

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On September 8, 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 September 8, 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 September 3, 2021 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

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 9:44. The motion passed unanimously.

EXECUTIVE SESSION

PRB #:	21-104 – For Discussion Only
Transaction/Contract Type:	RE/ Lease
Origin/Client:	DAS/ DCF

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 11:12. The motion passed unanimously.

4. REAL ESTATE – NEW BUSINESS

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB #	21-131
Origin/Client:	DCS/DCS
Transaction/Contract Type	AE / Task letter
Project Number:	BI-JD-375
Contract:	OC-DCS-VEH-0025
Consultant:	Macchi Engineers, LLC
Property	Hartford, Lafayette St (101) – Lafayette Parking Garage
Project purpose:	Design & Bid Service for Lafayette Garage Repairs
Item Purpose	Task Letter #1B

CONSULTANT FEE: \$222,900

Task Letter #1 (Informal) provided for an Investigative Review of the parking garage and Schematic Design services for a total fee of \$88,200. During the Consultant's work under Task Letter #1, life safety issues relative to loose concrete at the garage were identified and the Consultant was retained under Task Letter #1A (Informal) to provide Bidding and CA Phase services to address the life safety issues for a total fee of \$10,000.

The results of the Investigative Review identified structural repairs are needed to the building, and a DAS Administered Project initiated design services with the Consultant to include receiving Schematic Design (SD) services. The SD provided an initial project budget at \$3,400,000, at which time DCS was required to manage the project as the project budget exceeded JUD statutory authority.

DCS recognized that Design Development, Contract Documents and Bid Services were required prior to CA Phase. As the Consultant had already expended significant time and effort to become oriented and familiar with the garage and structural conditions of the Lafayette Street Garage, DCS determined it was more efficient and cost effective retain the Consultant's services into the design phase rather than begin with another structural engineer. At that time DCS determined the On-Call Contract did not have sufficient funds to retain the Consultant and requested, under PRB #21-088, Amendment #1 to the On-Call Contract OC-DCS-VEH-0025 to increase the maximum total cumulative fee to \$550,000, an increase of \$250,000. There were no other changes to the Contract. Amendment #1 was approved at the June 10, 2021 SPRB Meeting.

Under this Proposal (PRB #21-131), DCS is seeking SPRB approval Task Letter #1B to the On-Call Contract OC-DCS-VEH-0025 for the Consultant to provide the following services:

- 1.A. Design Development (DD) Phase - \$82,000 – Due 75 days from NTP
Based upon the previously completed Investigative Report prepared by Macchi Engineers, LLC dated July 2020, prepare DD Phase Deliverables refining, depicting and describing the Project design.
- 1.B. Contract Documents (CD) Phase - \$120,900 - Due 85 days from NTP
Based on the accepted DD Deliverables, comments received and any adjustments authorized by the JUD to the program, schedule or Construction Budget, prepare CD Phase Deliverables in such form as to constitute the basis of the Bid Documents and allow for competitive bidding and complete construction of the Work.
- 1.C. Bidding/Negotiation - \$20,000
 - Prepare an agenda for and conduct a pre-bid conference at the site.
 - Respond to questions by the bidders and issue addendum(s) as necessary.
 - Review and assist in evaluating bids and attending scope meeting with the apparent low bidder.

DCS confirmed funding is in place. The statutory funding authority is: Judicial Branch Infrastructure Description Amount 1.) Fund 17151- 43570 (Jan 2020) Bond Commission Approval \$187,000 6/29/2019 JUD Infrastructure Funds 2.) Fund 17151-43570 (March 2021) JUD Infrastructure Funds \$168,000 (Facade & Repairs).

