

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On July 6, 2020 – remotely via telephone conference –

Pursuant to Governor Lamont's Executive Order No. 7B regarding suspension of In-Person Open Meeting requirements, the State Properties Review Board conducted its Regular Meeting at 9:30AM on July 6, 2020 remotely via telephone conference at (866)-692-4541, passcode 85607781.

Members Present:

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

Members Absent:

Staff Present:

Dimple Desai
Thomas Jerram

Guests Present

Chairman Greenberg called the meeting to order.

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 2, 2020 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Director Desai updated Board Members of his conversation with the AG's office related to the Board's authority to place stipulations on the approvals. This question was raised by the DAS Dep Commissioner Petra for a judicial project - PRB #20-109 (BI-JD-373). The AG's office had advised that the Board has this authority under their power to approve the proposal as far as the condition/s relate to the proposal being reviewed.

3. REAL ESTATE- UNFINISHED BUSINESS

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Open Session and into Executive Session at 9:51. The motion passed unanimously.

EXECUTIVE SESSION

For Discussion Purposes Only

<i>PRB #</i>	19-255-A
<i>Transaction/Contract Type:</i>	AG/PDR
<i>Origin/Client:</i>	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 10:19. The motion passed unanimously.

OPEN SESSION

4. REAL ESTATE – NEW BUSINESS

PRB #	20-119
Transaction/Contract Type:	RE – Lease Out
Origin/Client:	DAS/CAES
Lessee:	Goudarz Molaei
Property:	New Haven, Huntington St (123)
Project Purpose:	Residential Lease Out for 2-Year Term
Item Purpose:	New Lease Out

At the December 27, 2016 SPRB Meeting, under PRB #16-293, the SPRB approved a new residential lease out for continued use of Apartment #1 on the CT Agricultural Experiment Station (CAES). The apartment contains 1,120 square feet and is located on the first floor of a three-story laboratory on the CAES Campus. The rental paid was \$386.21 on a bi-weekly basis, which reflects 70% of market rent (\$1,200/mo) based on an August 2016 valuation. The lease out expired on January 9, 2019 and the tenant, Goudarz Molaei, has been occupying the apartment on a holdover basis since expiration.

Under this Proposal (PRB #20-119), DAS and CAES are now seeking SPRB approval to enter into a new lease out on a monthly basis for a term not to exceed two years. The rental rate is \$386.21 on a bi-weekly basis, which reflects 70% of market rent (\$1,200/mo) based on an August 2016 valuation. DAS requires an updated valuation every five years. The next valuation is scheduled for 2021.

The lease terms are as follows.

- All tenants are state employees and reside on institutional grounds. Therefore, in concert with the Governor's Directive, rents are 70% of Market
- Lease term is month to month, not to exceed 2 years.
- The Lessor pays for all utilities (heat, electricity & water) because the above improvements are not individually metered.
- Tenants that lease dormitory rooms and apartments are responsible for the costs of telephone & cable and minor maintenance & repairs.
- All tenants are responsible for the cost repairs due to negligence of tenant, tenant's family members and/or tenant invitees.
- All leases may be terminated by either party with 30 days prior notice. All leases terminate upon the death of tenant.
- No lease contains a renewal provision and holdover, if any, is month-to-month.
- The amount of rent is subject to adjustment from time to time in accordance with the State Housing Program administered by DAS.
- Assignment and subletting are not permitted.
- Only the occupants identified in Section 5 of the lease are permitted; in this lease: Goudarz Molaei.
- If the tenant fails to vacate when required, tenant shall pay a holdover fee equal to \$1,000/month or twice the monthly rent, whichever is greater.

CAES Remarks:

Remarks: We ask the renter of the apartment to walk the campus and buildings at night and on weekends for security. He checks the greenhouses. He receives off hour deliveries for the station, opens and closes the buildings some nights and weekends, responds to burglar and fire alarms. The renter is the first responder with any problems occurring at night and on weekends and communicates problems to the administration.
We believe that having someone in the apartment protecting the state's property and equipment is critical to operation of the Experiment Station

RECOMMENDATION: Board approval is recommended for this new 2-year lease out to Goudarz Molaei for the following reasons;

1. The Resident of the unit was qualified under DAS Housing Policy;
2. The rental rate is based on an independent valuation;
3. The Resident assists with off-hours responsibilities; and
4. OPM approved of the Lease Out on March 20, 2020.

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB #	20-120
Origin/Client:	DCS/CCSU
Transaction/Contract Type	AE / Amendment #1
Project Number:	BI-RC-395
Contract:	BI-RC-395-CA
Consultant:	Turner Construction Corporation
Property	New Britain, Stanley St (1615) – CCSU
Project purpose:	New Engineering Building
Item Purpose:	Amendment # 1

PROPOSED AMOUNT: \$35,040

At the State Properties Review Board meeting held on July 25, 2016, the Board approved #16-181 (BI-RC-395-CA), in the amount of \$2,298,615, for the new Engineering Building located on the CCSU Campus. The Contract stated 605 days were allocated for Construction Phase Services plus a 90-day closeout period.

