

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On November 12, 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 November 12, 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 November 8, 2021 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

<i>PRB #</i>	21-159
<i>Transaction/Contract Type:</i>	RE – Voucher
<i>Origin/Client:</i>	DOT/DOT
<i>Project Number:</i>	110-136-004
<i>Grantor:</i>	JL&LK TVCT LLC
<i>Property:</i>	Plymouth, South Main St (8)
<i>Project Purpose:</i>	Major Intersection Improvements on Route 6 at North Main Street & Agney Avenue
<i>Item Purpose:</i>	Voucher

DAMAGES: \$38,850

DOT PROJECT: The purpose of the project is to correct operational and safety deficiencies at the intersections of Route 6 with South Main Street, North Main Street, and Agney Avenue. The proposed improvements will include realignment of North Main Street to form a normalized four-legged intersection with Main Street opposite Agney Avenue. This new intersection will be signalized. In addition, left-turn lanes will be provided in both directions of Route 6 at the new North Main-Agney

Avenue intersection; and on Route 6 westbound at South Main Street and eastbound at the Woods Court driveway. On-street parking will be provided along Route 6 on various locations.

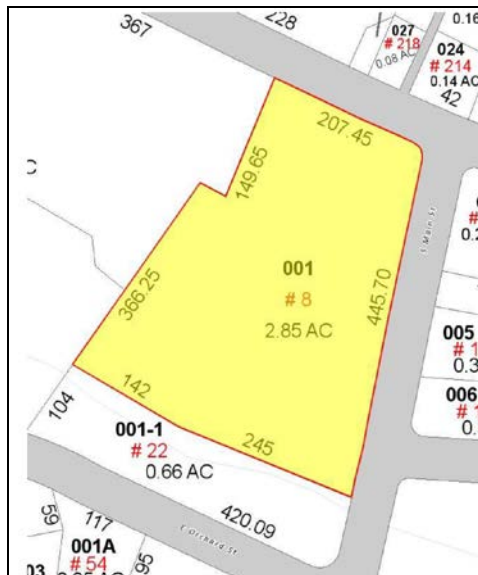
There are right-of-way impacts associated with the proposed improvements. It is anticipated that approximately five sliver acquisitions and one total acquisition will be required to accommodate widening and sidewalk construction along Route 6, North Main Street and Agney Avenue. In addition, several slope and construction easements will be required.

Construction is anticipated to begin in spring 2022 based on the availability of funding, acquisition of rights of way and approval of permit(s). The estimated construction cost for this project is approximately \$ 5.3 million. This project is anticipated to be undertaken with eighty percent (80%) federal funds and twenty percent (20%) state funds.

SITE DESCRIPTION: The subject site is a rectangular-shaped, 124,146 sq.ft. (2.850 Acres), parcel with 207.45' of frontage on the south side of Main Street and 445.7' of frontage on the west side of South Main Street. The site is located in the C-Village zone and conforms to zoning requirements.

The subject is improved with a 19,727 sq.ft. multi-tenant neighborhood shopping center constructed in 1983 and anchored by Walgreens Pharmacy. The site is improved with a paved parking lot, fencing, a retaining wall, minimal landscaping, and exterior lighting. The site improvements are in average overall condition. Portions of the parking lot require repaving

The Appraiser opines the highest and best use of the site as vacant is development with a shopping center and as improved is continued shopping center use.



(Note: Anchor tenant now Walgreens)

VALUATION: The DOT appraisal was completed August 9, 2021 by Independent Appraiser Michael Fazio.

Land Valuation: Based on the sales comparison approach, the appraiser considered three sales (2019-2020) of similarly zoned, with a similar highest and best use, and concluded that the fair market value of the subject land was \$3.85/sf, calculated as follows:

Item	Calculation	Value
Land Valuation	124,146 sf x \$3.85/sf	\$477,962
	Rounded	\$478,000

The Appraiser estimated the value of all site improvements was \$180,000.

The town assessment records indicate the value of the land is \$283,500, or \$2.28/sf (100% value) based on a 2016 town-wide revaluation.

Building Valuation

Sales Comparison Approach: The appraiser analyzed four sales of similar multi-tenant commercial buildings in Bristol and Southington (2018-2021) and concluded that the fair market value of the subject property was \$53/sf x 19,727 sf = \$1,045,531, rounded to \$1,050,000.

	Subject	Sale #1	Sale #2	Sale #3	Sale #4
CompID	8994	10845	10844	10846	7338
Name					
Address	8 South Main Street	151 Queen Street	912 Terryville Avenue	1197 Meriden Waterbury Turnpike	300 Middle Street
City	Plymouth	Southington	Bristol	Southington	Bristol
Recording Date	N/A	8/4/2020	5/3/2021	9/10/2019	2/2/2018
Sale Price	N/A	\$2,100,000	\$351,000	\$780,000	\$1,580,000
GBA	19,727	35,715	6,552	9,440	22,322
Year Constructed	1983	1988	1955	1982	1958
Site Size	2.85	3.38	0.28	0.97	1.92
Traffic Count	14,187	18,373	9,610	11,615	21,800
Land to Building Ratio	6.29	4.12	1.86	4.48	3.75
Parking Ratio (per 1,000SF)	4.56	4.40	2.75	5.61	3.81
Price/SF GBA	N/A	\$58.80	\$53.57	\$82.63	\$70.78

Income Capitalization Approach: The Appraiser analyzed four rentals of units in multi-tenant commercial buildings in listings of available properties in the greater market area as follows:

Property Type	Mixed Use	Shopping Center	Shopping Center	Mixed Use
GBA	12,913	8,100	6,129	9,899
Year Built	2006	1976	1950	1925
Land Acres	1.02	0.77	0.32	0.20
Land to Building Ratio	3.44	4.14	2.27	0.88
Leased Area (SF)	1,300	1,120	2,150	1,479
Lease Date	7/1/2018	4/27/2021	3/22/2018	5/1/2020
Reimbursement Type	Gross Plus Utilities	Mod. Gross	Gross Plus Utilities	Mod. Gross
Lease Remarks	Starting rent for retail space in mixed use center.	In-line retail space.	In-line retail space.	Ground floor retail space in mixed use building.
Lease Rate per SF	\$13.85	\$15.70	\$9.20	\$11.36
Adjusted Lease Rate per SF	\$9.85	\$11.70	\$5.20	\$7.36

The appraiser concluded the fair market rental value of the space within the subject property was as follows:

#	Space Type	Market Rent/SF	Type
1	Retail	\$7.00	NNN
2	Retail - Large	\$5.00	NNN

After fully supporting market-based vacancy, operating expenses and capitalization rate, the Appraiser estimated Net Operating Income and market value as follows:

Rental Income	Annual	Per SF	% of PGI
Retail - In-Line (10,551 SF at \$7.00/SF)	\$73,857	\$7.00	61.7%
Retail - Large (9,176 SF at \$5.00/SF)	\$45,880	\$5.00	38.3%
Total Rental Income	\$119,737	\$6.07	100.0%
Potential Gross Income	\$119,737	\$6.07	100.0%
Less Vacancy & Collection Loss (5.0%)	(\$5,987)	(\$0.30)	-5.0%
Effective Gross Income	\$113,750	\$5.77	95.0%
Operating Expenses	Annual	Per SF	% of EGI
Management Fees	\$5,688	\$0.29	5.0%
Replacement Reserve	\$2,275	\$0.12	2.0%
Total Expenses	\$7,963	\$0.40	7.0%
Net Operating Income	\$105,788	\$5.36	93.0%

Direct Capitalization Summary	
Net Operating Income	\$105,788
Divided By Overall Rate	9.00%
Capitalized Value Indication	\$1,175,418
Rounded (\$59.82 per SF)	\$1,180,000

Reconciliation and Value Conclusion - Before

Approach	Opinion of Market Value
Sales Comparison Approach - Land	\$478,000
Income Capitalization Approach – Building	\$1,180,000
Sales Comparison Approach Building	\$1,050,000
Conclusion of Market Value	\$1,115,000

TAKING DESCRIPTION:

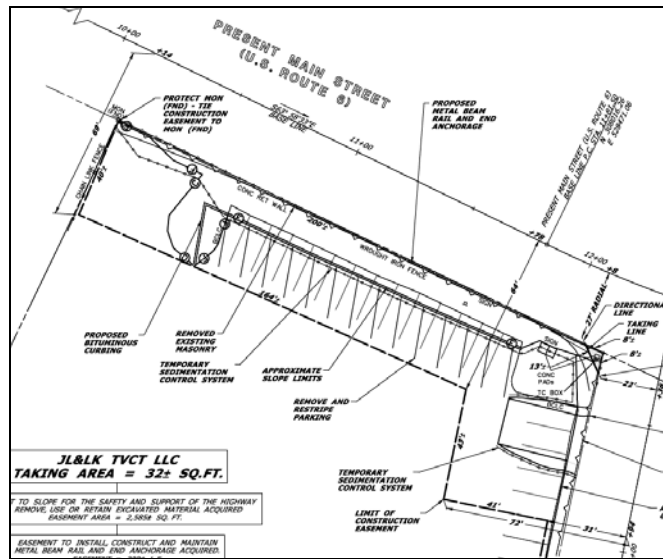
DOT requires acquiring the following:

- A partial take in fee simple of 32 square feet;
- An easement to slope for the safety and support of the highway and remove, use or retain excavated material acquired over an area of 2,585± sq. ft.;
- An easement to install, construct and maintain metal beam rail and end anchorage acquired over an area of 209± LF; and
- A construction easement for the purpose of construction of parking lot curbing, temporary driveway, installation of temporary sedimentation control system, restriping parking stalls, removing masonry retaining wall and grading acquired over an area of 7,384± sq.ft.

IMPACT OF THE TAKING:

The Connecticut DOT proposes to take 32 square feet of land located on the northeastern corner of the subject, on the southwestern corner of Main Street and South Main Street. In addition to the Taking, the DOT will acquire a 7,384 square foot construction easement for the purpose of construction of parking lot curbing, temporary driveway, installation of temporary sedimentation control system, restriping parking stalls, removing masonry retaining wall and grading. The easement will result in the temporary loss of 27 parking spaces on the northern and eastern portions of the property and reduce circulation on the site for one year during the two-year construction period. The existing retaining wall and fencing within the construction easement will be lost. It should be noted that access to the subject property from South Main Street will be maintained during the construction period. Additionally, a sign on the property will be relocated by the DOT Acquisition Section if the sign is impacted as a result of the acquisition.

As part of the Taking, the Connecticut DOT will also acquire a 2,585 square foot slope easement along the northern boundary of the subject and acquire a 209 linear foot easement to install, construct, and maintain a metal beam rail and end anchorage.



AFTER VALUATION:

The “After” valuation of the subject property is subject to the following Extraordinary Assumptions and Hypothetical Conditions:

EXTRAORDINARY ASSUMPTIONS:

None.

