

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On October 25, 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 October 25, 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 October 21, 2021 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

<i>PRB #</i>	21-158
<i>Origin/Client:</i>	DCS/DEEP
<i>Transaction/Contract Type</i>	AE / Amendment
<i>Project Number:</i>	BI-T-615
<i>Contract:</i>	BI-T-615-ARC
<i>Consultant:</i>	TLB Architecture, LLC
<i>Property</i>	Watertown, Thomaston Rd (2065) – Black Rock State Park
<i>Project purpose:</i>	New West District Headquarters at Black Rock State Park
<i>Item Purpose:</i>	Amendment #2

Proposed Amount: \$86,744

At the May 11, 2020 SPRB meeting, the Board approved PRB #20-066 in the amount of \$11,292 to compensate the Consultant for the following ARC design services:

- Provide seventeen (17) on-site test probes drilled up to 60 feet, inclusive of coring and sampling rock to determine the profile ledge, and characterize the soils and rock for the length of the proposed sewer and water on-site utilities. The soil and rock lab testing, a written report, and utility location services are included. The ledge profile and the soils/rock characteristics shall then be included in the bid documents to provide contractors with sufficient information to provide competitive bidding, avoid worst case bidding and limit the potential of change orders due to unforeseen conditions - \$24,065.
- Remove Test Borings for Street Utilities – (\$5,273) - credit
- Elimination of Traffic Control Services – (\$7,500) - credit

At that time the overall construction budget and total project costs remained unchanged at \$7,100,000 and \$10,285,478.

The Project was bid on April 21, 2021. DAS/DCS published the cost range as \$9,781,170 - \$10,295,968. DAS/DCS published ‘Notice of Bid Cancellation’ on June 15, 2021.

Project Background

Bids were received this past April for the WDHQ project yet each of the seven bids were over DEEP’s budget and available funding at that time. Therefore, the bids were cancelled and the project was put on hold. At the July State Bond Commission meeting, DEEP received approval for an additional \$11,000,000 million and requested that the project be re-bid with the architect making revisions to the documents for cost savings.

BIDDER	SECURITY	BASE BID	SUPPLEMENTAL BIDS		
			1	2	3
Banton Construction Company, North Haven, CT		\$12,500,000	\$18,260.	\$199,000.	\$141,790.
Burlington Construction Co., Inc., Torrington, CT		\$11,896,731.	\$14,495.	\$155,223.	\$14,829.
LaRose Building Group, LLC., Meriden, CT		\$12,640,000.	\$16,000.	\$180,000.	\$177,000.
Nosal Builders, Inc., Cheshire, CT		\$12,468,000.	\$18,000.	\$191,000.	\$30,000.
PAC Group, LLC, Torrington, CT		\$12,475,261.	\$20,764.	\$180,735.	\$216,573.
The Morganti Group, Inc., Danbury, CT		\$12,799,722.	\$19,920.	\$164,483.	\$22,000.
Worth Construction Co., Inc., Bethel, CT		\$14,150,000.	\$18,650.	\$137,440.	\$28,500.

Under this Proposal (PRB #21-158), DAS and DEEP are seeking Board approval to Amendment #2 to the Consultant’s Contract to expend an additional \$86,744 for the Consultant to provide the following design services:

A. Revise Construction Documents to Prepare for Re-bid

Conduct meetings and confirm with DAS and DEEP any changes to project scope. Review supplemental bids with DAS and DEEP. Upon approval, implement changes to supplemental bids including making the detached Garage a supplemental bid with the site work, underground utilities infrastructure and foundation work scope to be included in the base bid. Review current supply chain issues and material costs that have escalated recently and which were identified as a significant hurdle by bidders. Recommend cost saving options and upon approval, implement those cost saving measures in the revised construction documents. Refile project with United States Green Building Council for LEED certification. Submit updated documents for re-bidding.

B. Make adjustments to the estimate of probable construction cost, based on the recent bid results, and indicate those adjustments in the Consultant Bid Data Statement to reflect estimated values of new and revised supplemental bids.

