

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On May 17, 2021 – 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 May 17, 2021 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

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 May 13, 2021 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Mr. Berger provided Board Members with an update on his ongoing conversations and review about certain proposed legislation that affects the State Properties Review Board.

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Open Session and into Executive Session at 10:13. The motion passed unanimously.

EXECUTIVE SESSION

PRB #:	21-059
Transaction/Contract Type:	RE/ Amendment
Origin/Client:	DAS/ DAS

Statutory Disclosure Exemptions: 4b-23(e), 1-200(6)(D) & 1-210(b)(24)

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Executive Session and into Open Session at 10:39. The motion passed unanimously.

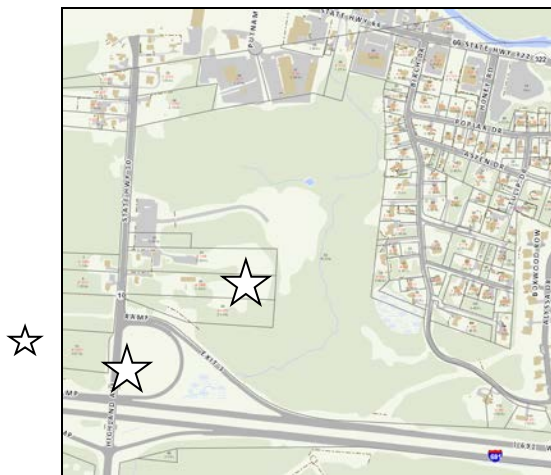
PRB # 21-070
Transaction/Contract Type: RE – Conveyance
Origin/Client: DOT/DOT
Project #: 025-082-001F
Grantee: Town of Cheshire
Property: Cheshire, Milldale Rd, Route 10 (land)
Project Purpose: DOT Conveyance of 58 acres
Item Purpose: Legislative Conveyance pursuant to SA 19-4, Section 1(c)

RELEASE PRICE: \$1,000

Project Background

Pursuant to Special Act No. 19-4, Section 1(c), approved by the Governor on July 23, 2019, the State will convey approximately 58 acres to the Town for economic development purposes.

The land, identified by the Cheshire Assessor, includes Lots #31, #32 and #33 on Assessor's Map 4. The land area identified by the Assessor totals 48.07 acres. The 58 acres conveyed is based on the DOT Survey, not the Assessor's Map.



The land is conveyed with the following special limitation:

(b) The town of Cheshire shall sell said parcels of land for economic development purposes. If the town does not sell said parcels for economic development purposes within five years after the conveyance, the parcels shall revert to the state of Connecticut.

The State acquired the property in four separate transactions from 1970 through 1983.

The Special Act Language is as follows:

Section 1. (Effective from passage) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of Cheshire three parcels of land located in the town of Cheshire at a cost equal to the administrative costs of making such conveyance. The first parcel of land has an area of approximately 3.59 acres and is identified as Lot 31 on town of Cheshire Tax Assessor's Map 4. The second parcel of land has an area of approximately 0.88 acre and is identified as Lot 32 on town of Cheshire Tax Assessor's Map 4. The third parcel of land has an area of approximately 43.6 acres and is identified as Lot 33 on town of Cheshire Tax Assessor's Map 4. The precise size and area of said parcels to be conveyed shall be determined by the commissioner. The conveyance of said parcels shall be subject to the approval of the State Properties Review Board.

(b) The town of Cheshire shall sell said parcels of land for economic development purposes. If the town does not sell said parcels for economic development purposes within five years after the conveyance, the parcels shall revert to the state of Connecticut. Any sale of said parcels shall be made at a cost equal to the fair market value of said parcels, as determined by the average of the appraisals of two independent appraisers selected by the commissioner. Such appraisals shall be completed not later than six months after such conveyance and shall be updated as necessary. Any funds received by the town of Cheshire from a sale in accordance with this subsection shall be transferred to the State Treasurer for deposit in the Special Transportation Fund.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcels of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The commissioner shall have the sole responsibility for all other incidents of such conveyance.

Approved July 23, 2019

On May 10, 2021, Staff received an email from DOT's Amy Martinez stating "This office discovered an error on the subject map, an easement to drain in favor of the State should have been retained. We will be updating the map and deed and sending it through again."

RECOMMENDATION: Based on a May 10, 2021 email Staff recommends return of this Proposal to DOT.

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

PRB #	18-184
Origin/Client:	DCS/DEEP
Transaction/Contract Type	AE / Amendment #2
Contract:	BI-T-611-ENG
Consultant:	HDR Engineering, Inc.
Property:	Plainfield, Trout Hatchery Rd (141) – Quinebaug Valley Hatchery
Project purpose:	Energy and Water Supply System Operating Improvements
Item Purpose:	Amendment #2 to compensate consultant for additional project scope

MAY 13, 2021 UPDATE.

Staff recommend that in light of DCS' submission of PRB #21-067 that this file be returned to DCS.

CONSULTANT FEE: \$67,640

The Hatchery sits on approximately 140 acres of state owned land and was constructed in 1971 at a cost of 2.5 million dollars (2012 Replacement Cost - \$35-\$40 million). The water is supplied by 16 wells each of which can produce from 100 to 800 gallons per minute providing the 5,000 gallons per minute necessary for fish production. Four of the 16 wells are idle due to high iron content. Quinebaug Valley Hatchery is responsible for the production of the majority of the state's trout.

In 2015 the actual flow rate of well water was 3,130 gallons per minute (GPM), well below the 5,000 GPM designed for the system. The first phase of the trout-rearing process requires in initial 3,600 GPM flow indicating the system is operating on 87% of the required water flow with no well system

redundancy or back-up units. This water is reused six (6) times in the trout-rearing process. Staff now utilize untreated, recirculated water to meet the needs of the outdoor Grow Out Tanks (50-ft diameter). This untreated water has the potential to spread disease, cause reduced facility biosecurity and decreases the water quality in the outdoor tanks.