HYPOTHETICAL CONDITIONS:

The methodology used in this report is in the form of a 29 Point “Before” and “After” Appraisal Report format used for eminent domain purposes. The appraisal considers that there is a willing seller in an acquisition by eminent domain and has disregarded any effect on the market value brought on by the State’s project. The appraisal report was based on the hypothetical condition that the proposed road project will be completed as currently proposed, in the Department of Transportation construction plans, on the day after the “as of” date. No other conditions were necessary to arrive at a credible value.

Land Valuation: Based on the sales comparison approach, the appraiser considered the same three sales as in the Before Valuation and concluded that the fair market value of the subject land was unchanged at \$3.85/sf, calculated as follows:

Item	Calculation	Value
Land Valuation	121,529 sf x \$3.85/sf	\$467,887
Easement to Slope	2,585 sf x \$3.85/sf x 90%	\$8,957
Metal Beam Rail Easement 209 LF	Lump Sum	\$400
	Rounded	\$476,450

The Appraiser estimated the value of all site improvements was decreased by \$10,000 to \$170,000.

After Building Valuation

After Sales Comparison Approach: The appraiser analyzed the same four sales of similar multi-tenant commercial buildings in Bristol and Southington and concluded that the fair market value of the subject property was \$53/sf and adjusted for the DOT's acquisitions as follows:

Indicated Subject Value	
Concluded Value Per SF GBA	\$ 53.00
GBA	19,727
Indicated Value	\$ 1,045,531
Rounded - Before	\$ 1,050,000
Less Taking Area Value	\$ (150)
Less Slope Easement	\$ (1,000)
Less Metal Beam Easement	\$ (400)
Less Site Improvements	\$ (10,000)
Rounded - After	\$ 1,038,450

After Income Capitalization Approach: The Appraiser analyzed the same four rentals of units in multi-tenant commercial buildings in listings of available properties in the greater market area as follows and concluded that the fair market rental value of the subject property was unchanged as follows:

#	Space Type	Market Rent/SF	Type
1	Retail	\$7.00	NNN
2	Retail - Large	\$5.00	NNN

After fully supporting market-based vacancy, operating expenses and capitalization rate, the Appraiser's estimate of market value was \$1,180,000 and adjusted for the DOT's acquisitions, indicating an After value of \$1,168,450.

Reconciliation and Value Conclusion - After

Approach	Opinion of Market Value
Sales Comparison Approach - Land	\$476,450
Income Capitalization Approach – Building	\$1,168,450
Sales Comparison Approach Building	\$1,038,450
Conclusion of Market Value	\$1,103,450

Calculation of Permanent Damages

Item	Value
Before Valuation	\$1,115,000
After Valuation	\$1,103,450
Permanent Damages	\$11,550

Calculation of Temporary Damages

The Appraiser then accounted for Temporary Damages as follows:

Construction Easement Area	7,384 sf x \$3.85/sf x 11% x 2 years	\$6,255
	Rounded	\$6,300

Temporary Severance Damages

The easement will result in the temporary loss of 27 parking spaces on the northern and eastern portions of the property and reduce circulation on the site for one year during the two-year construction period. The reduced parking and circulation will temporarily have a negative impact on the property (the market rent for the subject property will need to be reduced to compensate tenants for the temporary loss of parking and impaired circulation).

To determine the temporary severance associated with the 27 temporarily impacted parking spaces and reduced circulation, the appraiser concludes a rental rate reduction to compensate tenants for the temporary loss of parking and reduced circulation. The 27 temporarily impacted parking spaces are 30% of the subject's total parking. The loss of 27 parking spaces is estimated to reduce the market rent at the subject property by 17.50% (slightly more than half of the total percentage of parking to be temporarily lost). The concluded market rent reduction considers the reduced circulation. Therefore, total severance damages due to the temporarily lost use of the 27 parking spaces and reduced circulation are concluded as follows:

Temporary Severance Calculation	
Market Rent (Annual)	\$119,737
% Reduction in Market Rent	17.50%
Annual Reduction of Market Rent	\$20,954
Total Years Impacted	1
Indicated Temporary Severance	\$20,954
Rounded	\$21,000

Total damages are then Permanent Damages plus Temporary Damages plus Temporary Severance Damages, or \$11,550 + \$6,300 + \$21,000 = \$38,850.

RECOMMENDATION: Board **APPROVAL** of damages in the amount of \$38,850 is recommended for the following reasons:

1. The acquisition complies with Section 13a-73(c) of the CGS which governs the acquisition of property by the commissioner of transportation required for highway purposes.
2. The acquisition value is supported by the DOT's independent appraisal report.

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB # 21-162
Origin/Client: DCS/DPH
Transaction/Contract Type AE / Task Letter
Project Number: BI-2B-473
Contract: OC-DCS-ROOF-0039
Consultant: Gale Associates, Inc.
Property Rocky Hill, West St (395) – Public Health Laboratory
Project purpose: Water Infiltration Repairs
Item Purpose: Task Letter #1

PROPOSED AMOUNT: \$214,677 (NTE)

DCS Project Narrative

On January 20, 2021, DCS retained the services of the Consultant under Task Letter #2 to OC-DCS-ROOF-0035, to investigate to the causes of water infiltration at the high roof level, the intermittent roof level, the vertical face of the building and at selected window locations. The investigation included review of original construction documents with AZ Corporation, the CAC during the construction of the Lab. The Consultant's fee under Task Letter #2 was \$34,961. The results of the investigation follow:

The facility has been experiencing roof leaks at the perimeter of the building and adjacent to the AHU's (ERUs) in Area 1 (West Wing). A field investigation was conducted on 05/20/2020 and it was determined that there is extensive moisture accumulating under the roof membrane at various locations adjacent to the roof curbing that supports the large AHU's. There are several locations where the roof membrane is no longer fully adhered to the substrate and the insulation board is completely saturated. The existing roof construction consists of an EPDM roof membrane fully adhered to a 1/4" protection board over tapered insulation. The tapered insulation is on top of a composite deck consisting of lightweight concrete and metal decking. There is a 24"h x 12"w reinforced concrete equipment curb that supports the AHU and metal panel enclosure. The exterior face of the curb has a 2" thick nail base insulation board which is covered by EDPM. It could not be determined if the roof membrane extended over the curb. The AHU (ERUs) were brought to the roof in modular sections and field assembled in place. The ERUs exterior walls are constructed of a series of double wall panels fabricated of a 14 gauge embossed aluminum outer shell with an 18 gauge solid interior panel. There is 2-9/16" polyisocyanurate insulation between the inner and outer aluminum skins. The outer skin is pop-rieveted to the structure. There is a field applied flashing that appears to go over the concrete curb. The specification states that "All panel seams will be externally caulked with sealant". The caulking was not visible from the exterior seams. The roof structure of the ERUs is covered by a fully adhered TPO on tapered insulation. There is a gutter system with downspouts at the corners. In summary, it could not be determined from the site observations the specific cause or location of the water infiltration.

It is DAS|FM recommendation to hire an AE Consultant specializing in the investigation and evaluation of the building envelope systems in accordance with the project description. The contract should be phased as follows:

- PHASE I - FORENSIC STUDY: The scope of work is to include a comprehensive field investigation to diagnose and resolve the cause of the moisture problem at the roof. Their services would include specifying the necessary remedial repairs, cost estimates, etc.
- PHASE II - CORRECTIVE ACTION: The consultant will provide construction documents for bidding, bidding phase and construction administrative/project closeout services.

Given that this building is less than 10 years old and that the roof is still under warranty, DAS|FM is respectfully requesting that this project be managed by DAS Construction Services.

At the State Properties Review Board meeting held on May 10, 2021, under PRB #21-053, the Board approved Gale Associates, Inc. (GAI) and the On Call Contract OC-DCS-ROOF-0039. The On-Call Contract has a maximum total cumulative fee of \$750,000 and an expiration date of 08/31/2023.

Under this Proposal (PRB #21-162), DCS is now seeking Board approval of Task Letter #1 for the Consultant to provide ROOF design and construction administration services in conjunction with the Project at the Department of Public Health Laboratory in Rocky Hill. The fee for the proposed Consultant's services is \$214,677.

The scope of work shall include, but is not limited to the following:

- a. Provide design and construction administrative services based upon the DPH Water Infiltration Investigation Report dated May 14, 2021 as prepared by Gale Consultants, Inc.

The scope of work shall include, but is not limited to the following:

- a. Western conference room curtain wall to precast panel transition including sealants and concrete coatings;
- b. Office window and Roof Area 4 parapet transition including metal panel, roof coping, window flashing, sealant and weeps, and air/vapor barrier renovations;
- c. Eastern stair tower penetrations and parapet to parapet transition including metal panel, roof coping, and roofing and air/vapor barrier renovations;
- d. Roof Area 4 to rising wall transition including metal panel, roof flashing, and air/vapor barrier renovations;
- e. ERU curb flashing and roofing including roof system replacement, membrane curb flashing, metal counter flashing, and penetration seals;
- f. ERU field joint waterproofing including seam stripping and sealant;
- g. ERU roof edge and gutter transition including roof membrane flashing, eave flashing, and gutters;
- h. Additional repairs that may include interior finish soffit repairs along the West elevation, various ceiling tile replacement, removal of protection board and penetration flashings below the ERU's, and Roof Areas 1 and 2 perimeter air/vapor sealing.
- i. Controlled water infiltration testing will occur at the following locations that are included in the design effort:
 - i. Area 2, East elevation. Full height window at end of Personnel Corridor at GF, 2nd, and 3rd. This window is between column lines 65 and 66 and is next to the entrance to Stair 2. Water on sills at each level.
 - ii. Lobby 1100 window wall at Column Line K.8 between Column Lines 7.8 and 8.
 - iii. Water on bottom sill and at intermediate sills.
 - iv. Area 3, Room 2520, 2nd floor, at Column Line M-2. Saturated sheetrock at corner of window. This is a known ongoing situation. (Area 3 East Elevation)
 - v. Area 3, Room 2520, 2nd floor, at Column Line M-1. Water on sill at window wall that forms an outside corner. (Area 3 East Elevation)
 - vi. Room 1216, Column Line J plus six (6) windows from entrance at elevator.
 - vii. Room 2214, Column Line G plus three (3) windows from entrance at elevator.
 - viii. Room 2214, Column Line G plus six (6) windows from entrance at elevator.
 - ix. Room 2414, Column Line N plus zero (0) windows from entrance at elevator. (Area 2 North Elevation)
 - x. Room 2414, Column Line P plus three (3) windows from entrance at elevator. (Area 2 North Elevation)
 - xi. Room 2514, Column Line K between Columns 3 and 4.
- j. The following locations will not be leak testing yet will be included in the design effort by extrapolation of controlled leak testing results at similar areas noted above:
 - i. Area 1, 3rd Floor, between Column Lines A and B. Water on windowsill. This window is a continuation of the window on the North Elevation of Conference Room 3250.
 - ii. Room 2214, Column Line E plus six (6) windows from entrance at elevator. (Area 1 North Elevation)
 - iii. Room 1216, Column Line F plus four (4) windows from entrance at elevator. (Area 1 North Elevation)

