water extension to distribute these utilities several feet below the water main and wetlands; as well as the
 - d) added work to permit the utilities required inter-municipal agreements which require additional site review and coordination during the construction phase.

The expanded construction administration scope of services required as summarized in items a, b, c & d above, include the following tasks:

- performing additional shop drawing and submittal review and approval
- responding to additional Contractor Request for Information (RFIs) and on-site coordination of utility routing
- participating in additional pre-installation conferences for construction trades that would not have been on the project with the original scope of work
- participating in additional meetings with Connecticut Water Company and Thomaston Water Pollution Control Authority (WPCA), as well as meeting reports and follow-up
- coordination with Waterbury Water Authority while the contractor performs direct drilling under the water line and

- providing additional site visits and field reports due to the expanded construction site and area of disturbance across the subject State Park and into the town of Thomaston.
- C. Compensate the Architect for the increase in the United States Green Building Council (USGBC) filing fee. The USGBC filing will be done during the construction phase for the new administration building's LEED certification.

The escalation of the fee is based on the change in inflation from the date of initial construction (May 2020) to the most recently available information (April 2022), calculated as follows:



https://www.bls.gov/data/inflation_calculator.htm

Based on the CPI Inflation Calculator, the Consultant's Fee Schedule is then calculated as follows:

Task	Construction Phase Hours
CA Phase Fee	\$212,098.00
Inflation Adjusted CA Fee	\$239,160.98
Increase to 4-2022	\$27,062.98
Add Estimate to 5-2022	\$1,500
Total	\$28,563

The overall construction budget and total project costs have been increased to \$14,202,000 and \$19,192,566, from \$11,896,731 and \$15,219,328, respectively (under #21-158).

	<u>COST (\$)</u> <u>(BASIC)</u>	<u>COST (\$)</u> <u>(SPECIAL)</u>	<u>TOTAL</u> <u>COST</u>	<u>C. Budget (\$)</u>	<u>(%)</u> <u>Budget</u>
TLB Architecture Basic Services - PRB #18-089					
Schematic Design	\$129,029				
Design Development	\$172,619				
Construction Documents Phase	\$228,339				
Bidding Phase	\$20,350				
Construction Administration Phase	\$212,098				
TOTAL BASIC SERVICES Fee (A) #18-089	\$762,435			\$7,100,000	10.74%
SPECIAL SERVICES (B)					
Wetlands Crossing Design		\$64,000			
Traffic Study		\$14,250			
Survey		\$3,325			
Geotechnical Services		\$22,573			
Environmental Services		\$41,549			

Utility Extension Design		\$43,355			
Utility Easement Services		\$14,250			
Permitting Services		\$33,242			
Traffic Control Services		\$7,500			
LEED v4 Gold/Platinum		\$145,000			
TOTAL SPECIAL SERVICES (B)		<u>\$389,044</u>			
TOTAL PROJECT FEE (PRB #18-089) (A) + (B)			\$1,151,479	\$7,100,000	16.22%
TLB Architecture - Amendment #1 PRB #20-066					
Remove Test Borings for Street Utilities	(\$5,273)				
Provide up to 17 Test Borings up to 60' in length	\$24,065				
Elimination of Traffic Control Services	(\$7,500)				
TOTAL BASIC SERVICE FEE (#20-066) (A1)	\$11,292				
TLB Architecture - Amendment #2 PRB #21-158					
Expanded Design & Re-Bid Services	\$86,744				
TOTAL BASIC SERVICE FEE (#21-158) (A2)	\$86,744				
TLB Architecture - Amendment #3 PRB #22-099					
CA Phase Inflation Escalation	\$28,563				
Expanded Design Services	\$80,132				
TOTAL BASIC SERVICE FEE (#22-099) (A3)	\$108,695				
SPECIAL SERVICES (#22-099)					
USGBC FILING FEE (B1)		\$415			
TOTAL BASIC SERVICES Fee (A) + (A1) + (A2) + (A3)	\$969,166			\$14,202,000	6.82%
TOTAL FEE (PRB #21-158) (A) + (A1) + (A2) + (A3) + (B) + (B1)			\$1,249,930	\$14,202,000	8.8%

DCS has confirmed funding is in place.

RECOMMENDATION: Staff recommends **APPROVAL** of this consultant contract in the amount of \$109,110. The overall basic service rate of 6.82% is consistent with the established guideline rate of 11.50% for New Construction Projects.

