

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On July 26, 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 July 26, 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. 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 22, 2021 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

Mr. Valengavich moved and Mr. Berger seconded a motion to go out of Open Session and into Executive Session at 9:42. The motion passed unanimously.

EXECUTIVE SESSION

| | |
|-----------------------------------|-----------------------|
| PRB #: | 21-102 |
| Transaction/Contract Type: | RE/ License Agreement |
| Origin/Client: | DAS/ JUD |

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 10:00. The motion passed unanimously.

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB # 21-105
Origin/Client: DCS/CCSU
Transaction/Contract Type AE / Amendment
Project Number BI-RC-395
Contract BI-RC-395-ARC
Consultant: Amenta/Emma Architects, PC
Property New Britain, Stanley St (1615) – CCSU
Project purpose: New Engineering Building
Item Purpose Amendment #4

PROPOSED AMOUNT: \$162,540

At the State Properties Review Board meeting held on March 14, 2016, the Board approved #16-056 (BI-RC-395-ARC), in the amount of \$4,191,437, for the new Engineering Building located on the CCSU Campus. On May 8, 2017, the Board approved Contract Amendment #1 in the amount \$8,100 (PRB File #17-127) which was intended to revise AA’s contract to allow the architect to provide additional design services. And on August 31, 2017, under PRB #17-229, the Board approved Contract Amendment #2, in the amount of \$44,800, for staff-requested revisions.

At the August 13, 2020 SPRB Meeting, under #20-142, the Board approved Amendment #3 for an additional \$25,400 in ARC 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.

Under this Proposal (#21-105), DCS is now seeking approval of Amendment #4 for an additional \$162,540 in ARC fees to compensate the Consultant and their sub-consultants for construction delays, broken down as follows:

| | | |
|------------------------|-------------------|------------------|
| Amenta Emma Architects | Architectural | \$100,820 |
| Van Zelm Engineers | MEP/FP/Technology | \$40,360 |
| BVH Integrated Systems | Civil/Structural | \$17,160 |
| CR3/Loureiro | Landscape | \$4,200 |
| TOTAL | | \$162,540 |

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

| AEA Fee for Basic Services (PRB 16-056) | ARC Base Fees (\$) | Special Services | Total Fee | Construction Budget (\$) | % of Budget |
|--|--------------------|------------------|-----------|--------------------------|--------------|
| Schematic Design Phase | \$603,900 | | | | |
| Design Development Phase | \$805,200 | | | | |
| Construction Document Phase | \$1,207,800 | | | | |
| Bidding and Review Phase | \$201,300 | | | | |
| Construction Administration Phase | \$1,207,800 | | | | |
| TOTAL BASIC SERVICE FEE (#16-056) (A) | \$4,026,000 | | | \$44,852,500 | 8.98% |
| | | | | | |

| | | | | | |
|--|-------------|------------------|-------------|--------------|--------|
| SPECIAL SERVICES: | | | | | |
| Survey and Engineering (Langan Companies) | | \$18,370 | | | |
| Traffic Engineering & OSTA (BVH) | | \$5,280 | | | |
| Project Programming & LEED (AEA-DBB) | | \$89,600 | | | |
| Geotech./Environ. Engineering (GZA) | | <u>\$52,187</u> | | | |
| TOTAL SPECIAL SERVICES(B) | | \$165,437 | | | |
| TOTAL PROJECT FEE A+B | | | \$4,191,437 | \$44,852,500 | 9.34% |
| AEA Special Services - Additional Fees (PRB 17-127) (B1) | | | | | |
| Delete LEED Program Services | | -\$55,000 | | | |
| Add. Foundation Design Services (BVH) | | <u>\$63,600</u> | | | |
| TOTAL SPECIAL SERVICE FEE (B+B1) | | \$174,037 | | | |
| TOTAL PROJECT FEE A+B+B1 | | | \$4,365,474 | \$44,852,500 | 9.73% |
| | | | | | |
| AEA Special Services - Additional Fees (PRB 17-229) (B2) | | | | | |
| Additional Re-Design Services (B2) | | \$44,800 | | | |
| TOTAL PROJECT FEE A+B+B1+B2 | | \$218,837 | \$4,410,274 | \$44,852,500 | 9.83% |
| | | | | | |
| AEA Special Services - Additional Fees (PRB 20-142) (B3) | | | | | |
| DD Phase Services (1.8% escalation) | | \$3,600 | | | |
| CD Phase Services (1.8% escalation) | | \$21,800 | | | |
| Special Inspection Services (New) | | \$30,500 | | | |
| Program Changes (New) | | <u>\$27,000</u> | | | |
| Total Special Services PRB #20-142 (B3) | | \$82,900 | | | |
| | | | | | |
| AEA Basic Services - Additional Fees (PRB 21-105) (B4) | | | | | |
| Construction Administration Phase due to delays | | <u>\$162,540</u> | | | |
| Total Basic Services | \$4,188,540 | | | \$44,129,785 | 9.49% |
| Total Special Services | | \$301,737 | | | |
| TOTAL PROJECT FEE A+B+B1+B2+B3+B4 | | | \$4,655,714 | \$44,129,785 | 10.55% |

