

## STATE PROPERTIES REVIEW BOARD

### Minutes of Meeting Held On March 25, 2024

– 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 March 25, 2024. 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 Conference ID 917724280#.

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 Conference ID 917724280#. If you have any questions or need assistance to attend these Meetings, or for some reason the Call-In Numbers do not work, please contact SPRB Director Thomas Jerram, immediately, at [thomas.jerram@ct.gov](mailto:thomas.jerram@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  
William Cianci

#### **Members Absent:**

Jack Halpert

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

Thomas Jerram

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

Jenna Padula, DAS-RECS

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

## **OPEN SESSION**

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

Mr. Valengavich moved and Mr. Berger seconded a motion to approve the minutes of the March 21, 2024 Meeting. The motion passed unanimously.

### **2. COMMUNICATIONS**

Members were updated on DAS Human Resources on-going efforts to refine the job classification for the vacant staff position.

Members were reminded of the May 1, 2024 deadline to file their Statement of Financial Interest with the Office of State Ethics.

- 3. REAL ESTATE- UNFINISHED BUSINESS**
- 4. REAL ESTATE – NEW BUSINESS**
- 5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS**
- 6. ARCHITECT-ENGINEER - NEW BUSINESS**

<b>PRB #</b>	24-033
<b>Origin/Client:</b>	DAS/DMV
<b>Transaction/Contract Type</b>	AE / Task Letter
<b>Project Number</b>	BI-MM-61
<b>Contract</b>	OC-DCS-CIV-SUR-LA-0040
<b>Consultant:</b>	Macchi Engineers, LLC
<b>Property</b>	Hamden, State St (1985) – DMV Regional Office
<b>Project purpose:</b>	Hamden Paving and Exterior Lighting
<b>Item Purpose</b>	Task Letter #2

**CONSULTANT FEE:** \$148,509

#### **PROJECT BACKGROUND**

The DMV Hamden property consists of a 3± acre parcel improved with a 2-story, steel frame, brick veneer office building that contains a gross area of approximately 24,000 square feet, a concrete block service shop, roughly 70,000 sf of asphalt-paved parking with lighting, drainage and fencing. The property was first leased by the State (for DMV) in June 1971, for a term ending February 28, 1986, leasing all but 3,831 square feet on the second floor, at an initial rate of \$4.75/sf, plus custodial, electricity and pro-rata share of real estate property tax increases. Both buildings were constructed in 1971.

In December 1989, under PRB #89-504, the Board approved a Purchase Agreement to acquire the property and the property was acquired by the State for \$2,400,000 on June 28, 1990.

Between 2007 and 2010 (PRB #08-139, 09-185, 10-179 & 10-196) Task Letters were issued for the design and renovation of portions of the interior of the building and in 2021 the roof and HVAC systems were replaced (PRB #21-072).

It appears that the parking lot is original to the 1971 construction of the building.

Under this proposal (PRB #24-033), DAS-RECS is now seeking Board approval of Task Letter #2 to the Consultant's (Macchi Engineers, LLC) On-Call Contract – OC-DCS- CIV-SUR-LA-0040 - to expend \$148,509 to provide engineering design and limited construction phase services in conjunction with the Project with the following scope of work:

Replacement of 70,000 square feet of asphalt paved parking lot and Inspection Lane, installation of new curbing and sidewalks, addressing drainage issue, upgrading the exterior pole bases of light fixtures, replace the damaged fenced barriers around the perimeter with new guard rails and fencing.

In late 2021, SPRB approved Macchi Engineers, LLC (“MEL”) (PRB #21-179) as one of eight Firms under the On-Call Civil-Survey Series of consultant contracts. These contracts had a maximum cumulative fee of \$500,000 per contract and a common expiration date of 1/15/2024. In July 2023, under PRB #23-109, the Board approved an increase in the total cumulative fee by \$500,000, to \$1,000,000.

Under PRB #24-013, Macchi Engineers, LLC was approved for OC-DCS-CIV/SUR/LA-0048, with a maximum total cumulative fee of \$1,250,000 per contract and a common expiration date of 5/15/2026.

DAS-RECS Legal assigned this Task Letter #2 on March 6, 2023.