This state of the art facility relies on an automatic process instrumentation, an alarm system and human intervention to maintain a smooth 24/7/365 day operation. Well and water-related supply system problems impact the critical fish life-support water-quality parameters and trigger alarms that must be resolved by on-site personnel.

PROJECT BRIEF – In general this project involves the design and construction of electrical equipment and water system control upgrades will reduce utility costs and increase the operational efficiency of the hatchery. The water system control upgrades are envisioned to include but not be limited to general rearing water upgrades, well pump and motor replacement, new well and head tank controls as well as a new water recirculation system. These upgrades will be accomplished by the installation of automated controls on three of the six wells, utilization of drum filters, bioreactor beds, ultraviolet disinfection and carbon dioxide stripping towers. The consultant will also provide additional design services related to biological criteria testing/establishment, metabolic requirements for fish, water quality data for fish production and system testing inclusive of dedicated start-up support. This scope will include the construction of a 1,300 GSF concrete block structure to house all of the recirculation equipment. The initial overall construction and total project budgets were established at **\$1,810,000** and **\$2,529,651** respectively.

In September 2014, the Department of Construction Services (“DCS”) issued a Request for Qualifications (RFQ) for *Engineering Consultant Design Teams* related to the **Quinebaug Valley Fish Hatchery– Energy & Operating Improvements Project**. 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 **HDR Engineering, Inc.** (“HDR”) as the most qualified firm.

In December 2015, the Board approved (PRB 15-265) the overall compensation rate for a total fee of **\$296,563** with **\$246,961** in basic services and an additional **\$49,602** for special services. The special services detailed in the project scope included biological criteria establishment, component start-up, system testing and the development of a wastewater sampling plan. The scope included an 8-month construction period.

In September 2016, the Board approved Amendment # 1 (PRB #16-226) for \$76,802 increase in the overall compensation rate (\$373,365 total) for the expanded scope of work. The overall construction and total project budgets were increased to **\$2,810,000** and **\$3,834,865** respectively.

CONTRACT AMENDMENT #2

This contract amendment will provide a \$67,640 increase in the overall compensation rate for the consultant (\$441,005 total), for the expanded scope of work including:

- Removal of the design components for a water recirculation system and 1,300 GSF building from the project as these two items are no longer eligible for funding;
- Design for rehabilitation of the existing production wells to improve well production flow rates to include:
 - Removal of pumps and motors in 9 wells to permit an injection of liquid carbon dioxide into each well and mechanically remove newly developed particulates from the well and formation using the surge/air lift method;
 - Design a well modification to accommodate liquid carbon dioxide injection into wells without removal of the pumps and motors; and
- Design for the replacement of unit heaters, exhaust fans, thermostats and LED lighting in all well houses; and
- Expand the construction period by four (4) months to a 14-month construction period.

The overall construction remains at **\$2,810,000** and the total project budget was increased to **\$3,902,505** respectively. DCS has confirmed for SPRB that funding is available for this contract.

FEE – The costs of basic and special services are as follows:

HDR Fee for Basic Services (PRB 15-265)	<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>(%)</u> <u>Budget</u>
Schematic Design Phase	\$54,985				
Design & Construction Document Phases	\$106,473				
Bidding and Review Phase	\$8,497				
Construction Administration Phase	<u>\$77,006</u>				
TOTAL BASIC SERVICE FEE (#15-265) (A)	\$246,961			\$1,810,000	13.64%
<u>SPECIAL SERVICES:</u>					
Biological Design Criteria		\$9,106			
Component Start-Up		\$14,855			
System Testing		\$22,185			
Wastewater Sampling Plan		<u>\$3,456</u>			
AMENDMENT#1 PRB FILE #16-226 – Additional Design Services (A1)	<u>\$76,802</u>				
AMENDMENT#2 PRB FILE #18-184 – Additional Design Services (A2)	<u>\$67,640</u>				
TOTAL BASIC SERVICES (A + A1 + A2)	\$391,403			\$2,810,000	13.93%
TOTAL SPECIAL SERVICES(B)		\$49,602			
TOTAL FEE (PRB #18-184)			\$441,005	\$2,810,000	15.69%

Following questions were raised based on the review of the proposal.

- The budget in SPRB memo reflects total revised budget of \$3,834,865 instead of \$3,902,505. This error might be because the A/E Fee is listed as \$373,365 instead of \$441,005. Unless some other line items are adjusted.
- Accordingly pl submit a revised Form 1105 to reflect the addition to the A/E services by this Amendment #2.
- In April 10, 2018 letter from HDR, under Item 3, Schedule – it says the construction period will be greater than the 12 months as originally planned. On page 3 of the same document, it says HDR estimates the construction duration to be 14 months. And it also says that the fee proposal does not include additional time on-site for fisheries specialist to observe progress throughout the construction

phase. Has this arrangement been approved by DEEP? Or DCS contemplates that there will be additional compensation later on. Pl clarify.

- Please clarify how many wells are in operation. DEEP website states 16 total wells of which four idled due to high iron content. Amendment #1 made improvements to 13 wells and Amendment #2 includes design improvements to 9 wells. Why reduction in wells?
- Please clarify how the rehabilitation of the wells qualifies as energy savings with the enabling legislation (PA 07-242) and subsequent bond funding (In light that the scope had to be changed because of insufficient energy savings).
- Please clarify why Amendment #2 includes compensation to the consultant for the replacement of unit heaters and exhaust fans when it appears the consultant had been compensated for the same services in Amendment #1.

RECOMMENDATION: Staff recommends to **SUSPEND** this item until further clarification is received on the questions raised above.