Staff inquired with DCS regarding the following:

1. On Attachment 1, Article VII (C), page 6 of 12, of the original Contract the Architect may be compensated for any additional time required beyond 10% of the original construction period. Based on previous information, construction phase services began on October 8, 2019. Additionally, we know that the CA's contract provided for 605 days for construction phase services, plus an additional 90 days for closeout.
 - a. How many days of construction phase services was the Architect required to provide under this Contract and subsequent Amendments? Was it 24 months as indicated in the Architect's communications from 2016 submitted under PRB #16-056?
 - b. Were additional days required for Project Closeout per contract?
 - c. Were the Architect's Sub-Consultants required to provide identical time as the Architect?
 - d. The Sub-Consultant BVH provided a communication to the Architect in support of their request for additional compensation (\$5,700/month), stating their contractual time, including required 10%, ended on June 1, 2021. BVH's original proposal stated CA Phase was 729 days. Please

clarify how BVH can request this additional time, if construction commenced October 8, 2019, plus 729 days = October 6, 2021, not June 1, 2021.

- e. Please reconcile VanZelm's request for \$13,340.43/month, beginning June 5, 2021, with respect to the beginning of construction on 10-8-19 and ending on October 6, 2021. (From PRB 16-056: BVH original proposal provided for 729 days CA phase services - pg 106: Van Zelm 24-month construction period – pg 115)
2. On page 1 of the original Contract, Article 2(e), identifies \$1,207,800 for Construction Phase fees. The Staffing Matrix provided by the Architect identifies \$958,565 in Construction Phase fees. Please reconcile the \$249,235 difference between the two numbers.
3. What were the reasons for delays?

RECOMMENDATION: Staff recommends **SUSPENSION** of this consultant contract amendment in the amount of \$162,540, pending response from DCS. The overall basic service rate of 9.49% is generally consistent with the established guideline rate of 10.5% for this Group C New Construction Project.

FROM PRB 20-142

PROPOSED AMOUNT: \$82,900

At the State Properties Review Board meeting held on March 14, 2016, the Board approved #16-056 (BI-RC-395-ARC), in the amount of \$4,191,437, for the new Engineering Building located on the CCSU Campus. On May 8, 2017, the Board approved Contract Amendment #1 in the amount \$8,100 (PRB File #17-127) which was intended to revise AA's contract to allow the architect to provide additional design services. And on August 31, 2017, under PRB #17-229, the Board approved Contract Amendment #2, in the amount of \$44,800, for staff-requested revisions.

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 (#20-142), DCS is now seeking approval of an additional \$25,400 in ARC 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.

In addition to the escalation costs, DCS seeks Board approval to expend an additional \$57,500 to compensate the Consultant for an expanded scope of work to include the following:

The Architect shall provide the following additional Special Inspection Services:

1. Review of inspection and testing reports related to the piles, structural steel, concrete, masonry, and framing for conformance with the structural documents
2. Verify that tests and inspections are in accordance with the Schedule of Special Inspections
3. Provide periodic on-site review of construction activities to confirm conformance to the construction documents
4. Prepare a report for all site visits
5. Prepare monthly reports indicating construction progress to date, overview of testing and inspections that occurred and highlighting any testing or inspection discrepancies that are open
6. Attend relevant pre-construction meetings with the Testing Agency, Construction Manager, Subcontractor, Design Team and Owner's Representative to review testing and inspection procedures

7. Prepare a final Statement of Special Inspections

The Architect shall provide the following additional services due to Programming Changes:

1. Update plans to reflect the scope changes as follows:
 - a. 2nd Floor: Relocate the Dean's (individual) office to the southwest corner (current conference room). Coordinate required furniture layout with electrical requirements.
 - b. 2nd Floor: Change the Dean's office into a third Assistant Dean's office. Shift the wall location between the two rooms to correctly "right size" the spaces and update architectural and MEP plans.
 - c. Revise the private toilet room directly off the individual office and make it a common single-user toilet room for the overall suite (which can be entered from the suite open area). The toilet room will convert from an ADA adaptable room (i.e. private toilet room off an individual office) into a full (common) single user ADA accessible toilet room.
 - d. Convert Seminar Room 2020000 to the east of the Dean's suite to a conference room. In addition to the door off of the corridor, provide a door to the space directly from the Dean's suite. Revise closet wall as required. Update lighting and AV requirements for space.
 - e. Change the two seminar rooms on the 4th floor to Student Design Labs. Provide increased electrical receptacles around the rooms to support needed flexibility.
 - f. Change Student Design Lab 4140000 into a Cyber Security Lab. Coordinate new furniture layout and update electrical to support room requirements.
 - g. Convert Classroom 4160000 and Computer Lab 4180000 into a single Networking Lab for 48 students. Program and coordinate furniture and equipment layout and update electrical requirements in space. Update reflected ceiling plan components within larger single room.
2. Confirm program elements in each room relative to furniture and equipment and provide recommended furniture and equipment layouts. Review design with CCSU and DAS for final approval. Revise as needed based on specific areas listed.
3. Coordinate with and update construction documents: architectural, HVAC, electrical, plumbing, fire protection, and AV drawings. Distribute to the project CMR as a Proposal Request and for implementation. Coordinate submittals.
4. Review all final info with CCSU and DAS for coordination with CCSU selected furniture and equipment.

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

| AEA Fee for Basic Services (PRB 16-056) | ARC Base Fees (\$) | Special Services | Total Fee | Construction Budget (\$) | % of Budget |
|--|--------------------|------------------|-------------|--------------------------|-------------|
| Schematic Design Phase | \$603,900 | | | | |
| Design Development Phase | \$805,200 | | | | |
| Construction Document Phase | \$1,207,800 | | | | |
| Bidding and Review Phase | \$201,300 | | | | |
| Construction Administration Phase | \$1,207,800 | | | | |
| TOTAL BASIC SERVICE FEE (#16-056) (A) | \$4,026,000 | | | \$44,852,500 | 8.98% |
| SPECIAL SERVICES: | | | | | |
| Survey and Engineering (Langan Companies) | | \$18,370 | | | |
| Traffic Engineering & OSTA (BVH) | | \$5,280 | | | |
| Project Programming & LEED (AEA- DBB) | | \$89,600 | | | |
| Geotech./Environ. Engineering (GZA) | | \$52,187 | | | |
| TOTAL SPECIAL SERVICES(B) | | \$165,437 | | | |
| TOTAL PROJECT FEE A+B | | | \$4,191,437 | \$44,852,500 | 9.34% |
| AEA Special Services - Additional Fees (PRB 17-127) (B1) | | | | | |
| Delete LEED Program Services | | -\$55,000 | | | |
| Add. Foundation Design Services (BVH) | | \$63,600 | | | |
| TOTAL SPECIAL SERVICE FEE (B+B1) | | \$174,037 | | | |
| TOTAL PROJECT FEE A+B+B1 | | | \$4,200,037 | \$44,852,500 | 9.36% |
| AEA Special Services - Additional Fees (PRB 17-229) (B2) | | | | | |
| Additional Re-Design Services (B2) | | \$44,800 | | | |
| TOTAL PROJECT FEE A+B+B1+B2 | | \$218,837 | \$4,244,837 | \$44,852,500 | 9.46% |
| AEA Special Services - Additional Fees (PRB 20-142) (B3) | | | | | |
| DD Phase Services (1.8% escalation) | | \$3,600 | | | |
| CD Phase Services (1.8% escalation) | | \$21,800 | | | |

DCS confirmed funding is in place for this Amendment #3.

Please clarify the following.

1. Provide latest revised B1105 for this project
DCS Response: Attached.
Staff Response: OK
2. Which contract provision allows for compensating the Architect for escalation costs?
DCS Response: I do not know of any specific provisions that reference escalation costs. Just like the Turner Amendment for this project regarding escalation, the project was delayed a year due to funding issues, not by fault of the design team. They are entitled to escalation per the Consumer Price Index as laid out in this amendment.
Staff Response: OK
3. Please clarify what precipitated the need for a sub-consultant to provide a “Special Inspections Coordinator” in addition to the CA Consultant’s construction phase services. These are duplicate services that are already provided by the CA.
DCS Response:
 1. The CA coordinates the inspections between the contractor and the State Building Official

2. The Special Inspections Coordinator per Chapter 17 of the IBC is a qualified person employed or retained by an approved agency and approved by the building official as having the competence necessary to inspect a particular type of construction requiring special inspection.
3. There is not a duplication of services. Please see attached statement of special inspections for this project that outlines BVH's role as special inspector
4. We either buy this through the AE or as a separate task letter. Due to the complexity of the structure, we felt it would be detrimental to bring on a 3rd party who was unfamiliar with the intricacies of the design.
5. Here is a link to the code that talks about the special inspector and their role:
https://up.codes/viewer/connecticut/ibc-2012/chapter/2/definitions#special_inspection

Staff Response: OK

4. Provide a list of professionals procured for this project including their sub-consultants for various services

DCS Response: Attached.