Macchi Engineers, LLC (ME) has been assigned the following Tasks under this On-Call Contract:

• Task Letter #1	Lafayette Street Garage Inv. & Repairs	\$88,200	(Informal)
• Task Letter #1A	Lafayette Street Garage Inv. & Repairs	\$10,000	(Informal)
Total Fee to Date:		\$98,200	

ME Fee for Basic Services (Informal)	<u>COST (\$)</u> <u>(BASIC)</u>	<u>COST (\$)</u> <u>(SPECIAL)</u>	<u>C. Budget (\$)</u>	<u>(%)</u> <u>Budget</u>
Investigative Study & Schematic Design Phase (Informal Task Letter #1)	\$88,200			
Life Safety Repairs (Informal Task Letter #1A)	\$10,000			
Total Previous Consultant Services	\$98,200			
ME Fee for Basic Services (PRB #21-131)				
Design Development Phase	\$82,000			
Construction Document Phase	\$120,900			
Bidding and Review Phase	\$20,000			
Construction Administration Phase	\$0			
TOTAL BASIC SERVICE FEE (#21-131) (A)	\$222,900		\$3,400,000	6.6%

Staff inquired with DCS regarding the follow:

- Please provide a copy of the Consultant’s Investigative Review, including the cost estimate from the SD Phase.

DCS Response: I don't have an electronic version of the report handy. I got a hard copy mailed to me and due to its size I'm having trouble getting it into a .pdf.

Staff Response: OK

- Please clarify why DCS has not requested the Consultant provide their fee for CA Phase services. Is funding not available, or some other reason?

DCS Response: With regard to the CA costs, the agency has not provided funding yet for that phase and besides that without knowing the extent of all the repairs it would be difficult to place an accurate number on those services at this time.

Staff Response: OK

RECOMMENDATION:

It is recommended that the Board approve this Task Letter #1B to expend \$222,900 for the Consultant to provide design and bid phase services for the Lafayette Garage Repairs.

From #21-088

At the State Properties Review Board meeting held on September 19, 2019, the Board approved #19-171 to #19-174, four Consultant Contracts under the 6th series of On-Call Vehicle Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2002. The four (4) On-Call Contracts that were approved had a maximum total cumulative fee of \$300,000 per contract and a common expiration date of 11/30/2021.

Under this Proposal (#21-088), DCS is now resubmitting this firm to the Board for approval under Contract Amendment #1 to OC-DCS-VEH-0025 to increase the maximum total cumulative fee to \$550,000, an increase of \$250,000.

Macchi Engineers, LLC has been assigned the following Tasks under this On-Call Contract:

• Task Letter #1	Lafayette Street Garage Inv. & Repairs	\$88,200	(Informal)
• Task Letter #1A	Lafayette Street Garage Inv. & Repairs	\$10,000	(Informal)
Total Fee to Date:		\$98,200	

Changes to the Contract OC-DCS-VEH-0025 include the following:

- Article E is changed to increase the maximum total cumulative fee to \$550,000;
- Article W is changed to update Non-Discrimination language;
- The Attachment containing the SEEC Campaign Contribution Restriction has been changed to reflect the most recent edition of the form.

DCS provided the following explanation for requesting the increase:

Macchi Engineers was selected via DAS On Call Contract OC-DCS-VEH-0025 to support the Judicial Branch with the structural study of the Lafayette Street Garage in Hartford; DAS Project Number BI-JD-375. The task letter's fee for this study was \$88,200. The results of the study is that structural repairs are needed to the building, and a DAS Administered Project has been initiated to design the repairs. As Macchi has already expended significant time and effort to become oriented and familiar with the building and structural conditions of the Lafayette Street Garage, it is more efficient and cost effective to extend Macchi's services into the design phase rather than begin with another structural engineer. DAS On Call Contract OC-DCS-VEH-0025 has an available balance of \$201,800; this amount is insufficient to support a task letter for the design and construction phase support. An increase to the VEH On-Call Contract series in the amount of an additional \$250,000 is requested to support this crucial project.

Staff Inquired with DCS regarding the following:

1. Please provide electronic copies of the two previously issued Informal Task Letters (#1 & #1A).
DCS Response: DCS provided copies of Task Letters #1 and #1A.
Staff Response: Task Letter #1 provided for an Investigative Review of the parking garage and Schematic Design services for a total fee of \$88,200. Task Letter #1A provided Bidding and CA Phase services to address life safety issues relative to loose concrete at the garage for a total fee of \$10,000.
OK

RECOMMENDATION:

It is recommended that the Board **APPROVE** this Contract Amendment #1 to increase the maximum total cumulative fee to \$550,000 for Macchi Engineers, LLC and OC-DCS-VEH-0025.