DCS selected KBE Building Corporation as the CMR and the CMR contract was approved by the AG on September 29, 2016. Public Bids were opened on April 10, 2019. A Guaranteed Maximum Price Amendment (GMPA) was approved by the AG on October 4, 2019. Pursuant to the GMPA, substantial completion of the project is stated as March 12, 2021. The CMR anticipated a Notice to Proceed for September 9, 2019, with construction estimated at 550 days plus 90 days for acceptance.

Under this Proposal (#20-120), DCS is now seeking approval of an additional \$35,040 in CA fees to compensate the Consultant for escalations costs for a one-year delay in the project between the CD and Procurement Phases. This 1.8% increase is based on the US Bureau of Labor Statistics' CPI for the period of delay.

The overall construction budget and total project costs are \$44,129,785 and \$62,698,900.

TCC Fee for Basic Services (PRB 16-181)	<u>COST (\$)</u> <u>(BASIC)</u>	<u>COST (\$)</u> <u>(SPECIAL)</u>	<u>C. Budget (\$)</u>	<u>(%)</u> <u>Budget</u>
Pre-Construction Phase	\$308,000			
Bid Phase	\$100,000			
Construction Administration Phase	\$1,544,400			
Project Close-Out Phase	<u>+\$171,600</u>			
TOTAL BASIC SERVICE FEE (#16-181) (A)	\$2,124,000		\$44,852,500	4.73%
<u>SPECIAL SERVICES:</u>				
Mechanical System Commissioning (CES Engineering)		\$76,175		
Building Envelope Commissioning (Langan Engineering)		<u>+\$98,440</u>		
TOTAL SPECIAL SERVICES(B)		\$174,615		
TOTAL FEE (PRB #16-181) (A) + (B)		\$2,298,615	\$44,852,500	5.12%

TCC Fee for Basic Services (PRB 20-120) (A1)				
Bid Phase (Procurement)	\$1,800			
Construction Administration Phase	\$27,800			
Project Close-Out Phase	<u>\$3,090</u>			
TCC Fee for Basic Services (PRB 20-120) (A1)	\$32,690			
TOTAL BASIC SERVICE FEE (#20-120) (A) + (A1)	\$2,156,690		\$44,129,785	4.89%
<u>SPECIAL SERVICES (#20-120) (B1):</u>				
Mechanical System Commissioning (CES Engineering)		\$1,311		
Building Envelope Commissioning (Langan Engineering)		<u>+\$1,040</u>		
TOTAL SPECIAL SERVICES(B1)		\$2,351		
TOTAL FEE (PRB #20-120) (A)+(A1) + (B)+(B1)		\$2,333,655	\$44,129,785	5.29%

DCS confirmed funding is in place for this Amendment #1.

Staff have requested clarification of the following issue:

1. Please clarify what was the cause of delay between the CD and Procurement Phases for a one-year term

DCS Response: Regarding the delay: Under the previous Administration, the Board of Regents had to selected several projects from the construction portfolio for either a delay in bidding of 1 or 2 years, or a cancel of the project. These actions were needed for the BOR to meet their new restricted budget. The New Engineering Building was at the end of the CD Phase at this time and had a 1-year delay imposed on its progress by the BOR at that time. We had to hold and restart the design team during this time to recalibrate activities to the new schedule.

2. Provide a copy of the Notice to Proceed to the CMR and CA

DCS Response: DCS provided.

Staff Response: OK

3. Provide contractual language tying various phases of work performed by the CA starting Pre-Design phase till Procurement with specific time-frame or number of days

DCS Response: Please clarify, do not understand SPRB's intent

Staff Response: Trying to understand the basis for proposed compensation. Each phase requires written notice to proceed (Exhibit A, page 15 of 40). What notice was provided to CA when DCS learned that the project will be delayed a year or so?

DCS Response: I will get with Peter/Rahul on this.

4. Why didn't DCS suspend the CA contract?

DCS Response: Please clarify, do not understand SPRB's intent

Staff Response: The CA contract allows for suspension. If the project was suspended and restarted, what would have been the impacts on CA compensation and schedule/number of days CA is obligated to provide services?

DCS Response: I'm not understanding the question. The CA is not asking for compensation for any additional services. Their contracted durations are all still the same. They are just performing their procurement and construction phase duties a year later. Because of the year pause, they are entitled to compensation for inflation.

5. Provide a log of disbursements/payments made to the CA for various phases starting Pre-Design phase till now

DCS Response: DCS provided.

Staff Response: OK

6. What is the status of the project?: project is under construction.

Staff Response: OK

7. Was there an amendment to the GMP? What was the reason?

DCS Response: Please clarify, do not understand SPRB's intent

Staff Response: Trying to understand if it is tied in any way to delays and if there are any cost implications.