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB # 21-061
Origin/Client: DCS/DCS
Transaction/Contract Type AE / On-Call ARC Consulting Contracts
Contract: OC-DCS-ARC-0066
Consultant: Quisenberry Arcari Malik, LLC
Item Purpose: New On-Call Contract

PRB # 21-062
Origin/Client: DCS/DCS
Transaction/Contract Type AE / On-Call ARC Consulting Contracts
Contract: OC-DCS-ARC-0067
Consultant: Maier Design Group, LLC
Item Purpose: New On-Call Contract

PRB # 21-063
Origin/Client: DCS/DCS
Transaction/Contract Type AE / On-Call ARC Consulting Contracts
Contract: OC-DCS-ARC-0068
Consultant: Friar Architecture, Inc.
Item Purpose: New On-Call Contract

PRB # 21-064
Origin/Client: DCS/DCS
Transaction/Contract Type AE / On-Call ARC Consulting Contracts
Contract: OC-DCS-ARC-0069
Consultant: Svigals + Partners, LLP
Item Purpose: New On-Call Contract

PRB # 21-065
Origin/Client: DCS/DCS
Transaction/Contract Type AE / On-Call ARC Consulting Contracts
Contract: OC-DCS-ARC-0070
Consultant: Christopher Williams Architects, LLC
Item Purpose: New On-Call Contract

PRB #	21-066
Origin/Client:	DCS/DCS
Transaction/Contract Type	AE / On-Call ARC Consulting Contracts
Contract:	OC-DCS-ARC-0071
Consultant:	Northeast Collaborative Architects, LLC
Item Purpose:	New On-Call Contract

This is the 10th series of On-Call Architect Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2002. The prior series of On-Call Architect Consulting Contracts expires on 05/15/2021.

Under this Proposal DCS seeks the Board’s approval of the 10th Series of the On-Call Contract. The six (6) On-Call Contracts that are the subject of this memorandum have a maximum total cumulative fee of \$1,000,000 per contract and a common expiration date of 08/15/2023. The On-Call Contract can be utilized on DCS projects with construction budgets of up to five million dollars (\$5,000,000).

DAS/DCS has made some revisions to the contract for this series to include:

- Section G - by adding “Notwithstanding the preceding sentence, a pre-approved hourly rate shall not exceed a reasonable rate, as determined by the Commissioner, taking into consideration the skills and experience of the person providing the services.” and
- Addition of Exhibit A to include the Consultant’s hourly rates.

A Request for Qualifications (RFQ) for the consultant services was released on December 17, 2020 and elicited twenty (20) responses at the January 19, 2021 due date for response. All Respondents were interviewed. The State Selection Panel consisted of three members and rated each firm based upon a weighted ranking system.

At the completion of the State Selection Panel process; DCS Management Team reviewed the results and recommended the approval of six firms under this series. The selection of the firms was approved by DAS Deputy Commissioner Petra on 2-24-2021.

This proposal before the SPRB is for review and approval of the following firms under this series.

PRB 21-061 –Quisenberry Arcari Malik, LLC (QAM) was originally established in 1999. QAM, located in Farmington, has a local staff of thirty (30) employees, including 14 architects. DCS reports QAM was awarded 1 contract over the past five years with \$199,560 total volume of work. The company has not been awarded an on-call contract or formal contract in the past two years.

QAM has an Architecture Corporation License with the CT State DCP as ARC.000650 that is currently active. Hanover Insurance reported that QAM has experienced five general liability or professional policy losses or claims during the past 5 years. None of these claims are related to work with the State of Connecticut. QAM scored a total of 310 out of a possible 320 points.

21-062 – Maier Design Group, LLC (MDG) originally established in 1993 and is also a MBE. MDG has a local staff of 7 employees including 1 architect and 1 CAD technician. DCS reports MDG was awarded 1 contract over the past five years with \$460,345 total volume of work. The company has not been awarded an on-call contract or formal contract in the past two years.

MDG has an Architecture Corporation License with the CT State DCP as ARC.000762 that is currently active. with the CT State DCP which is active until 7/31/2019. Smith Brothers Insurance, LLC reported that MDG has been exposed to one professional policy or liability loss or claims during the past 5 years, not related to a DCS project. MDG scored a total of 304 out of a possible 320 points.

PRB 21-063 – Friar Architects, Inc. (FAI) is locally located in Farmington and was originally established in 1985. FAI currently has a local staff of 19 employees including 7 professional architects and 1 interior designer. DCS reports FAI was awarded 2 contracts over the past five years with \$688,746 total volume of work. The company has been awarded the following on-call contract or formal contract in the past two years:

- OC-DCS-ARC-0058 - Roof and HVAC Upgrades at Lyman Hall (SCSU) - \$129,040.

FAI has an Architecture Corporation License with the CT State DCP as ARC.000113 that is currently active. Smith Brothers Insurance Company reported that FAI has experienced no general or professional policy loss or claims during the past 5 years. None of these claims are related to projects funded by the State of Connecticut. FAI scored a total of 300 points out of 320 points.

PRB 21-064 – Svigals + Partners, LLP (SPL) established in 1983. SPL has a staff of 29 employees including 13 professional architects. DCS reports SPL was awarded 2 contracts over the past five years with \$6,300,000 total volume of work. The company has been awarded the following on-call contract or formal contract in the past two years:

- BI-RC-394-ARC (A3) - Additions and Renovations to Barnard Hall (CCSU) - \$54,089.
- BI-RS-329-ARC (A1) - Health & Human Service Building (SCSU) - \$154,250

SPL is operating under individual Architecture Licenses (ARC.00005135/ ARC.00009755/ ARC.00010242) with the CT State DCP. All are current. Fenner & Esler reported that SPL has had three general or professional policy loss or claims during the past 5 years. One these claims was related to a UConn project and was closed (\$0). SPL scored a total of 294 out of a possible 320 points.