Pursuant to Article D of the On-Call Contract, "This contract shall commence with the date this contract was entered into and shall expire on January 15, 2024. No new projects may be assigned on or after the expiration date, but all projects assigned prior to the expiration date will be allowed to continue to completion with all the terms and conditions of this contract herein set forth remaining in full force and effect. The term of this contract may be extended in writing by the Commissioner."

MEL has been approved for the following Task Letters under this Series:

1/15/2024	OC-DCS-CIV-LA-0040	Macchi Engineers LLC	\$500,000	21-179
			\$1,000,000	23-109
.	Task Letter #1	Office & Bath at Niantic Animal Rescue Barn	\$34,374	(Informal)
.	Task Letter #2	DMV Hamden Parking & Exterior Lighting	\$148,509	(#24-033 - Pending)
		Total Committed	\$182,883	
		Maximum Total Fee	\$500,000	
		Uncommitted (Remaining)	\$317,117	

DAS-RECS has confirmed for SPRB that funding is available for this contract.

DAS-RECS states the overall construction and total project budget are \$925,000 and \$1,370,500 respectively.

MEL Fee for Basic Services (PRB 24-033)	ARC Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Design Phase (56 days)	\$12,801				
Design Development Phase (70 days)	\$19,700				
Construction Document Phase (42) days	\$29,683				
Bidding Phase	\$4,275				
Limited Construction Administration Phase (150 days + Close Out)	\$16,260				
Extended Construction Administration Phase	\$53,690				
<b>TOTAL BASIC SERVICE FEE (#24-033) (A)</b>	<b>\$136,409</b>			<b>\$925,000</b>	<b>14.75%</b>
<b>MEL Special Services Fee (#24-033)</b>					
Geotechnical Investigation & Topographic Survey		\$12,100			
N/A		\$0			
<b>TOTAL SPECIAL SERVICE FEE (#24-033) (B)</b>		<b>\$12,100</b>			
<b>TOTAL FEE ( PRB #24-033) (A) + (B)</b>			<b>\$148,509</b>	<b>\$925,000</b>	<b>16.06%</b>

It should be noted that the Consultant's fee, excluding the extended CA services (\$53,690) represents 8.94% of the overall construction budget.

CA Phase Deliverables include:

**1.E. Construction Administration**

- Coordinate and attend one (1) meeting with the DAS and the Contractor prior to the commencement of the work, to review the Contractor's proposal for compliance with the requirements of the Contract Documents.
- Review the Contractor's submittals for general conformance with the design intent expressed in the Contract Documents.
- Visit the site a minimum of one (1) time each week during construction to assess the progress and quality of work and to determine if the work being performed is in general compliance with the Contract Documents.
- Attend bi-weekly job meetings, in conjunction with site visits, and prepare meeting minutes and field reports to document the progress and quality of the Contractor's work.
- Review Contractor's Applications and Certificate for Payment including Contractor's Requisition for Final Payment based upon a final inspection indicating the work is in compliance with the Contract Documents.
- Develop a punch list and conduct a final inspection. Determine the date of completion.
- Provide the DAS, for review and record, written warranties and related documents required by the Contract Documents and assembled by the Contractor.
- Submit one (1) hard copy set of signed and sealed Record Drawings, and one (1) set of drawings and specifications in PDF and CAD format.

Staff followed up with DAS-RECS and asked following to clarify:

1. CA Phase Deliverables for the expected 5-month construction phase (per Consultant) are identified in Article #1.E of this proposed Task Letter #2, but Task Letter #2 is silent with respect to Deliverables for the Extended CA Phase. Please clarify the following:
  - a) What Deliverables are expected of the Consultant if NTP is issued for the Extended CA Phase;  
**DAS/RECS Response:** There are no deliverables due by the Consultant. Deliverables are already required by the Consultant serving in their Engineer role, this task letter is for services only.
  - b) Should those Deliverables be incorporated into the Task Letter #2; and  
**DAS/RECS Response:** Deliverables are not applicable.
  - c) What type event(s) will lead to DAS-RECS issuing NTP for the Extended CA Phase.  
**DAS/RECS Response:** The Notice To Proceed to Construction would incorporate the extended Construction Administration (CA) services.