C. Additional Permitting and Utility Approval Engineering & Resubmission

Update project sewage disposal documents and permitting to address Thomaston Water Pollution Control Authority’s additional review comments. Update project water service documents and permitting to address Connecticut Water Company’s additional review comments.

D. Perform bid phase services, in accordance with the terms and conditions of the contract, a second time since the project is to be re-bid.

The overall construction budget and total project costs have been increased to \$11,896,731 and \$15,219,328.

TLB Architecture Basic Services - PRB #18-089	COST (\$) (BASIC)	COST (\$) (SPECIAL)	C. Budget (\$)	(%) Budget
Schematic Design	\$129,029			
Design Development	\$172,619			
Construction Documents Phase	\$228,339			
Bidding Phase	\$20,350			
Construction Administration Phase	\$212,098			
TOTAL BASIC SERVICES Fee (A) #18-089	\$762,435		\$7,100,000	10.74%
SPECIAL SERVICES (B)				
Wetlands Crossing Design		\$64,000		
Traffic Study		\$14,250		
Survey		\$3,325		
Geotechnical Services		\$22,573		
Environmental Services		\$41,549		
Utility Extension Design		\$43,355		
Utility Easement Services		\$14,250		
Permitting Services		\$33,242		
Traffic Control Services		\$7,500		
LEED v4 Gold/Platinum		\$145,000		
TOTAL SPECIAL SERVICES (B)		\$389,044		
TOTAL PROJECT FEE (PRB #18-089) (A) + (B)		\$1,151,479	\$7,100,000	16.22%

TLB Architecture - Amendment #1 PRB #20-066				
Remove Test Borings for Street Utilities	(\$5,273)			
Provide up to 17 Test Borings up to 60' in length	\$24,065			
Elimination of Traffic Control Services	(\$7,500)			
TOTAL BASIC SERVICE FEE (#20-066) (A1)	\$11,292			
TLB Architecture - Amendment #2 PRB #21-158				
Expanded Design & Re-Bid Services	\$86,744			
TOTAL BASIC SERVICE FEE (#21-158) (A2)	\$86,744			
TOTAL BASIC SERVICES Fee (A) + (A1) + (A2)	\$860,471		\$11,896,731	7.2%
TOTAL FEE (PRB #21-158) (A) + (A1) + (A2) + (B)		\$1,249,515	\$11,896,731	10.5%

DCS and DEEP have confirmed funding is in place.

RECOMMENDATION: Staff recommends **APPROVAL** of this consultant contract in the amount of \$86,744. The overall basic service rate of 7.2% is consistent with the established guideline rate of 11.50% for New Construction Projects.

FROM PRB #20-066

PROPOSED AMOUNT: \$11,292

At the State Properties Review Board meeting held on June 28, 2018, the Board approved #18-089 (BI-T-615-ARC), in the amount of \$1,151,479, for the new West District Headquarters at Black Rock State Park.

The subject project is currently in the Design Phase. As the design of the sewer and water routing evolved, through discussion with the CT Water Company, Waterbury Water Authority and Thomaston Sewer Control Authority, an approach and route for the sewer and water were finalized. The agreed upon approach is to drill two horizontal bores through the Black Rock State Park to serve the new building. Entry and exit excavations are required at either end.

During the contract proposal phase, there was an assumption that the utilities would run in Route 6, and there was allowance for borings in the street. However, after communication with the Utility companies and CT DOT, it became apparent that an off-road approach was required. As such, several more borings are required due to the varied nature of the soils outside of the roadbed.

In order to fully design the horizontal drilling scope, a revised boring plan is needed to identify the profile ledge and characterize soils/rock for the length of the proposed utilities. The proposed additional sub surface exploration information will then be included in the bid documents to allow for a more accurate bid for the horizontal drilling contractor and avoid “worst case” bidding. Also, knowing more about the ledge profiles will limit the potential of change orders due to unforeseen conditions.