21-065 – Christopher Williams Architects, LLC (CWA) originally established in 1986, has a local staff of 7 employees including over 3 professional architects. DCS reports CWA was awarded 2 contracts over the past five years with \$1,029,018.40 total volume of work. The company has been awarded the following on-call contract or formal contract in the past two years:

- OC-DCS-ARC-0052 (TL5B) – Sloane Museum Interior/Exterior Renovations - \$4,530.98.
- OC-DCS-ARC-0052 (TL1D) – Library Renovations @ Three Rivers Community College - \$126,040.

CWA has an Architecture Corporation License with the CT State DCP as ARC.000758 that is currently active. Maloney & Company reported that CA has not had a professional policy loss or claim during the past 5 years. CWA scored a total of 288 points out of a possible 320 points.

PRB 21-066 - Northeast Collaborative Architects, LLC (NCA) originally established in 1982 as Bianco Giolitto Weston Architects, is also an MBE. NCA currently has a local staff of 11 employees including 8 professional architects. DCS reports NCA was awarded 2 contracts over the past five years with \$1,164,519 total volume of work. The company has been awarded the following on-call contract or formal contract in the past two years:

- OC-DCS-ARC-0059 (TL2) – New Britain, Main St (185) CCSU-ITBD - \$425,500.
- OC-DCS-ARC-0059 (TL2A) – New Britain, Main St (185) CCSU-ITBD - \$2,475.
- OC-DCS-ARC-0059 (TL3) – 10,000 sf Advanced Mfg Technology Program at TXCC - \$149,200.

NCA has an Architecture Corporation License with the CT State DCP as ARC.000630 that is currently active. Smith Brothers Insurance, LLC reported that NCA has not had any professional policy claim during the past 5 years. NCA scored a total of 298 out of a possible 300 points and was identified as the most qualified firm.

A summary of the Consultants' Hourly Rates is as follows:

Labor Category	Per hour
Principal in Charge	\$ 190.00
Project Manager	\$ 160.00
Senior Engineer/Architect	\$ 160.00
Engineer/Architect	\$ 150.00
Senior Designer	\$ 140.00
Designer	\$ 110.00
Field Engineer	\$ 110.00
CAD/BIM Operator	\$ 85.00

SPRB Staff had asked following questions regarding this new On-Call Consultant Contract.

1. Please provide the Task Logs for OC-DCS-ARC-0059, 61, 63 and 64.
DCS Response: DCS Provided.
Staff Response: OK.

RECOMMENDATION – Staff recommends **APPROVAL** of the six On-Call Contracts that has a maximum total cumulative fee of \$1,000,000 per contract and a common expiration date of 08/15/2023.

From PRB #19-068 to #19-072

This is the 9th series of On-Call Architect Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2002. The five (5) On-Call Contracts that are the subject of this memorandum have a maximum total cumulative fee of \$1,000,000 per contract and a common expiration date of 05/15/2021. The prior series of On-Call Architect Consulting Contracts expires on 03/15/2019.

Two additional Consultants are not being submitted at this time, for the following reasons:

- OC-DCS-ARC-0062 – Antinozzi Associates, P.C. – credentials not yet complete.
- OC-DCS-ARC-0065 – Newman Architects, PC – waiting for resolution of affidavit issue.

DAS/DCS has made some minor revisions to the boilerplate contract for this series to include:

- Removal of references to Division of Construction Services (DCS);
- Expanded *Indemnification* language;
- Expanded *Suspension of the Work* language;
- Expanded *Termination of Contract* language; and
- Addition of *Notices* clause.

The 8th series of On-Call Architect Consulting Contracts was approved by the Board in January 2017 under PRB Files #17-005 through #17-010. Only three (3) of the firms under this current 9th series RFP submittal have been previously approved for *Architecture Consulting On-Call Contracts*: edm Services, Inc., Friar Architecture, Inc. and Northeast Collaborative Architects.

A Request for Qualifications (RFQ) for the consultant services was released on December 10, 2018 and elicited sixteen (16) responses. Fifteen (15) of the 16 respondents were considered “responsive” to the submittal requirements and as such interviewed. The State Selection Panel consisted of three members and rated each firm based upon a weighted ranking system.

At the completion of the State Selection Panel process; DCS Management Team reviewed the results and recommended the approval of seven firms under this series. This submittal is for SPRB review and approval of the following five firms (two not submitted at this time) under this series.

PRB 19-068 - Northeast Collaborative Architects, LLC (NCA) originally established in 1982 as Bianco Giolitto Weston Architects. NCA currently has a local staff of 17 employees including two office administrators, 10 professional architects and 5 interior designers. The company has not been awarded an On-call Contract or Formal Contract with the DCS in the past two years.

NCA has an Architecture Corporation License with the CT State DCP as ARC.000630 that is currently active. Smith Brothers Insurance, LLC reported that NCA has had one professional policy claim during the past 5 years. This claim was related to an undefined project with the Town of Glastonbury. This claim is still open. NCA scored a total of 298 out of a possible 300 points and was identified as the most qualified firm. NCA is also identified by DAS as a Small/Minority Business Enterprise (through 3-21-20).

PRB 19-069 – A/E Design Group, LLC (“AED”) originally established in 1984, has a local staff of 4± employees including 2 professional architects and an interior designer. The company has been awarded the following Task Letters under the 7th series of On-call Architect Consultant Contracts:

- Task Letter #8A Asnuntuck CC, Manufacturing Center \$8,500 (PRB-18-046)

AED is operating under Mr. Lamontagne’s Architect’s License Number is ARI.0011219 and is currently active with the CT State DCP. Smith Brothers Insurance, LLC reported that AED had no professional policy claims during the past 5 years. AED scored a total of 293 out of a possible 300 points and was identified as the second most qualified firm.