A breakdown of the Consultant’s fee is as follows:

- 2A. Schematic Design Phase: \$65,042, paid as follows:
 - a. Gale Consultant’s Design Fee: \$39,500;
 - b. Roofing Sub-Consultant/Contractor: \$14,960 (NTE);
 - c. Industrial Hygienist Testing Sub-Consultant: \$2,937;
 - d. Nuclear Moisture Scan Sub-Consultant: \$3,960; and
 - e. Aerial Lift Rental: \$3,685.00 (NTE).
- 2B. Design Development Phase: \$18,200.
- 2C. Contract Documents Phase: \$18,510.
- 2D. Bid Phase: \$4,900.
- 2E. Construction Administration: \$108,025 shall be paid as follows:
 - a. Construction Administration Fee (Fixed): \$32,600; and
 - b. Additional half-day site visits not-to-exceed (NTE) fee: \$75,425. Fee is based upon up to 35 site visits at a per diem rate of \$2,155.

DPH and DAS confirmed funding (Federal-CDC Grant) is in place for this Task Letter.

The initial construction budget and project budget for Task #1 have been established at \$1,500,000 and \$1,975,000, respectively.

Gale Associates, Inc. has not been approved for any Task(s) under this new on-call series.

Task Letter #2 – GAI Basic Services Fee (#21-162)	Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Development Phase	\$39,500				
Design Development Phase	\$18,200				
Contract Documents Phase	\$18,510				
Bidding Phase	\$4,900				
Construction Administration-Fixed	\$32,600				
Construction Administration-NTE	\$75,425				
TOTAL BASIC SERVICE FEE (#21-162) (A)	\$189,135			\$1,500,000	12.6%

Special Services					
Roofing Contractor - NTE		\$14,960			
Industrial Hygienist Testing		\$2,937			
Nuclear Moisture Scan		\$3,960			
Aerial Lift Rental - NTE		\$3,685			
TOTAL SPECIAL SERVICE FEE (#21-162) (B)		\$25,542			
Total Fee #21-162 (A) + (B)			\$214,677	\$1,500,000	14.3%

Staff had following questions:

1. The Consultant’s Proposal indicates the construction duration is five months – June to October 2022 plus 90-day closeout. Please confirm the construction duration.
DCS Response: Since we are in the contract phase at this point in time it is hard to confirm a construction duration, but yes we (I) feel five months is a representative amount of time to perform the work.
Staff Response: OK

2. Please clarify the purpose/intent of seeking to permit the Consultant up to 35 half-day inspections over a 14-week period during the construction phase. The total CA fees represents 7.2% of the Project Budget, beyond 5% guideline rate for CA services.

DCS Response: Since this is a water infiltration repair project and the work will require removing and replacing building components on an almost daily basis, we (I) felt that having the design professional who designed the project and knows what best may/may not be expect as building components are removed readily available made sense. There will be no 3rd party CA involvement. The fourteen weeks comes from taking 2-3 weeks off the front and back ends of a 5 month construction project. 35 visits comes from 2-3 visits/per week (5 every two weeks) for 14 weeks. This made sense to me.

Staff Response: OK

3. On 5/17/2010 under PRB #10-122, the Board approved Contract BI-2B-179-CAc, for the Consultant (AZ Corporation) to provide CA services during the construction phase of the Public Health Lab. Please clarify if the CA's reports/submissions to DCS confirm that the affected roof areas were constructed in conformance with the ARC's Contract Documents.

DCS Response: Please see the attached e-mail I previously sent to you on 6/16/21 of this year.

I'm not sure how best to respond to your request. My simple response is that it is not worth it to go after an entity to determine culpability, but those kinds of decisions are above my pay grade. With that said,

There appears to be many different reasons in many different areas of the building why some leaks are occurring. Based upon each condition one could make an argument that it was a design issue (architect), a construction issue (CMR and subcontractor), a maintenance issue (in the case of caulk older than 5 years). And then you have the design and installation of the ERUs which was pretty much a delegated design. So to point the finger at one specific entity as the responsible party does not seem cut and dry.

Staff Response: After reviewing the Consultant's Investigative Report, DAS/FM had the following Recommendation:

Based upon the submitted Water Infiltration Investigation Report summarized in the notes above, FM | Tech Services recommends the following project approach:

1. Proceed with directing Gale Associates, Inc. to provide AE services for design/contract documents for bidding, bid phase, construction administrative/project closeout. Pending senior management approval, the F1 105 for this project will be revised as required to include this scope.
2. Gale in investigating the water infiltration was tasked with determining the cause and providing a solution. As noted above, this included document review (contract documents, shop dwgs., etc..) as well as field investigation and testing. Based upon Gale's findings, there are several conditions where the water infiltration could be attributed to either design detailing or the roof installation not complying with the contract documents. It is DAS | FM – Tech Services recommendation that further investigative work needs to be done. This will require working with DAS | CS and the consultant to determine/confirm the cause, cost of repairs and if and what course of action should be pursued to make the state whole in regards to this matter.

OK

4. If it was not constructed according to specifications, is DCS considering to seek compensation from the responsible parties?

DCS Response: Again, please see the attached e-mail.

Staff Response: OK

RECOMMENDATION: It is recommended that the Board **APPROVE** this TL#1 in the amount of \$214,677 pending response from DCS.