From PRB #21-158

Proposed Amount: \$86,744

At the May 11, 2020 SPRB meeting, the Board approved PRB #20-066 in the amount of \$11,292 to compensate the Consultant for the following ARC design services:

- Provide seventeen (17) on-site test probes drilled up to 60 feet, inclusive of coring and sampling rock to determine the profile ledge, and characterize the soils and rock for the length of the proposed sewer and water on-site utilities. The soil and rock lab testing, a written report, and utility location services are included. The ledge profile and the soils/rock characteristics shall then be included in the bid documents to provide contractors with sufficient information to provide competitive bidding, avoid worst case bidding and limit the potential of change orders due to unforeseen conditions - \$24,065.
- Remove Test Borings for Street Utilities – **(\$5,273)** - credit
- Elimination of Traffic Control Services – **(\$7,500)** - credit

At that time the overall construction budget and total project costs remained unchanged at \$7,100,000 and \$10,285,478.

The Project was bid on April 21, 2021. DAS/DCS published the cost range as \$9,781,170 - \$10,295,968. DAS/DCS published 'Notice of Bid Cancellation' on June 15, 2021.

Project Background

Bids were received this past April for the WDHQ project yet each of the seven bids were over DEEP's budget and available funding at that time. Therefore, the bids were cancelled and the project was put on hold. At the July State Bond Commission meeting, DEEP received approval for an additional \$11,000,000 million and requested that the project be re-bid with the architect making revisions to the documents for cost savings.

BIDDER	SECURITY	BASE BID	SUPPLEMENTAL BIDS		
			1	2	3
Banton Construction Company, North Haven, CT		\$12,500,000	\$18,260.	\$199,000.	\$141,790.
Burlington Construction Co., Inc., Torrington, CT		\$11,896,731.	\$14,495.	\$155,223.	\$14,829.
LaRose Building Group, LLC., Meriden, CT		\$12,640,000.	\$16,000.	\$180,000.	\$177,000.
Nosal Builders, Inc., Cheshire, CT		\$12,468,000.	\$18,000.	\$191,000.	\$30,000.
PAC Group, LLC, Torrington, CT		\$12,475,261.	\$20,764.	\$180,735.	\$216,573.
The Morganti Group, Inc., Danbury, CT		\$12,799,722.	\$19,920.	\$164,463.	\$22,000.
Worth Construction Co., Inc., Bethel, CT		\$14,150,000.	\$18,650.	\$137,440.	\$28,500.

Under this Proposal (PRB #21-158), DAS and DEEP are seeking Board approval to Amendment #2 to the Consultant's Contract to expend an additional \$86,744 for the Consultant to provide the following design services:

A. Revise Construction Documents to Prepare for Re-bid

Conduct meetings and confirm with DAS and DEEP any changes to project scope. Review supplemental bids with DAS and DEEP. Upon approval, implement changes to supplemental bids including making the detached Garage a supplemental bid with the site work, underground utilities infrastructure and foundation work scope to be included in the base bid. Review current supply chain issues and material costs that have escalated recently and which were identified as a significant hurdle by bidders. Recommend cost saving options and upon approval, implement those cost saving measures in the revised construction documents. Refile project with United States Green Building Council for LEED certification. Submit updated documents for re-bidding.

B. Make adjustments to the estimate of probable construction cost, based on the recent bid results, and indicate those adjustments in the Consultant Bid Data Statement to reflect

estimated values of new and revised supplemental bids.

C. Additional Permitting and Utility Approval Engineering & Resubmission

Update project sewage disposal documents and permitting to address Thomaston Water Pollution Control Authority's additional review comments. Update project water service documents and permitting to address Connecticut Water Company's additional review comments.

D. Perform bid phase services, in accordance with the terms and conditions of the contract, a second time since the project is to be re-bid.

The overall construction budget and total project costs have been increased to \$11,896,731 and \$15,219,328.