DCS is now seeking approval of an additional \$11,292 in fees for the following services:

- Provide seventeen (17) on-site test probes drilled up to 60 feet, inclusive of coring and sampling rock to determine the profile ledge, and characterize the soils and rock for the length of the proposed sewer and water on-site utilities. The soil and rock lab testing, a written report, and utility location services are included. The ledge profile and the soils/rock characteristics shall then be included in the bid documents to provide contractors with sufficient information to provide competitive bidding, avoid worst case bidding and limit the potential of change orders due to unforeseen conditions - \$24,065.
- Remove Test Borings for Street Utilities – **(\$5,273)** - credit
- Elimination of Traffic Control Services – **(\$7,500)** - credit

The overall construction budget and total project costs remain unchanged at \$7,100,000 and \$10,285,478.

TLB Architecture Basic Services - PRB #18-089	COST (\$) (BASIC)	COST (\$) (SPECIAL)	C. Budget (\$)	(%) Budget
Schematic Design	\$129,029			
Design Development	\$172,619			
Construction Documents Phase	\$228,339			
Bidding Phase	\$20,350			
Construction Administration Phase	\$212,098			
TOTAL BASIC SERVICES Fee (A) #18-089	\$762,435		\$7,100,000	10.74%

SPECIAL SERVICES (B)				
Wetlands Crossing Design		\$64,000		
Traffic Study		\$14,250		
Survey		\$3,325		
Geotechnical Services		\$22,573		
Environmental Services		\$41,549		
Utility Extension Design		\$43,355		
Utility Easement Services		\$14,250		
Permitting Services		\$33,242		
Traffic Control Services		\$7,500		
LEED v4 Gold/Platinum		\$145,000		
TOTAL SPECIAL SERVICES (B)		\$389,044		
TOTAL PROJECT FEE (PRB #18-089) (A) + (B)		\$1,151,479	\$7,100,000	16.22%
TLB Architecture - Amendment #1 PRB #20-066				
Remove Test Borings for Street Utilities		(\$5,273)		
Provide up to 17 Test Borings up to 60' in length		\$24,065		
Elimination of Traffic Control Services		(\$7,500)		
TOTAL BASIC SERVICE FEE (#20-066) (A1)		\$11,292		
TOTAL BASIC SERVICES Fee (A) + (A1) #20-066		\$773,727	\$7,100,000	10.90%
TOTAL FEE (PRB #20-066) (A) + (A1) + (B)		\$1,162,771	\$7,100,000	16.38%

DCS and DEEP have confirmed funding is in place.

RECOMMENDATION: Staff recommends APPROVAL of this consultant contract in the amount of \$11,292. The overall basic service rate of 10.90% is consistent with the established guideline rate of 11.50% for New Construction Projects.

FROM PRB #18-089

UPDATE 6/27/2018

DCS provided responses to the questions raised by the Board on 6/27/2018.

Please refer to the attached memo from Kevin Kopetz dated 6/27/2018 for discussion.

RECOMMENDATION:

Staff is recommending to suspend PRB # 18-089 based on the responses from DCS.

- Please clarify where the documents call for Net-Zero building. It does call for the design to meet LEED standards.
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PROJECT BRIEF– In general this project involves the design and construction of a new facility to serve the West District of the Department of Energy and Environmental Protection. The proposed facility will be located at Black Rock State Park in Watertown. The new facility will provide office and meeting space for the following divisions: State Parks, Inland Fisheries, Engineering and Field Support Services, Forestry, and Law Enforcement. A public counter/service area will be provided to sell fish and game licenses, boating certificates, Charter Oak Passes and other related items and provide park/state maps and other related outreach publications. Also provided will be space for the Black Rock State Park maintenance unit which is currently located away from the park. Laboratory space will be provided for Inland Fisheries. The overall construction and total project budget have been established at approximately \$7,100,000 and \$10,285,478 respectively.