UPDATE: 9/12/19

RECOMMENDATION – DCS provided answers to the questions raised by the Board on Sept. 10th (see attached). Upon review of the information provided by DCS, staff recommends **APPROVAL** of the four On-Call Contracts that have a maximum total cumulative fee of \$300,000 per contract and a common expiration date of 11/30/2021.

This is the 6th series of On-Call Vehicular Parking Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2002. The four (4) On-Call Contracts that are the subject of this memorandum have a maximum total cumulative fee of \$300,000 per contract and a common expiration date of 11/30/2021. The prior series of On-Call Scheduling Consulting Contracts expired on 07/15/2019.

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 5th series of On-Call Vehicular Parking Consulting Contracts was approved by the Board in April 2015 under PRB Files #15-085 and #15-086 and lastly in August 2015 under PRB Files #15-160 and #15-161. A contract amendment extending the expiration date until July 15, 2019 was approved under PRB #17-071 to #17-074. Only two (2) of the firms under this current 6th series RFP submittal have been previously approved for *Vehicular Parking Consulting On-Call Contracts*: Macchi Engineers, LLC and Alfred Benesch & Company, Inc.

A Request for Qualifications (RFQ) for the consultant services was released on April 11, 2019 and elicited six responses. Four of the six 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 four firms under this series. This submittal is for SPRB review and approval of the following four firms under this series.

PRB 19-171 – Macchi Engineers, LLC (“MEL”) originally established in 1945 and is locally located in Hartford. MEL has a staff of 11 employees including 5 civil/structural engineers, 1 construction inspector and 2 CADD techs. The company has not been awarded any on-call contract or formal contracts with the DCS in the past two years.

MEL will be operating under their Professional Engineering Corporation License (**PEC#0000720**). Fenner & Esler Insurance Inc. reported that MEL has incurred three (3) general liability or professional policy losses or claims during the past 5 years. Two of these claims are related to state funded projects: Ella Grasso Regional THS and UCONN Stamford parking garage. Both claims remain open. A third claim is not state related. MEL scored a total of 280 out of a possible 320 points.

PRB 19-172 – Alfred Benesch and Company, Inc. (ABC) originally established in 1946, has a local staff of 23± employees including 1 project executive, 12+ civil/structural engineers and 3 transportation engineers. ABC is locally located in Rocky Hill through its 2012 acquisition of Purcell Associates. The company has been awarded the following On-call or Formal Contract with the DCS in the past two years.

OC-DCS-CIV/SUR/LA-0035

• Task Letter #1	SCSU-Parking Lot #9 Renovation	\$97,300	(Informal)
• Task Letter #2	New CSP Forensic Laboratory	\$199,275	(PRB #18-196)
• Task Letter#3	Eastern CT Fire School	\$15,000	Pending 8/15/2018
		\$311,575	

OC-DCS-MDE-0022

• Task Letter #4B	Enfield C.I. Water Tower	\$114,910	(PRB #17-046)
• Task Letter #4C	Enfield C.I. Water Tower	\$4,099	(PRB #18-048)
		\$119,009	

ABC will be operating under its Professional Engineering Corporation License (**PEC#.0001421**). Ames & Gough Insurance Inc. reported that ABC has incurred 75 general liability or professional policy loss or claims during the past 5 years. Sixteen claims remain open. One of these claims is related to a new football field at Derby High School regarding a flooded residential basement and remains open. ABC scored a total of 279 out of a possible 300 points.

PRB 19-173 – Weston & Sampson Engineers, Inc (WSE) was originally established in 1899. WSE, located in Albany, NY, has a local branch in Rocky Hill and has a local staff of 27± employees including 1 project executive, 5+ civil/sanitary engineers and 4 water resources engineers and retained a sub-consultant (Parking Garage Specialist) located in Blue Bell, PA. The company has not been awarded an On-call Contract or formal contract with the DCS in the past two years.