PRB #	21-164
Origin/Client:	DCS/DCS
Transaction/Contract Type	AE / Amendment
Contract:	OC-DCS-SCH-0017
Consultant:	Arcadis U.S., Inc.
Item Purpose:	Amendment #1

PRB # 21-165
Origin/Client: DCS/DCS
Transaction/Contract Type AE / Amendment
Contract: OC-DCS-SCH-0018
Consultant: Ankura Consulting Group, LLC
Item Purpose: Amendment #1

PRB # 21-166
Origin/Client: DCS/DCS
Transaction/Contract Type AE / Amendment
Contract: OC-DCS-SCH-0019
Consultant: Project Controls Group, Inc.
Item Purpose: Amendment #1

PRB # 21-167
Origin/Client: DCS/DCS
Transaction/Contract Type AE / Amendment
Contract: OC-DCS-SCH-0020
Consultant: D.H. Bolton, Inc.
Item Purpose: Amendment #1

At the State Properties Review Board meeting held on August 19, 2019, the Board approved #19-166 to #19-169, four Consultant Contracts under the 5th series of On-Call Scheduling Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2006. The four (4) On-Call Contracts had 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 04/30/2019.

Under this Proposal (#21-164 to 21-167), DCS is now resubmitting these four firms to the Board for approval under Contract Amendment #1 for contracts OC-DCS-SCH-0017 to OD-DCS-SCH-0020 to extend the contract expiration date to November 30, 2023. The \$300,000 maximum cumulative fee is unchanged.

Changes to the Contract OC-DCS-SCH-0017 to OD-DCS-SCH-0020 include the following:

- Change in Article IV language – Changed contract expiration date to November 30, 2021;
- Change to Article XVI (A) language – Non-Discrimination;
- Removal of Article XVI (B) language – Executive Orders regarding references to XO 49;
- Change to Article XVI (D) – Summary of State Ethics Laws to reflect new laws effective July 1, 2021;
- Change to Article XVI (E) – Campaign Contribution Restrictions;
- Addition of Article XXX language – Large State Contract Representation for Contractor – requiring the Contractor to comply with Acting Governor Susan Bysiewicz’ Executive Order No.21-2, effective July 1, 2021 regarding gifts and the Contractor’s Principals or Key Personnel;
- Addition of Article XXXI language – Large State Contract Representation for Official or Employee of State Agency – requiring the State Official or Employee represents that the selection of a Contractor was not the result of collusion, gift, promise of a gift, etc;
- Addition of Article XXXII language – Iran Energy Investment Certification;
- Addition of Article XXXIII language – Consulting Agreement Certification;
- Changes to Exhibit A – Hourly Rate Schedules.

Arcadis has been awarded the following formal contract:

- Task #1 450 Columbus Blvd - Replacement value cost estimate \$1,800 (Informal)
- Task #2 SCSU – Burritt Library Renovation & Addition \$78,368 (Informal)

Ankura has been awarded the following formal contract: None.

Project Controls has been awarded the following formal contract: None.

DH Bolton has been awarded the following formal contract:

- Task #1 Middletown Library Service Center – Formulation Study \$5,800 (Informal)

Proposed Amendment #1 Hourly Rates	Current Hourly Rates																																																												
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Staff asked following question for clarification:

1. In the DCS Proposal OC-DCS-CIV/SUR/LA-0041, -0042, -0043, -0045 and -0047, reviewed by the SPRB under PRB 21-142 to 21-146, and approved by the SPRB on 9-30-2021, included the following contract language:

Article JJ - Access to Contract and State Data

The Contractor shall provide to the Client Agency access to any data, as defined in Conn. Gen. Stat. Sec. 4e-1, concerning the Contract and the Client Agency that are in the possession or control of the Contractor upon demand and shall provide the data to the Client Agency in a format prescribed by the Client Agency and the State Auditors of Public Accounts at no additional cost.

Please clarify if the preceding language should be incorporated into this Amended On-Call Series.

DCS Response: This language is included in the amendments. See Section 1, Paragraph J that includes Article XXXVI, Access to Contract and State Data. OK

2. What is the reason for this request to extend the Series through November 30, 2023?

DCS Response: The reason for the request to extend is the minimal use of the present series to date. The extension will provide an opportunity for future task assignments to this firms in this series and encourage firms to apply for on-call contracts going forward. OK

RECOMMENDATION:

It is recommended that the Board **approve** this Contract Extension to November 30, 2023 for the four Consultants.

From PRB 19-166 to 19-169

This is the 5th series of On-Call Scheduling Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2006. 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 04/30/2019.

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 4th series of On-Call Scheduling Consulting Contracts was approved by the Board in March 2015 under PRB Files #15-052 through #15-054 and lastly in July 2015 under PRB File #15-135. A contract amendment extending the expiration date until April 30, 2019 was approved under PRB #16-299 to #16-302. Only two (2) of the firms under this current 5th series RFP submittal have been previously approved for *Scheduling Consulting On-Call Contracts*: Arcadis U.S., Inc. and D.H. Bolton, 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.

Arcadis U.S., Inc.	Proposed	Ankura Consulting Group	Proposed	Project Controls Group	Proposed	D.H. Bolton	Proposed
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Technician/Admin	\$96	Technician/Admin	\$125	Technician/Admin	\$75.19	Technician/Admin	\$55

Staff have requested clarification of the following issues:

1. Please provide a Task Log for the Consultants under OC-DCS-SCHL-0013, 0014 & 0016. **DCS provided the Task Logs.**

2. The difference between the consultant’s professional fee schedules is significant. For example, the rate for Officer/Principal ranges from \$171 to \$350; Project Manager ranges from \$147 to \$239; Senior Scheduler ranges from \$130 to \$275; etc.