PRB 19-070 – Quisenberry Arcari Malik, LLC (QAM) was originally established in 1999. QAM, located in Farmington, has a local staff of thirty-four (34) employees, including 13 architects. The company has not been awarded an on-call contract or formal contract in the past two years.

Maloney & Company, LLC reported that QAM has experienced seven general liability or professional policy losses or claims during the past 5 years. None of these claims are related to work with the State of Connecticut. QAM scored a total of 287 out of a possible 300 points and was the third most qualified firm.

19-071 – Friar Associates, Inc. (FAI) is locally located in Farmington and was originally established in 1985. FAI currently has a local staff of 20± employees including one office executives, 8 professional architects and 1 interior designer. The company has not been awarded an On-call Contract or Formal Contract with the DCS in the past two years.

FAI has an Architecture Corporation License with the CT State DCP as ARC.000113 that is currently active. Smith Brothers Insurance Company reported that FAI has experienced nine general or professional policy loss or claims during the past 5 years. None of these claims are related to projects funded by the State of Connecticut. FAI scored a total of 273 points out of 300 points and was identified as the fifth most qualified firm.

The company has been awarded the following Task Letters under the 8th series of On-call Architect Consultant Contracts:

- Task Letter #1 Statewide Courthouse Security Study \$84,750 (Informal)
- Task Letter #2 Three Rivers CC Science Lab Renov. \$28,000 (Informal)
- Task Letter #3 Osborne CI Elevator \$0 (Not Assigned)
- Task Letter #4 Granoff Hall Holding Cells \$18,500 (Informal)

• Task Letter #5	DVA ADA Renovations	\$204,890	(PRB-18-146)
Total Fee to Date:		\$336,140	

19-072 – edm-CT, Inc. (EDM) originally established in 1988. EDM is locally located in Unionville with a staff of 7± employees including one office executive, 3 professional architects and 1 interior designer. The company has been awarded the following Task Letters under the 8th series of On-call Architect Consultant Contracts:

- Task Letter #1 Three Rivers CC – HVAC Upgrades \$168,000 (PRB-18-191)

EDM has a Joint Practice License for Architecture with the CT State DCP as JPC.000172 that is currently active. Michael J. Hall & Company reported that EDM has not experienced any general or professional policy loss or claims during the past 5 years. EDM scored a total of 269 points out of a possible 300 points due and was identified as the sixth most qualified firm.

RECOMMENDATION – Staff recommends **APPROVAL** of the Five On-Call Contracts that have a maximum total cumulative fee of \$1,000,000 per contract and a common expiration date of 05/15/2021. Upon staff review comment, DCS amended NCA’s Administrative Assistant hourly rate from \$110 to \$75.

PRB #	21-067
Origin/Client:	DCS/DEEP
Transaction/Contract Type	AE / Amendment
Project Number:	BI-T-611
Contract:	BI-T-611-ENG
Consultant:	HDR Engineering, Inc.
Property:	Plainfield, Trout Hatchery Rd (141)
Project purpose:	Energy and Water Supply System Operating Improvements
Item Purpose:	Amendment #2 to compensate consultant for additional project scope

PROPOSED AMOUNT: \$101,615 \$76,615

On October 18, 2018, under PRB File #18-184, the Board suspended a proposal to amend (#2) the Contract in the amount of \$67,640 for the Consultant to provide design and construction administration services for the following reasons:

- The budget in SPRB memo reflects total revised budget of \$3,834,865 instead of \$3,902,505. This error might be because the AIE Fee is listed as \$373,365 instead of \$441,005. Unless some other line items are adjusted.
- Accordingly pl submit a revised Form 1105 to reflect the addition to the A/E services by this Amendment #2.
- In April 10, 2018 letter from HDR, under Item 3, Schedule – it says the construction period will be greater than the 12 months as originally planned. On page 3 of the same document, it says HDR estimates the construction duration to be 14 months. And it also says that the fee proposal does not include additional time on-site for fisheries specialist to observe progress throughout the construction phase. Has this arrangement been approved by DEEP? Or DCS contemplates that there will be additional compensation later on. Pl clarify.
- Please clarify how many wells are in operation. DEEP website states 16 total wells of which four idled due to high iron content. Amendment #1 made improvements to 13 wells and Amendment #2 includes design improvements to 9 wells. Why reduction in wells?
- Please clarify how the rehabilitation of the wells qualifies as energy savings with the enabling legislation (PA 07-242) and subsequent bond funding (In light that the scope had to be changed because of insufficient energy savings).

- Please clarify why Amendment #2 includes compensation to the consultant for the replacement of unit heaters and exhaust fans when it appears the consultant had been compensated for the same services in Amendment #1.

UPDATED PROJECT BACKGROUND

The project involves water system control and electrical equipment upgrades to the agency's fish hatchery that will reduce water and electrical consumption and result in operating efficiencies, as well as cost savings for DEEP. The project has been stalled since the construction bids were received in 2017 as the bids were all over budget. DEEP has requested to re-start the project and re-bid as soon as possible. This amendment is required to have the Engineer update the documents for re-bidding, provide bid phase services for a second time, and increase their construction phase service fee to reflect inflation escalation.

Under this proposal (PRB #21-067), DAS/DCS is seeking Board approval to Amendment #2 to the Contract to expend \$101,516 for the following scope of work:

Additional Services (\$60,794)

1. The Engineer shall provide the following additional services for re-starting the project:
 - a) Conduct meetings and confirm with DAS and DEEP all work, indicated in the previous bid documents, that has been addressed or completed by DEEP since the previous bidding period. Update documents for re-bidding incorporating all previous addenda information.
 - b) Perform an additional code review to address any required changes since some codes, i.e. State Building and Fire Safety Codes, have been updated since bid documents were prepared. Update documents for re-bidding to be in compliance with all applicable current codes.
 - c) Review currently specified equipment and materials to address any changes in availability, manufacturers, products and basis of design. Incorporate all changes to documents for re-bidding.
 - d) Prepare and submit permit applications as required for any permits that have expired.
 - e) Submit updated documents for review by CT DAS Technical Review, CT Office of the State Building Inspector, CT Office of the State Fire Marshal and DEEP. Address all review comments.
 - f) Update the opinion of probable construction cost to reflect document changes and cost escalation.
 - g) Submit updated documents for re-bidding.
 - h) Perform bid phase services a second time since the project is to be re-bid. Bid phase services are described in the contract.