Staff Response: Upon receipt of DAS-RECS responses, Staff provided the following response:

May I suggest a TEAMS Meeting to assist in providing clarity for this Task Letter #2.

CA Phase Services are enumerated in Article 1.E. Those services are clearly understood. The fee for CA Phase is stated in Article 2.F - \$16,260. )

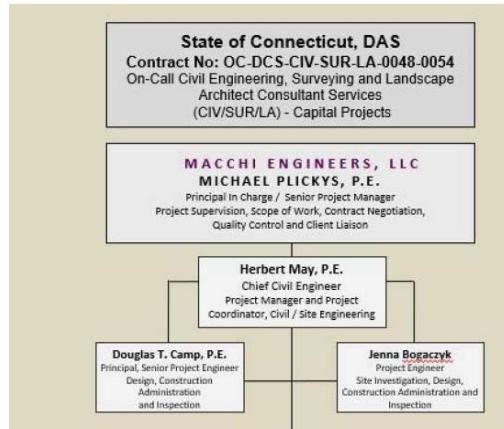
Clarity is needed with the following portion of Task Letter #2:

APPENDIX FOR PAYMENT

- 2 . In the event the State approves and allocates funds for construction, a sum of Fifty-Three Thousand Six Hundred Ninety Dollars (**\$53,690.00**) shall be paid to the Consultant for Extended Construction Administration if such administration is requested by the DAS.

Additionally after researching OC-DCS-CIV/SUR/LA-0040 and OC-DCS-CIV/SUR/LA-0048 for clarity in the Extended CA services, another issue has been identified and requires resolution.

In the Consultants Proposal for this Task Letter #2, it identifies a 'Sr Engineer Jenna' at a \$160/hour rate (Total Hours = 337 x \$160 = \$53,920), when 'Jenna' is identified as a 'Project Engineer' in the Consultant's new OC-DCS-CIV/SUR/LA-0048, just approved three weeks ago under PRB #24-013. Furthermore, as of this writing, 'Jenna' is identified as a Project Engineer on the Consultant's website ([JENNA BOGACZYK :: Macchi Engineers, LLC](#)). The identified rate under the TL#2 is \$140/hour for a Project Engineer and DAS-RECS should modify this Task Letter to reflect said role and rate (Total Hours = 337 x \$140 = \$47,180). If DAS-RECS disagrees with this conclusion, please provide the rationale for retaining the fee structure under this Task Letter #2.



**DAS/RECS Response:** The services being proposed by this consultant and included with the drafted task letter are for a Senior Engineer (regardless of who within the consultant firm is providing said services). If we're not receiving the adequate services needed and contracted, we would request "Jenna" to be replaced with someone more suited. DAS/RECS cannot opine on the accuracy of the web site.

This task letter is written against CIV-LA-0040 and is not associated with CIV-LA-0048 - the contract that was approved by SPRB just recently as those are not yet available for use until approved by the AG.

**Staff Response:** During the Meeting, DAS-RECS confirmed the Extended Construction Phase services, if required of the Consultant, are to provide CA-phase services beyond the scope of traditional ARC/ENG CA-phase services, to assist the DAS Project Team with the Project. The proposed Extended Construction Phase services are in lieu of DAS-RECS retaining a consultant under the OC-DCS-CA Series Contracts. OK

With respect to the Consultant's Project Team, DAS will ensure that the staffing utilized on the Project will reflect the experience level required by DAS to ensure a successful completion of the Project. OK

**RECOMMENDATION:** Staff recommends approval of Task Letter #2 in the amount of \$148,509 for CIV-SUR/LA Design and CA Phase Services related to Hamden Paving and Exterior Lighting Project.

- DAS has confirmed for that funding is available for this Task Letter #2.
- The submittal is accompanied by a Campaign Contribution Affidavit notarized on 12/5/23.

**7. OTHER BUSINESS:**

**8. VOTES ON PRB FILE:**

**PRB FILE #24-033** – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #24-033. The motion passed unanimously.

**9. NEXT MEETING** – Thursday, March 28, 2024 – will be held solely by means of electronic equipment.

The meeting adjourned.

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