DCS Response: No, the GMP was never amended and was drafted and approved after the project hold. In the GMP, KBE received escalation cost, just as we are seeking for Turner in this amendment. An amendment for Amenta Emma is also coming that will be seeking the same.

8. Provide schedules (original) and revised showing new completion dates and highlight the tasks that delayed the project

DCS Response: There are no tasks that delayed the project. The delay was caused by BOR not having the necessary funding to move the project forward. The construction is still taking the same amount of time, the construction duration has always been 550 days. It was before the project hold and still is now.

RECOMMENDATION: Staff recommend approval of this consultant contract amendment in the amount of \$35,040. The overall basic service rate of 4.89% is generally consistent with the established guideline rate of 5% for this Group C New Construction Project.

FROM PRB #16-181

Re: PRB # 16-181, Standard Fixed-Fee—A/E Services Contract
Central Connecticut State University— New Engineering Building Project
Project #BI-RC- 395-CA – Turner Construction Company - Total Fee \$2,298,615

PROJECT BRIEF— In general this project involves the design and construction of a new 100,000 GSF Building for newly created School of Engineering, Science and Technology at Central Connecticut State

University (“CCSU”). The facility is currently planned to be located between the Student Center Parking Garage and the Burritt Library. The school will be designed and constructed with a 50-year+ life expectancy and is anticipated to provide a collaborative learning environment with enhanced instructional options, expanded research/lab options and public space amenities. The overall project will also include technology specific learning areas, high performance computer infrastructure, collaboration areas, state of the art laboratories and an auditorium. The design of the building will also include a future connection to the library. The overall construction and total project budget have been established at \$44,852,500 and \$62,700,000 respectively.

In July 2015 the Department of Construction Services (“DCS”) issued a Request for Qualifications (RFQ) for Construction Administrator Consultant Teams related to the CCSU New Engineering Building Project. DCS elicited eleven (11) responses to the advertisement of which all of the respondents were considered “responsive”. DCS then proceeded to review the eleven submittals and after the completion of the internal review process, five firms were selected for short-listed interviews. These firms were as follows, Hill International, Inc., A/Z Corporation, Strategic Building Solutions, LLC, Turner Construction Company and The Morganti Group, Inc. 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 Turner Construction Company, Inc. (“TCC”) as the most qualified firm.

This contract is for Construction Administrator Consultant Teams for the completion of the CCSU New Engineering Building Project from preconstruction phase services, into bidding, through the completion of construction and the subsequent project close-out. The overall compensation rate for this basic service is \$2,123,550 with an additional \$174,615 for special services. As such the total project fee is \$2,298,615. The special services detailed in the project scope include mechanical building system commissioning and building envelope commissioning.

DCS has confirmed for SPRB that funding is available for this contract. FEE – The costs of basic and special services are as follows:

TCC Fee for Basic Services (PRB 16-181)	COST (\$) (BASIC)	COST (\$) (SPECIAL)	C. Budget (\$)	(%) Budget
Pre-Construction Phase	\$307,550			
Bid Phase Phase	\$100,000			
Construction Administration Phase	\$1,544,400			
Project Close-Out Phase	<u>+\$171,600</u>			
TOTAL BASIC SERVICE FEE (#16-181) (A)	\$2,123,550		\$44,852,500	4.73%
<u>SPECIAL SERVICES:</u>				
Mechanical System Commissioning (CES Engineering)		\$76,175		
Building Envelope Commissioning (Langan Engineering)		<u>+\$98,440</u>		
TOTAL SPECIAL SERVICES(B)		\$174,615		
TOTAL FEE (PRB #16-181) (A) + (B)		\$2,298,615	\$44,852,500	5.12%

- The RFQ posted July 2015 elicited 11 candidates. The Selection Panel interviewed five firms and ultimately recommended the appointment of Turner Construction Company (“TCC”). The selection was approved by Commissioner Currey on 2/19/2016.
- TCC is locally located in Shelton. This firm was established in 1903 and has over 5,000 employee worldwide with 30 + employees in its Shelton Office inclusive of 20± construction managers, 5 cost estimators and 2 scheduling coordinators.
- TSIB Insurance Inc. reported that over the past 5 years TCC has been exposed to over 50 general liability or professional liability claims. These claims are primarily attributed to the world-wide nature

of TCC's business. It should be noted that none of these claims are related to DCS Construction Projects.

- The submittal is accompanied by a Consulting Agreement Affidavit notarized on 8/3/2015.

RECOMMENDATION: It is recommended that SPRB APPROVE this new contract for Turner Construction to provide pre-construction and construction phase services at the CCSU New Engineering Building Project. The overall basic service rate of 4.73% is generally consistent with the established guideline rate of 5% for this Group C New Construction Project.

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILES #20-119 – Mr. Halpert moved and Mr. Berger seconded a motion to approve PRB FILE #20-119. The motion passed unanimously.

PRB FILES #20-120 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #20-120. The motion passed unanimously.

9. NEXT MEETING – Thursday, July 9, 2020.

The meeting adjourned.

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