TLB Architecture Basic Services - PRB #18-089	COST (\$) (BASIC)	COST (\$) (SPECIAL)	C. Budget (\$)	(%) Budget
Schematic Design	\$129,029			
Design Development	\$172,619			
Construction Documents Phase	\$228,339			
Bidding Phase	\$20,350			
Construction Administration Phase	\$212,098			
TOTAL BASIC SERVICES Fee (A) #18-089	\$762,435		\$7,100,000	10.74%
SPECIAL SERVICES (B)				
Wetlands Crossing Design		\$64,000		
Traffic Study		\$14,250		
Survey		\$3,325		
Geotechnical Services		\$22,573		
Environmental Services		\$41,549		
Utility Extension Design		\$43,355		
Utility Easement Services		\$14,250		
Permitting Services		\$33,242		
Traffic Control Services		\$7,500		
LEED v4 Gold/Platinum		\$145,000		
TOTAL SPECIAL SERVICES (B)		\$389,044		
TOTAL PROJECT FEE (PRB #18-089) (A) + (B)		\$1,151,479	\$7,100,000	16.22%

TLB Architecture - Amendment #1 PRB #20-066				
Remove Test Borings for Street Utilities	(\$5,273)			
Provide up to 17 Test Borings up to 60' in length	\$24,065			
Elimination of Traffic Control Services	(\$7,500)			
TOTAL BASIC SERVICE FEE (#20-066) (A1)	\$11,292			
TLB Architecture - Amendment #2 PRB #21-158				
Expanded Design & Re-Bid Services	\$86,744			
TOTAL BASIC SERVICE FEE (#21-158) (A2)	\$86,744			
TOTAL BASIC SERVICES Fee (A) + (A1) + (A2)	\$860,471		\$11,896,731	7.2%
TOTAL FEE (PRB #21-158) (A) + (A1) + (A2) + (B)				
		\$1,249,515	\$11,896,731	10.5%

DCS and DEEP have confirmed funding is in place.

RECOMMENDATION: Staff recommends **APPROVAL** of this consultant contract in the amount of \$86,744. The overall basic service rate of 7.2% is consistent with the established guideline rate of 11.50% for New Construction Projects.

FROM PRB #20-066

PROPOSED AMOUNT: \$11,292

At the State Properties Review Board meeting held on June 28, 2018, the Board approved #18-089 (BI-T-615-ARC), in the amount of \$1,151,479, for the new West District Headquarters at Black Rock State Park.

The subject project is currently in the Design Phase. As the design of the sewer and water routing evolved, through discussion with the CT Water Company, Waterbury Water Authority and Thomaston Sewer Control Authority, an approach and route for the sewer and water were finalized. The agreed upon approach is to drill two horizontal bores through the Black Rock State Park to serve the new building. Entry and exit excavations are required at either end.

During the contract proposal phase, there was an assumption that the utilities would run in Route 6, and there was allowance for borings in the street. However, after communication with the Utility companies and CT DOT, it became apparent that an off-road approach was required. As such, several more borings are required due to the varied nature of the soils outside of the roadbed.

In order to fully design the horizontal drilling scope, a revised boring plan is needed to identify the profile ledge and characterize soils/rock for the length of the proposed utilities. The proposed additional sub surface exploration information will then be included in the bid documents to allow for a more accurate bid for the horizontal drilling contractor and avoid “worst case” bidding. Also, knowing more about the ledge profiles will limit the potential of change orders due to unforeseen conditions.

DCS is now seeking approval of an additional \$11,292 in fees for the following services:

- Provide seventeen (17) on-site test probes drilled up to 60 feet, inclusive of coring and sampling rock to determine the profile ledge, and characterize the soils and rock for the length of the proposed sewer and water on-site utilities. The soil and rock lab testing, a written report, and utility location services are included. The ledge profile and the soils/rock characteristics shall then be included in the bid documents to provide contractors with sufficient information to provide competitive bidding, avoid worst case bidding and limit the potential of change orders due to unforeseen conditions - \$24,065.
- Remove Test Borings for Street Utilities – **(\$5,273)** - credit
- Elimination of Traffic Control Services – **(\$7,500)** - credit

The overall construction budget and total project costs remain unchanged at \$7,100,000 and \$10,285,478.