The Engineer shall submit the updated deliverables for re-bidding within one hundred forty (140) calendar days from DAS' notice to proceed.

Design, Bidding and Construction Phase Contingency (\$25,000)

This paragraph establishes a design and construction phase contingency. This contingency is established to facilitate the timely resolution of issues impacting the project during the design, bidding and/or construction phases. It shall be used to supplement the effort of the Engineer and if applicable, its subconsultants, if:

- the service needed is determined by the DAS Project Manager to be clearly beyond the contract's scope of services;
- the DAS has determined in its sole discretion that the Engineer has been performing at a level that meets or exceeds DAS requirements; and

- a Design and Construction Phase Contingency allowance of Twenty-Five Thousand Dollars (\$25,000.00) shall be established. This allowance shall be used at the discretion of, and only upon the prior written approval of, the DAS Project Manager and his/her Assistant Director of Project Management. Such written approval shall also be provided to the State Properties Review Board.

Construction Administration Services Escalation (\$15,281)

The fee increase addresses the inflation escalation that has occurred between the 2016 contract and 2022 using the Consumer Price Index (CPI) Inflation Calculator provided by U.S. Bureau of Labor Statistics.

Note: Escalation was calculated using the US Bureau of Labor CPI inflation calculator. Calculation used October of 2016 to January of 2021. This resulted in a 2.05% increase per year. An additional 2.05% will be added to reflect construction administration work occurring in 2022.

HDR Fee for Basic Services (PRB 15-265)	<u>COST (\$)</u> <u>(BASIC)</u>	<u>COST (\$)</u> <u>(SPECIAL)</u>	<u>TOTAL COST</u>	<u>C. Budget (\$)</u>	<u>(%) Budget</u>
Schematic Design Phase	\$54,985				
Design & Construction Document Phases	\$106,473				
Bidding and Review Phase	\$8,497				
Construction Administration Phase	\$77,006				
TOTAL BASIC SERVICE FEE (#15-265) (A)	\$246,961			\$1,810,000	13.64%
SPECIAL SERVICES:					
Biological Design Criteria		\$9,106			
Component Start-Up		\$14,855			
System Testing		\$22,185			
Wastewater Sampling Plan		\$3,456			
TOTAL SPECIAL SERVICES (#15-265)		\$49,602			
Total Fee PRB #15-265			\$296,563	\$1,810,000	16.0%
AMENDMENT#1 PRB FILE #16-226 – Additional Design Services (A1)	\$76,802				
Total Fee PRB #16-226 (A1)			\$373,365	\$2,810,000	13.0%
AMENDMENT#2 PRB FILE #21-067 – Basic Services					
Additional Design & Re-Bid Services	\$60,794				
CA Escalation Costs to 2022	\$15,821				
TOTAL BASIC SERVICES #21-067 (A2)	\$76,615				
TOTAL BASIC SERVICES (A + A1 + A2)	\$400,378			\$4,284,000	9.00%
AMENDMENT#2 PRB FILE #21-067 – Special Services					
Design Contingency (B2)		\$25,000			
TOTAL SPECIAL SERVICES(B)+(B1)		\$74,602			
TOTAL FEE (PRB #21-067) (A + A1 + A2) + (B1 + B2)			\$474,980	\$4,284,000	11.0%

Staff inquired with DCS to clarify following:

1. Please provide answers to the questions raised when the project was suspended.
 - a. The budget in SPRB memo reflects total revised budget of \$3,834,865 instead of \$3,902,505. This error might be because the A/E Fee is listed as \$373,365 instead of \$441,005. Unless some other line items are adjusted.

DCS Response: All DAS responses are specific to the present amendment. The prior 2018 amendment has been superseded and is no longer relevant. The total revised budget shown in the 4/19/21 SPRB memo indicates \$5,685,365 – not \$3,834,865. The 4/19/21 SPRB memo that was sent to SPRB includes the budget with two columns: one column listing the original budget amount totaling \$3,834,865 and the other column listing the revised budget amount.

Staff Response: OK
 - b. Accordingly pl submit a revised Form 1105 to reflect the addition to the A/E services by this Amendment #2.

DCS Response: An updated 1105, signed by Noel Petra on 3/4/21, is already included in the package sent to SPRB 4/19/21. That updated 1105 reflects the proposed additional A/E & CA services along with the anticipated increase in construction cost.

Staff Response: A Form 1105, dated 9-24-2020 was approved by DC Petra 3-4-2021 and accurately reflects the project budget. OK
 - c. In April 10, 2018 letter from HDR, under Item 3, Schedule – it says the construction period will be greater than the 12 months as originally planned. On page 3 of the same document, it says HDR estimates the construction duration to be 14 months. And it also says that the fee proposal does not include additional time on-site for fisheries specialist to observe progress throughout the construction phase. Has this arrangement been approved by DEEP? Or DCS contemplates that there will be additional compensation later on. Pl clarify.

DCS Response: All DAS responses are specific to the present amendment. The prior 2018 amendment has been superseded and is no longer relevant. Our current proposed contract amendment package includes an anticipated 12 month construction duration – not 14 months and the Engineer’s fee does include time for an on-site fisheries specialist to observe construction progress.