WSE will be operating under its Professional Engineering Corporation License (**PEC#.0000428**). Ames & Gough Insurance Inc. reported that WSE has incurred 4 general liability or professional policy loss or claims during the past 5 years. One claim remains open. None of these claims involved state-related projects. WSE scored a total of 278 out of a possible 300 points and was the third most qualified firm.

19-174 – Vanasse Hangen Brustlin, Inc. (VHB) originally established in 1978, located in Springfield, has a local branch in Wethersfield Hill and has a local staff of 45± employees including 1 program manager, 19+ civil/transportation engineers and 1 environmental planner and retained a sub-consultant (Simpson Gumpertz & Heger – parking structural engineering) located in Waltham, MA. The company has not been awarded an On-call Contract or Formal Contract with the DCS in the past two years.

VHB will be operating under its Professional Engineering Corporation License (**PEC#.0000456**). Poole Professional LTD reported that VHB had 162 general liability or professional policy loss or claims during the past 5 years. None appear to be state-related. Four appear to be municipally related. VHB scored a total of 268 points out of 300 points and was identified as the fourth most qualified firm.

A summary of the Consultants’ professional fee schedule is as follows:

Macchi Engineers	Proposed	Alfred Benesch	Proposed	Weston & Sampson	Proposed	Vanasse Hangen Brustlin	Proposed
Officer/Principal	\$200	Officer/Principal	\$198	Officer/Principal	\$220	Officer/Principal	\$220
Project Manager	\$150	Senior Project Manager	\$182	Project Manager	\$165	Project Manager	\$185
Senior Engineer	\$125	Senior Project Engineer	\$143	Senior Engineer	\$120	Senior Engineer	\$165
Engineer 2		Project Engineer II	\$136	Engineer 2		Engineer 2	
Engineer	\$100	Project Engineer I	\$116	Engineer	\$105	Engineer	\$155
Senior Designer	\$115	Senior Designer	\$98	Senior Designer	\$160	Senior Designer	\$140
Designer	\$100	Designer II	\$112	Designer	\$100	Designer	\$130
Field Engineer	125	Field Engineer		Field Engineer	\$95	Field Engineer	\$120
CAD Operator	\$95	CAD Operator		CAD Operator	\$95	CAD Operator	\$110
Administrative Assistant	\$75	Project Assistant	\$75	Administrative Assistant	\$65	Administrative Assistant	\$100

Staff have requested clarification of the following issues:

1. Please provide a Task Log for the Consultants under OC-DCS-VEH - 0022 & 0023.
DCS provided the task log.

RECOMMENDATION – Staff recommend **APPROVAL** of the four On-Call Contracts that have a maximum total cumulative fee of \$300,000 per contract and a common expiration date of 11/30/2021.

PRB # 17-071, DESMAN, Inc.....Contract #OC-DCS-VEH-0021
PRB # 17-072, Macchi Engineers, LLC.....Contract #OC-DCS-VEH-0022
PRB # 17-073, Alfred Benesch & Company, Inc.....Contract #OC-DCS-VEH-0023
PRB # 17-074, Walker Parking Consultants, Inc.....Contract #OC-DCS-VEH-0024

This series of On-Call Vehicular Parking Consulting Contracts was approved by the Board in April 2015 under **PRB Files #15-085 and #15-086** and then again September 2015 under **PRB Files #15-161 and #15-162**. This was the 5th series of Claims Analyst Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2002. DCS is now resubmitting these four firms to the Board for approval under a contract amendment to extend the contract expiration dates from July 15, 2017 until July 15, 2019. DCS is requesting that these contracts be extended for an additional two years while maintaining the current maximum contract value at \$300,000.

RECOMMENDATION – Board approval for the following firms to have the contract expiration date extended to July 15, 2019 while maintaining the current contract value of \$300,000 is recommended. Each consultant has also provided the required updated Gift/Campaign and Consulting Affidavits accompanied by appropriate Corporate Resolutions.