➤ **We are aware of this and did negotiate rates, , though they remain higher (sometimes significantly) than others. These on-calls are used sparingly and depending on the project we make a selection of the consultant who can provide the department with the appropriate level of support and expertise. As an example, Ankura and Arcadis can provide “best in class” scheduling support and we have found on complex potential claims their input is invaluable and their rates are justified as they can save the state amounts exponentially greater than their fees.**

3. Please justify why such high professional rates should be paid which will impact the future project costs. Also, pl confirm if these rates are compatible to CT market.

➤ **Please see above regarding varying levels of expertise. Often the most complex potential claims are for our more costly projects where the higher rates can be justified. Not all consultants are the same nor can their services be commoditized; we look for the best value to support the given task. These specific assignments are not made purely on a rotating basis. Although some of these rates seem high, when viewed from the costs of potential legal fees they are a reasonable value.**

4. The contract for Ankura Consulting Group LLC should eliminate the reference to Cost Estimating Services under Duties and Services section, as they did not provide the fee schedule for Cost Estimating.

➤ **We shall adjust their contract accordingly.**

RECOMMENDATION – Staff recommend **APPROVE** 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.

Re: **On-Call Cost Scheduling Consultant Services Contracts – Time Extension Amendment**
PRB # 16-299, Arcadis, U.S., Inc.....Contract #OC-DCS-SCHL-0013
PRB # 16-300, Navigant Consultants, Inc.....Contract #OC-DCS-SCHL-0014
PRB # 16-301, The Morganti Group, Inc.....Contract #OC-DCS-SCHL-0015
PRB # 16-302, D.H. Bolton, Inc.....Contract #OC-DCS-SCHL-0016

This series of On-Call Scheduling Consulting Contracts was approved by the Board in March 2015 under PRB Files #15-052 through #15-054 and lastly in July 2015 under PRB File #15-135. This was the

4th series of On-Call Scheduling Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2006 and included four firms. DCS is resubmitting these four firms to the Board for approval under a contract amendment to extend the expiration date until April 30, 2019. The current maximum contract value will remain at \$300,000.

RECOMMENDATION – Board approval for the following firms to have the contract expiration date extended to April 30, 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 # 16-299, Arcadis, U.S., Inc.....Contract #OC-DCS-SCHL-0013
- PRB # 16-300, Navigant Consultants, Inc.....Contract #OC-DCS-SCHL-0014
- PRB # 16-301, The Morganti Group, Inc.....Contract #OC-DCS-SCHL-0015
- PRB # 16-302, D.H. Bolton, Inc.....Contract #OC-DCS-SCHL-0016

The original project submittal memo was as follows:

This is the 4th series of On-Call Cost Scheduling Consulting Services Contracts awarded by the Department of Construction Services (“DCS”) since 2004. The three (3) 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 04/30/2017. DCS has approved the selection of four firms under this series and as such it is anticipated that another firm will also be submitted under this series in the near future. This on-call series has been developed by DCS for the purposes of providing cost estimating, project scheduling services on various state funded 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 2010, had a term of 24 months and a maximum total cumulative fee of \$300,000/contract. Two of the three (3) selected firms under this current 4th series RFP have been previously approved for *On-Call Cost Scheduling Consultant Services Contracts*. This is the first time that **D.H. Bolton, Inc.**, has been awarded a contract under this series. **Arcadis, U.S., Inc.** was awarded a contract under the 2nd and 3rd Series; while **Navigant Consultants, Inc.** was awarded a contract under all previous series.

A Request for Qualifications (RFQ) for the consultant services was released in October 2013 and elicited four (4) 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 three (3) firms as potential cost estimating and scheduling consultants for projects of various sizes and scope is recommended. All of the consultants have provided the required insurance, Gift/Campaign and Consulting Affidavits accompanied by appropriate Corporate Resolutions. The three firms recommended for approval at this time are the following.

- PRB # 15-052, Arcadis, U.S., Inc.....Contract #OC-DCS-SCHL-0013
- PRB # 15-053, Navigant Consultants, Inc..... Contract #OC-DCS-SCHL-0014
- PRB # 15-054, D.H. Bolton, Inc.....Contract #OC-DCS-SCHL-0016

Arcadis, U.S., Inc. (AUI) established in 1998, has a staff of 50± employees including 2 project executives, 10+ professional engineers, 10+ construction project managers and 2 project schedulers/cost estimators. AUI is locally located in Middletown. AUI has not been awarded an On-call Contract, but has been awarded two formal contract with the DCS in the past two years. AUI has been awarded the following Contracts:

1.8/2013	HCC Lafayette Hall Project	PRB #13-092	\$1,485,104
2.6/2014	Emmett O'Brien THS Project	PRB #14-073	\$2,714,316

Aon Insurance Company reported that AUI has had over fifty (50) professional policy or general liability claims during the past 5 years. Most of these claims are identified as “still open” and did not identify a policy provision reserve. None of these claims are related to State of Connecticut projects. AUI scored a total of 293 out of a possible 300 points.

Navigant Consultants, Inc. (NCI) originally established in 1988, has a local staff of 10± employees including 1 project executive, 3+ professional engineers and 2 cost estimators/schedulers. NCI is locally located in Fairfield. The company has not been awarded an On-call Contract or formal contract with the DCS in the past two years.

Arch Insurance Company reported that NCI has experienced eight (8) professional policy or general liability claims during the past 5 years. All of these claims have been closed with loss reserves not identified. NCI scored a total of 293 out of a possible 300 points.