Staff Response: OK
 - d. Please clarify how many wells are in operation. DEEP website states 16 total wells of which four idled due to high iron content. Amendment #1 made improvements to 13 wells and Amendment #2 includes design improvements to 9 wells. Why reduction in wells?

DCS Response: The reduction in the number of wells to be included in the work scope is because DEEP has had to repair or replace some wells in the past few years as the project was on hold and such pumps are essential to the hatchery’s operations.

DEEP Response: We have 13 wells. There are 11 wells that run constantly. One well is a backup and one well is in need significant repairs and currently shut down; this is one of the four high in iron but still usable. Three wells are permanently closed due to high iron. We would like improvements made to 13 wells as stated in amendment #1. Amendment #2 was made to reduce cost and try to stay within budget years ago and was never executed.

Staff Response: The proposed Amendment #2 under PRB #21-067 there are no fees for design services relative to the wells and well pumps. OK
 - e. Please clarify how the rehabilitation of the wells qualifies as energy savings with the enabling legislation (PA 07-242) and subsequent bond funding (In light that the scope had to be changed because of insufficient energy savings).

DCS Response: I’ve asked DEEP to respond and will submit their response to you as soon as I receive it.

DEEP Response: With the RAS system and VFDs on all well pump motors we will have the ability to rest wells for extended periods of time. Resting wells is essentially turning them off for multiple weeks or months. With VFD's we will be able to throttle the motor according to the amount of water being pumped. All will realize energy conservation and efficiency benefits. The savings has been projected out, together with significant water conservation/savings, and presented to the DEEP Energy Branch, OPM, DAS and the Technical Advisory Committee (TAC) and has been accepted and approved. The energy and water savings achieved will help towards the goals outlined in Governor Lamont's Executive Order 1.

Staff Response: OK, Recirculation aquaculture systems (RAS) represent a new and unique way to farm fish. Instead of the traditional method of growing fish outdoors in open ponds and raceways, this system rears fish at high densities, in indoor tanks with a "controlled" environment. Recirculating systems filter and clean the water for recycling back through fish culture tanks. New water is added to the tanks only to make up for splash out and evaporation and for that used to flush out waste materials. In contrast, many raceway systems used to grow trout are termed "open" or "flow through" systems because all the water makes only one pass through the tank and then is discarded (<http://fisheries.tamu.edu/files/2013/09/Fish-Farming-in-Recirculating-Aquaculture-Systems-RAS.pdf>)

- f. Please clarify why Amendment #2 includes compensation to the consultant for the replacement of unit heaters and exhaust fans when it appears the consultant had been compensated for the same services in Amendment #1.

DCS Response: I'm not finding where in the Engineer's proposal that the proposed Amendment #2 includes added compensation for the replacement of unit heaters nor exhaust fans. Please clarify the issue.

Staff Response: The proposed Amendment #2 under PRB #21-067 removes all references to unit heaters and exhaust fans. OK

- 2. The current Form 1105 approved by DC Petra on 3-4-2021 identifies \$25,000,000 in available funding from PA 07-208 (TJ 5-13 - typo should be 07-242), Section 108. Under the previously submitted Amendment #2 (#18-184), the approved 1105 identified \$3,581,496 as available from the Bond Commission. The Construction Budget has now been increased to \$4,284,000 and Total Project Costs are estimated at \$5,212,000.

DEEP Response: Assuming the PA reference is to PA 07-242, Section 108, as previously referenced

- a. Please confirm what funding has been approved by the Bond Commission. Complete B1105, page 6 with details on funding.

DCS Response: Bond Commission action is not requested until the construction bids are received and total project cost is calculated.

Staff Response: The Form 1105, approved by DEEP Commissioner Klee in April 2016 provided the following funding statement:

6.0	Bond Act & Section:	(Double left click imbedded MS Excel Spreadsheet below to activate, double left click outside imbedded MS Excel Spreadsheet to deactivate.)	
	Notes: Allocated at the 9/23/11 meeting of the Bond Commission, Item #15. Legislative reference is PA-07-242, Section 108.	Description	Amount
		Energy Efficiency projects in State Facilities.	\$3,581,496
		Total Bonding	\$ 3,581,496

DEEP Response: In an effort to restart the project and establish funding to cover the increased cost of construction, escalation and other project fees itemized on the 1105 form, DEEP returned to the TAC and presented the energy and water conservation projections and requested funding to cover the projected \$5.2M total project cost. The TAC approved of the project and has committed additional funding to rebid and construct the project. The DEEP Energy Branch is currently working on the inclusion of this increased funding on the next Bond Commission

agenda. The additional funding will come out of various existing bond authorizations managed by the DEEP Energy Branch under the Lead By Example (LBE) program. The specific authorizations and bond commission allocations are still to be determined and in process by DEEP Energy Branch staff, once a bid has been confirmed.

Staff Response: OK

- b. Please clarify the impact on funding in light of the Consultant identifying the following work has already been completed by DCS.

- i. Well #1 New pump installed
- ii. Well #7 New pump installed
- iii. Well #10 New pump installed
- iv. Well #3 New pump, motor, head column and column installed.
- v. Well #6 New pump motor and column installed
- vi. Well #12 New head column and column installed
- vii. Reuse pump house – Three new pumps and motors installed
- viii. Well #8 New head column and column
- ix. Well #11 Installed pump, head column and column
- x. Well #7 New head column and column
- xi. Well #14 new submersible pump, column, and check valve
- xii. Remove all well cleaning. No well cleaning coordination will be required as part of this scope.

DCS Response: Please clarify the issue. I've asked DEEP to respond on the funding impact and will submit their response to you as soon as I receive it.

DEEP Response: This project has been bid once in 2017. Therefore, the design is complete. That being said, there are minor revisions to the bid documents that are necessary simply due to the passage of 4 years since the last bid. The amendments currently under review cover that scope of services and brings the project and the required consultant services from bidding through construction.