PRB # 17-071, DESMAN, Inc.....Contract #OC-DCS-VEH-0021
PRB # 17-072, Macchi Engineers, LLC.....Contract #OC-DCS-VEH-0022
PRB # 17-073, Alfred Benesch & Company, Inc.....Contract #OC-DCS-VEH-0023
PRB # 17-074, Walker Parking Consultants, Inc.....Contract #OC-DCS-VEH-0024

The original project submittal memo was as follows:

This is the 5th series of On-Call Vehicular Parking Consulting Services Contracts awarded by the Department of Construction Services (“DCS”) since 2002. The On-Call Contract that is the subject of this memorandum has a maximum total cumulative fee of \$300,000 per contract and a common expiration date of 07/15/2017. DCS has approved the selection of four firms under this series. This on-call series has been developed by DCS for the purposes of providing vehicular parking engineering services related to the design layout, egress requirements and roadway/traffic impacts for various state funded surface lot or parking garage construction projects.

DCS has made some minor revisions to the boilerplate contract for this series to include the following; state’s rights for inspections, state ethics law, updated executive orders, new non-discrimination language and sovereign immunity language. The 3rd series, awarded in 2009, had a term of 24 months and a maximum total cumulative fee of \$300,000/contract. A 4th series was previously advertised and issued by DCS in 2013 but subsequently cancelled by the agency. This series included **OC-DCS-VEH -0017** through **OC-DCS-VEH-0020**. These contracts were never submitted to SPRB for review and approval. Three of the four (4) selected firms under this current 5th series RFP have been previously approved for *On-Call Cost Vehicular Parking Consultant Services Contract*. DESMAN, Inc. has been previously awarded a contract under the 2nd and 3rd series. Walker Parking Consultants, Inc. was awarded a contract under the third series.

A Request for Qualifications (RFQ) for the consultant services was released in February 2014 and elicited six (6) responses. All of the respondents was considered “responsive” and as such were considered for review. Thereafter, the DCS selection panel began the process of evaluating all four proposals. The State Selection Panel consisted of 4 members and rated each firm based upon a weighted ranking system with the following scoring methodology:

<i>Problem Solving</i>	<i>30 Points</i>
<i>Approach to Scope & Work Effort</i>	<i>15 Points</i>
<i>Organizational / Team Structure</i>	<i>25 Points</i>
<i>Past Performance Record</i>	<i>20 Points</i>
<i>Contract Oversight Capabilities</i>	<i>10 Points</i>
TOTAL POINT VALUE	100 Points

RECOMMENDATION – Board approval of the following firms as potential vehicular parking consultant for projects of various sizes and scope is recommended. The consultant has provided the required insurance, professional license, Gift/Campaign and Consulting Affidavits accompanied by appropriate Corporate Resolutions. The two firms recommended for approval at this time is the following.

PRB # 15-085, DESMAN, Inc.....Contract #OC-DCS-VEH-0021
PRB # 15-086, Walker Parking Consultants, Inc.....Contract #OC-DCS-VEH-0024

DESMAN, Inc.(DES) originally established in 1973, has a local staff of 9± employees including 1 project executive, 2+ professional engineers and 2 construction inspectors. DES is locally located in Rocky Hill. The company has not been awarded an On-call or Formal Contract with the DCS in the past two years.

DES will be operating under its Joint Professional Corporation License (**JPC#.000065**). OneBeacon Insurance Inc. reported that DES has incurred 20 general liability or professional policy loss or claims during the past 5 years. Four of these claims are currently open with loss reserves not yet established. DES scored a total of 300 out of a possible 300 points.

Walker Parking Consultants, Inc. (WPC) originally established in 1965 and has a regional office in Boston, Massachusetts. This office has a local staff of 20± employees including 1 project executive, 5+ professional engineers and 2 construction inspectors. The company has not been awarded an On-call or Formal Contract with the DCS in the past two years.

WPC will be operating under its Professional Engineering Corporation License (**PEC#.000674**). XL Design Professional Insurance Inc. reported that WPC has incurred over 40 general liability or professional policy loss or claims during the past 5 years. None of these claims appear to involve State of Connecticut funded projects and they all are in various phases of the claim process. WPC scored a total of 256 out of a possible 300 points.

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILE #21-131 – Mr. Berger moved and Mr. Valengavich seconded a motion to approve PRB FILE #21-131. The motion passed unanimously.

9. NEXT MEETING – Special Meeting, Friday, September 10, 2021.

The meeting adjourned.

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