TLB Architecture Basic Services - PRB #18-089	COST (\$) (BASIC)	COST (\$) (SPECIAL)	C. Budget (\$)	(%) Budget
Schematic Design	\$129,029			
Design Development	\$172,619			
Construction Documents Phase	\$228,339			
Bidding Phase	\$20,350			
Construction Administration Phase	\$212,098			
TOTAL BASIC SERVICES Fee (A) #18-089	\$762,435		\$7,100,000	10.74%

SPECIAL SERVICES (B)				
Wetlands Crossing Design		\$64,000		
Traffic Study		\$14,250		
Survey		\$3,325		
Geotechnical Services		\$22,573		
Environmental Services		\$41,549		
Utility Extension Design		\$43,355		
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Traffic Control Services		\$7,500		
LEED v4 Gold/Platinum		\$145,000		
TOTAL SPECIAL SERVICES (B)		\$389,044		
TOTAL PROJECT FEE (PRB #18-089) (A) + (B)		\$1,151,479	\$7,100,000	16.22%
TLB Architecture - Amendment #1 PRB #20-066				
Remove Test Borings for Street Utilities	(\$5,273)			
Provide up to 17 Test Borings up to 60' in length	\$24,065			
Elimination of Traffic Control Services	(\$7,500)			
TOTAL BASIC SERVICE FEE (#20-066) (A1)	\$11,292			
TOTAL BASIC SERVICES Fee (A) + (A1) #20-066	\$773,727		\$7,100,000	10.90%
TOTAL FEE (PRB #20-066) (A) + (A1) + (B)		\$1,162,771	\$7,100,000	16.38%

DCS and DEEP have confirmed funding is in place.

RECOMMENDATION: Staff recommends APPROVAL of this consultant contract in the amount of \$11,292. The overall basic service rate of 10.90% is consistent with the established guideline rate of 11.50% for New Construction Projects.

FROM PRB #18-089

UPDATE 6/27/2018

DCS provided responses to the questions raised by the Board on 6/27/2018.

Please refer to the attached memo from Kevin Kopetz dated 6/27/2018 for discussion.

RECOMMENDATION:

Staff is recommending to suspend PRB # 18-089 based on the responses from DCS.

- Please clarify where the documents call for Net-Zero building. It does call for the design to meet LEED standards.
-

PROJECT BRIEF– In general this project involves the design and construction of a new facility to serve the West District of the Department of Energy and Environmental Protection. The proposed facility will be located at Black Rock State Park in Watertown. The new facility will provide office and meeting space for the following divisions: State Parks, Inland Fisheries, Engineering and Field Support Services, Forestry, and Law Enforcement. A public counter/service area will be provided to sell fish and game licenses, boating certificates, Charter Oak Passes and other related items and provide park/state maps and other related outreach publications. Also provided will be space for the Black Rock State Park maintenance unit which is currently located away from the park. Laboratory space will be provided for Inland Fisheries. The overall construction and total project budget have been established at approximately \$7,100,000 and \$10,285,478 respectively.

In March 2017 the Department of Construction Services (“DCS”) issued a Request for Qualifications (RFQ) for Architect & Engineer (A/E) Consultant Services related to the New West District Headquarters at Black Rock State Park. DCS elicited thirteen (13) responses to the advertisement of which 10 submittals were considered “responsive,” two responses were “non-responsive” and a third withdrew. DCS then proceeded to review the thirteen submittals and after the completion of the internal review process, three firms were selected for short-listed interviews. These firms were as follows, Tecton Architects, P.C., Christopher Williams Architects, LLC and TLB Architecture, LLC. The State Selection Panel consisted of 5 members and interviewed each firm for evaluation purposes based upon an established weighted ranking system. At the conclusion of the process DCS identified TLB Architecture, LLC (“TLB”) as the most qualified firm, approved by DAS Commissioner Currey on June 6, 2017.

This contract is for Architect/Engineer Consultant Design Team Services for the completion of the New West District Headquarters at Black Rock State Park from the initiation of a schematic design phase through the construction document phase, bidding and the subsequent completion of construction. The overall compensation rate for this basic service is \$762,435 with an additional \$389,044 for special services. As such the total project fee is \$1,151,479. The special services detailed in the project scope include wetlands crossing, permitting for utilities and Army Corp of Engineers, traffic engineering, geotechnical/environmental engineering, traffic control, LEED v4 Gold, LEED v4 Platinum, a Phase I & II and land survey consulting services, among others.