Staff Response: OK

3. Under this proposed Amendment #2 DCS is requesting the Consultant to update the project to meet current codes, update Contract and Bid Documents in preparation for re-bidding the Project. Please clarify how the Consultant can proceed with updating the project in light of the following:
- a. Under the original Contract and Amendment #1, design components provided for a water recirculation system and 1,300 GSF building to be included in the project, which were subsequently identified as no longer eligible for funding. This Amendment #2 does not remove those components. What is the status of these two components?

DCS Response: The two components remain in the work scope. I've asked DEEP to respond further yet please clarify & explain what is meant that they were "identified as no longer eligible for funding." Who identified them as such & on what basis?

Staff Response: Under PRB #18-147, the DCS Memo prepared by Thomas Surprenant, Project Manager, he stated there was a change in the scope of work as follows:

***Prioritizing and modifying scope was required to qualify for energy funding. The fees for change in scope of services is as follows:
Design Engineering/Contract Documents Submittal-revision to contract documentation and specification \$31,475***

And Article D of the Second Amendment under PRB #18-147 stated (See Article D.e):

- D. RE: Section 1 of Exhibit A of said contract – Add the following in Paragraph 1 “Schematic Design Services”:**
- e. Remove Water Treatment Building from design, including drum filters, ultraviolet disinfection, and air delivery systems.
 - f. Modify project documents to current well design to accommodate liquid carbon dioxide injection into wells without removal of the pumps and motors.
 - g. Replace all electric unit heaters in each well house, as well as new exhaust fans, thermostats, and LED lighting.

Why would the Water Treatment Building, including drum filters, ultraviolet disinfection, and air delivery systems be removed from the Schematic Design?

DEEP Response: The water recirculation system and 1,300 GSF building components continue to be a part of this project scope of work. Again, the entire scope of work has been approved by the DEEP Energy Branch, LBE and the TAC as eligible for funding on its energy and water conservation merits.

Staff Response: OK

- b. If the two components remain in the Project, have the two components been redefined to comport with the enabling legislation (PA 07-208, Sec.108)?

DCS Response: See 3a response.

DEEP Response: Again, we are assuming the PA reference is intended for PA 07-242, Sec. 108. These two components are suitable for the enabling legislation because they will contribute to the overall energy savings of the facility. By recirculating water, the RAS system will reduce the amount of water being pumped by the wells, thus reducing the power needed to run the pumps. The overall annual energy consumption is estimated to decrease by 218,401 kWh or 7.9%.

Also, these components will conserve between 632 million and 946 million gallons of groundwater annually. This will contribute to the goal of Executive Order No. 1 for a 10 percent reduction in water consumption by 2030. These conservation figures were presented to LBE, TAC and OPM and gained their acceptance, approval and support for additional funding.

Staff Response: This RAS will significantly reduce the fisheries water consumption and thus demand for electric to pump millions of gallons of water on an annual basis. OK

4. Under this proposed Amendment #2, there are no changes to the estimated construction duration from approved Amendment #1. Please confirm that the Consultants CA Services including monthly meetings plus a fisheries specialist for approximately 8 hours/week for up to 43 weeks, to a total of 350 hours, is excessive for the Project now that the rehabilitation to the 9 wells has been removed from the project.

DCS Response: CA’s proposed time is confirmed. We do not think the proposed CA’s weekly time is excessive or not warranted even with the change in work scope.

Staff Response: OK

5. If the primary purpose of this proposed Amendment #2 is to update documents in preparation to re-bid the project (\$60,794 fee), please clarify why a \$25,000 Design Contingency is included in this Proposal. Contingency cannot be considered. Please remove it from the Amendment.

DCS Response: The proposed not to exceed \$25,000 contingency is a professional services design & construction phase contingency that is being added to address possible unforeseen conditions that could very well develop as we continue with the Hatchery project. As we have experienced time and time again, unforeseen conditions often come up which are clearly beyond the contract’s scope of services that require the engineer’s added timely resolution and having the contingency already in place is beneficial for the overall project delivery. Such contingency will save precious time for all those involved and as such, is now standard language in our contracts with professional consultants. This standard contract language was not part of the original engineer’s contract. We will certainly only utilize the contingency if we believe any proposed service is beyond the contract’s scope of services and the issue is not the result of deficient or delayed work caused by the engineer or its sub-consultants.

Staff Response: Remove contingency. DCS resubmitted a revised Proposal, removing the Contingency. The revised Amendment #2 has a value of \$76,615. OK

RECOMMENDATION: It is recommended that SPRB **APPROVE** Contract Amendment #2 for HDR Engineering, Inc. to provide additional design related services at the Quinebaug Valley Fish Hatchery– Energy & Operating Improvements Project. Contingency in the amount of \$25,000 was removed and the contract resubmitted. The overall basic service rate of 11.52% is within the established guideline rate of 14% for this Group C Renovation Construction Project.

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILE #21-059 – Mr. Halpert moved and Mr. Berger seconded a motion to approve PRB FILE #21-059. The motion passed unanimously.

PRB FILE #21-070 – Mr. Valengavich moved and Mr. Berger seconded a motion to return PRB FILE #21-070. The motion passed unanimously.

PRB FILE #18-184 – Mr. Valengavich moved and Mr. Berger seconded a motion to return PRB FILE #18-184. The motion passed unanimously.

PRB FILES #21-061, #21-062, #21-063, #21-064, #21-065 & #21-066 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILES #21-061, #21-062, #21-063, #21-064, #21-065 & #21-066. The motion passed unanimously.

PRB FILE #21-067 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #21-067. The motion passed unanimously.

9. NEXT MEETING – Thursday, May 20, 2021.

The meeting adjourned.

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