In March 2017 the Department of Construction Services (“DCS”) issued a Request for Qualifications (RFQ) for Architect & Engineer (A/E) Consultant Services related to the New West District Headquarters at Black Rock State Park. DCS elicited thirteen (13) responses to the advertisement of which 10 submittals were considered “responsive,” two responses were “non-responsive” and a third withdrew. DCS then proceeded to review the thirteen submittals and after the completion of the internal review process, three firms were selected for short-listed interviews. These firms were as follows, Tecton Architects, P.C., Christopher Williams Architects, LLC and TLB Architecture, LLC. 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 TLB Architecture, LLC (“TLB”) as the most qualified firm, approved by DAS Commissioner Currey on June 6, 2017.

This contract is for Architect/Engineer Consultant Design Team Services for the completion of the New West District Headquarters at Black Rock State Park from the initiation of a schematic design phase through the construction document phase, bidding and the subsequent completion of construction. The overall compensation rate for this basic service is \$762,435 with an additional \$389,044 for special services. As such the total project fee is \$1,151,479. The special services detailed in the project scope include wetlands crossing, permitting for utilities and Army Corp of Engineers, traffic engineering, geotechnical/environmental engineering, traffic control, LEED v4 Gold, LEED v4 Platinum, a Phase I & II and land survey consulting services, among others.

	<u>COST</u> (\$) <u>(BASIC)</u>	<u>COST</u> (\$) <u>(SPECIAL)</u>	<u>C. Budget</u> <u>(\$)</u>	<u>(%)</u> <u>Budget</u>
TLB Fee for Basic Services (A)			\$7,100,000	
Schematic Design	\$129,029			
Design Development	\$172,619			
Construction Documents Phase	\$228,339			
Bidding Phase	\$20,350			
Construction Administration Phase	\$212,098			
TOTAL BASIC SERVICES Fee (A)	<u>\$762,435</u>		\$7,100,000	10.74%

SPECIAL SERVICES (B)			
Wetlands Crossing Design	\$64,000		
Traffic Study	\$14,250		
Survey	\$3,325		
Geotechnical Services	\$22,573		
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Utility Extension Design	\$43,355		
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Permitting Services	\$33,242		
Traffic Control Services	\$7,500		
LEED v4 Gold/Platinum	\$145,000		
TOTAL SPECIAL SERVICES (B)	<u>\$389,044</u>		
TOTAL PROJECT FEE (PRB #18-089) (A) + (B)	\$1,151,479	\$7,100,000	16.22%

- The RFQ November 2017 elicited 13 responses. The Selection Panel interviewed three firms and ultimately recommended the appointment of TLB Architecture, LLC (“TLB”). The selection was approved by Commissioner Currey on 6/06/2017.
- DCC is locally located in New Britain. This firm was established in 1934 and has over 30 employees which includes registered Architects, professional engineers and construction professionals.
- Smith Brothers Insurance, LLC reported that over the past 5 years DCC has been not been exposed to any general liability or professional liability claims.
- The submittal is accompanied by a Consulting Agreement Affidavit notarized on 5/04/2018.

RECOMMENDATION: It is recommended that SUSPEND this new contract for the TLB Architecture, LLC at the West District Headquarters at Black Rock State Park for the following reasons:

- The total cost of the AE contract – Basic Services and Additional Services – total \$1,151,479, and DCS is requesting only \$1,087,479 for the Board approval on the memo. Please clarify what DCS is requesting; and
- Why does this fall under Group “C” for New Construction? Seems like this is a straight forward office building type of construction and should fall under Group “B”, which allows for 8.75% rate per DCS guidance. Based on this the basic fee seems high.
- Is the fee related to LEED certification in line with other projects? It about 20% of the total Basic Service Fees. What if the building does not achieve that certification? Does the State get credit for the fees charged?
- Confirm that funding for the AE contract is in place. There are several email communications stating funding is in place, but no specific communication regarding the total cost of the contract.
- Form 1105 does not have CD DAS Capital Project Request Approval

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILES #21-158 – Mr. Halpert moved and Mr. Berger seconded a motion to approve PRB 21-158.
The motion passed unanimously.

9. NEXT MEETING – Thursday, October 28, 2021.

The meeting adjourned.

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