Staff Response: OK

FROM PRB #17-229

Re: PRB # 17-229, Standard Fixed-Fee—A/E Services Contract Amendment #2
Central Connecticut State University— New Engineering Building Project
Project #BI-RC- 395-ARC— Amenta/Emma Architects, P.C. - Total Fee \$44,800

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 May 2015 the Department of Construction Services (“DCS”) issued a Request for Qualifications (RFQ) for *Architect & Consultant Design 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”. At the conclusion of the process DCS identified Amenta/Emma Architects, P.C. (“AEA”) as the most qualified firm.

The base contract is for *Architect/Engineer Consultant Design Team Services* for the completion of the CCSU New Engineering Building Project from the initiation of a schematic design phase through the construction document phase and the subsequent completion of construction was approved by the Board in March 2016 under PRB File #16-056. The Board’s approval was for a basic service fee in the amount of \$4,026,000 with an additional \$165,437 for special services. As such the total project fee approved was \$4,191,437. The special services detailed in the approved project scope included design programming, geotechnical/environmental engineering, site-civil survey design and traffic engineering. More recently in May 2017 the Board approved Contract Amendment #1 in the amount \$8,100 (PRB File #17-127) which was intended to revise AA’s contract to allow the architect to provide additional design services for the redesign of the foundation system which will now require the development of a pile foundation system and structural slab as well as additional slab sections that will require additional reinforcement due to the planned use as an engineering lab.

PROPOSAL – Contact Amendment #2 is intended to revise AA’s contract to allow the architect to provide additional design services for modified blocking and stacking options for the project. CCSU staff has requested additional services from AEA to evaluate potential design revisions attributed to administrative and staff reviews of the classroom programming centered around the new Mechatronics and Fluid Control Labs. CCSU has also asked AEA to revise the MEP zoning and circulation plan and possible revisions to the energy model. AEA has requested a total fee of \$44,800 for this scope of services. This work is considered a special service as it should be considered additional scope items outside of the base contract.

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

| AEA Fee for Basic Services (PRB 16-056) | COST (\$) (BASIC) | COST (\$) (SPECIAL) | C. Budget (\$) | (%) Budget |
|---|----------------------|------------------------|-------------------|------------|
| Schematic Design Phase | \$603,900 | | | |
| Design Development Phase | \$805,200 | | | |
| Construction Document Phase | \$1,207,800 | | | |
| Bidding and Review Phase | \$201,300 | | | |
| Construction Administration Phase | +\$1,207,800 | | | |
| | 0 | | | |
| TOTAL BASIC SERVICE FEE (#16-056) (A) | \$4,026,800 | | \$44,852,500 | 8.98% |
| SPECIAL SERVICES: | | | | |
| Survey and Engineering (Langan Companies) | | \$18,370 | | |
| Traffic Engineering & OSTA (BVH) | | \$5,280 | | |
| Project Programming & LEED (AEA- DBB) | | \$89,600 | | |
| Geotech./Environ. Engineering (GZA) | | +\$52,187 | | |
| TOTAL SPECIAL SERVICES(B) | | \$165,437 | | |
| PRB #17-127 Contract Amendment #1 – Delete LEED Program Services (AEA) | | (-55,500) | | |
| Add. Foundation Design Services (BVH) | | \$63,600 | | |
| PRB #17-229 Contract Amend. #2 – Additional Design Services Requested by CCSU. (B2) | | +\$44,800 | | |
| SPECIAL SERVICES(B)+(B1)+(B2) = (C) | | \$218,337 | | |
| TOTAL FEE (A) + (C) | | \$4,224,337 | \$44,852,500 | 10.61% |
| | | | 0 | |

RECOMMENDATION: It is recommended that SPRB APPROVE Contract Amendment #2 for Amenta/Emma, Inc. to provide additional design related services at the CCSU New Engineering Building Project. The overall basic service rate of 8.98% is generally consistent with the established guideline rate of 10.5% for this Group C New Construction Project. All of the contract amendment revisions are considered special services.

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILE #21-102 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #21-102. The motion passed unanimously.

PRB FILE #21-105 – Mr. Valengavich moved and Mr. Berger seconded a motion to suspend PRB FILE #21-105. The motion passed unanimously.

9. NEXT MEETING – Thursday, July 29, 2021.

The meeting adjourned.

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