	<u>COST</u> (\$) <u>(BASIC)</u>	<u>COST</u> (\$) <u>(SPECIAL)</u>	<u>C. Budget</u> (\$)	<u>(%)</u> <u>Budget</u>
TLB Fee for Basic Services (A)			\$7,100,000	
Schematic Design	\$129,029			
Design Development	\$172,619			
Construction Documents Phase	\$228,339			
Bidding Phase	\$20,350			
Construction Administration Phase	\$212,098			
TOTAL BASIC SERVICES Fee (A)	<u>\$762,435</u>		\$7,100,000	10.74%

SPECIAL SERVICES (B)				
Wetlands Crossing Design		\$64,000		
Traffic Study		\$14,250		
Survey		\$3,325		
Geotechnical Services		\$22,573		
Environmental Services		\$41,549		
Utility Extension Design		\$43,355		
Utility Easement Services		\$14,250		
Permitting Services		\$33,242		
Traffic Control Services		\$7,500		
LEED v4 Gold/Platinum		\$145,000		
TOTAL SPECIAL SERVICES (B)		<u>\$389,044</u>		
TOTAL PROJECT FEE (PRB #18-089) (A) + (B)		\$1,151,479	\$7,100,000	16.22%

- The RFQ November 2017 elicited 13 responses. The Selection Panel interviewed three firms and ultimately recommended the appointment of TLB Architecture, LLC (“TLB”). The selection was approved by Commissioner Currey on 6/06/2017.
- DCC is locally located in New Britain. This firm was established in 1934 and has over 30 employees which includes registered Architects, professional engineers and construction professionals.
- Smith Brothers Insurance, LLC reported that over the past 5 years DCC has been not been exposed to any general liability or professional liability claims.
- The submittal is accompanied by a Consulting Agreement Affidavit notarized on 5/04/2018.

RECOMMENDATION: It is recommended that SUSPEND this new contract for the TLB Architecture, LLC at the West District Headquarters at Black Rock State Park for the following reasons:

- The total cost of the AE contract – Basic Services and Additional Services – total \$1,151,479, and DCS is requesting only \$1,087,479 for the Board approval on the memo. Please clarify what DCS is requesting; and
- Why does this fall under Group “C” for New Construction? Seems like this is a straight forward office building type of construction and should fall under Group “B”, which allows for 8.75% rate per DCS guidance. Based on this the basic fee seems high.
- Is the fee related to LEED certification in line with other projects? It about 20% of the total Basic Service Fees. What if the building does not achieve that certification? Does the State get credit for the fees charged?
- Confirm that funding for the AE contract is in place. There are several email communications stating funding is in place, but no specific communication regarding the total cost of the contract.
- Form 1105 does not have CD DAS Capital Project Request Approval

7. OTHER BUSINESS

PRB #23-150 – Update to DAS 2nd Amendment to Purchase and Sale Agreement

October 18, 2023 Update

At the SPRB meeting held on September 26, 2023, the Board approved a Second Amendment to Purchase and Sale Agreement to extend the Funding Commitment/Financing Period deadline (Paragraph 2 of First Amendment) to October 12, 2023.

SPRB signed 2nd Amendment on 9-26 to extend funding commitment to 10-12.

On 10-6 Bond Commission approved funding under three separate sections (Items 34, 37 and 42 Revised found on pages 42, 46 & 58 of Agenda, respectively).

- Item 34: CRDA - \$3.9 Million
- Item 37: CRDA - \$2.6 Million
- Item 42 (Revised): CRDA - \$6 Million

On October 13, 2023, DAS reported to the Board the following:

“...since approvals weren’t received yesterday for the 2nd amendment on the purchase and sale for Trinity, we are slip sheeting just the one page that extends the financing period to November 12th. That is the only change. Please note that the agreement calls for the closing to occur on or before 120 days from the end of the financing period, so with this slip sheet the closing will move to March 12, 2024.”

All Parties to the 2nd Amendment have approved of the slip sheet changing the financing period to November 12th.

No further action by the Board is required.

Recommendation: The Board acknowledges the DAS-requested change to the Deed and has no objections to said changes as they do not materially alter the business terms of the Amendment.

Chairman Josephy requested a motion to approve Board Fees and Mileage reimbursement for Chairman Josephy, Secretary Valengavich, Mr. Halpert and Mr. Berger for attending the Site Visit in Thomaston on Tuesday, 10-17-2023, for a proposal reviewed under PRB #23-166. Secretary Valengavich made the motion, seconded by Mr. Berger. The motion passed unanimously.

8. VOTES ON PRB FILE:

PRB FILE #23-175 – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #23-175. The motion passed unanimously.

9. NEXT MEETING – Monday, October 23, 2023 – will be held solely by means of electronic equipment

The meeting adjourned.

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