D.H. Bolton, Inc. (DBI) originally established in 2006, has a staff of 5± employees including 1 corporate executive and 3 schedulers/cost estimators. DBI is locally located in Hartford. The company has not been awarded an On-call Contract or formal contract with the DCS in the past two years.

Suggs Insurance, LLC reported that DBI has not experienced any professional policy or general liability claims during the past 5 years. DBI scored a total of 243 out of a possible 300 points and was identified as one of the most qualified firms

PRB # 21-180
Origin/Client: DCS/DCS
Transaction/Contract Type AE / New
Contract: OC-DCS-ENGY-0029
Consultant: Colliers Project Leaders USA NE, LLC
Item Purpose: New On-Call Series

PRB # 21-181
Origin/Client: DCS/DCS
Transaction/Contract Type AE / New
Contract: OC-DCS-ENGY-0030
Consultant: SourceOne Inc. (DE)
Item Purpose: New On-Call Series

PRB # 21-182
Origin/Client: DCS/DCS
Transaction/Contract Type AE / New
Contract: OC-DCS-ENGY-0031
Consultant: Loureiro Engineering Associates, Inc.
Item Purpose: New On-Call Series

PRB #	21-183
Origin/Client:	DCS/DCS
Transaction/Contract Type	AE / New
Contract:	OC-DCS-ENGY-0032
Consultant:	GreenerU, Inc.
Item Purpose:	New On-Call Series

This is the 7th series of On-Call Engineer-Energy Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2003. 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 3/01/2024. The prior series of On-Call Engineer-Energy Consulting Contracts expired on 11/30/2021.

DESCRIPTION: The scope of work under these contracts shall encompass, but not be limited to:

Provide DAS with engineering and consulting services to identify, evaluate, and recommend energy conservation modifications in order to reduce energy consumption, and energy and operating costs of state owned and leased buildings. Emphasis shall be on system improvements and upgrades.

Each contract is exactly the same except for the name and address of the firm, and the hourly rates and job classifications in Exhibit A.

Certain services performed under this contract do not require a license. If a license is required that a firm does not possess, it will subcontract the portion of the work for which the license is required. Copies of individual licenses for Members of Colliers Project Leaders USA NE, LLC, and of a firm license for Loureiro Engineering Associates, Inc. are attached.

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

- Article B.2.7 – Threshold Engineering Services – Struck from Contract;
- Article B.2.8 – Qualifications of the Engineer for Threshold Limit Review and Structural Engineering Assignments – Struck from Contract;
- Article D – Changed to reflect new 3-1-2024 expiration date;
- Expansion of Article W language – Non-Discrimination;
- Removal of Article X language – Executive Orders regarding references to XO 49;
- Expansion of Article Z language – Summary of State Ethics Laws to reflect new laws effective July 1, 2021;
- Addition of Article JJ language – Access to Contract and State Data – requiring the Contractor to provide information to the Client Agency and State Auditors of Public Accounts;
- Addition of Article KK language – Large State Contract Representation for Contractor – requiring the Contractor to comply with Acting Governor Susan Bysiewicz’ Executive Order No.21-2, effective July 1, 2021 regarding gifts and the Contractor’s Principals or Key Personnel;
- Addition of Article LL language – Large State Contract Representation for Official or Employee of State Agency – requiring the State Official or Employee represents that the selection of a Contractor was not the result of collusion, gift, promise of a gift, etc;
- Addition of Article MM language – Iran Energy Investment Certification;
- Addition of Article NN language – Consulting Agreement Certification; and
- Addition of Article OO Language – Notices; and
- Addition of Exhibit A – Hourly Rate Schedule.

A Request for Qualifications (RFQ) for the consultant services was released on August 11, 2021 and elicited eight responses at the September 9, 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 four firms under this series. The selection of the firms was approved by DAS Deputy Commissioner Petra on 10-18-2021.

This Proposal before the SPRB is for review and approval of the following firms under this new On-Call Engineer-Energy Consulting Contracts series.

#21-180 - Colliers Project Leaders USA NE, LLC (CPL) established in 2019 with its acquisition of Strategic Building Solutions, has a local staff of 124± employees including 1 electrical engineer, 5 mechanical engineers and 3 civil engineers and 72 project managers. The company has offices throughout the east coast and is locally located in Madison. DCS reports CPL was awarded 5 contracts within the past 5 years with a total \$458,897 volume of work.

CPL was approved for the following task(s) under OC-DCS-CA-0031:

• Task Letter #1	CCSU Eli Burritt Library	\$498,568	PRB #21-006
• Task Letter #2	Bridgeport JD Roof & Parapet	\$170,850	PRB #20-138
Total Fee to Date:		\$475,000	

CPL was approved for the following task(s) under OC-DCS-CA-0031:

• Task Letter #1	Parking Garage Repairs, Housatonic CC	\$277,400	(PRB #17-151*)
• Task Letter #2	Ana Grace Academy of the Arts	\$489,000	(PRB #18-209)
• Task Letter #3	Harkness Mansion – Maintenance Plan	\$15,400	(Informal)
Total Fee to Date:		\$781,800	

*PRB 17-151, approved by the Board on July 6, 2017, was originally presented under DCS Contract OC-DCS-CA-0019, Task Letter #8. Subsequent to Board approval, the contract expired on June 30, 2017. DCS Staff informed Board Staff that at that time it was agreed to utilize the new On-Call Contract approved by the Board on June 8, 2017.

In October 2018, the Contract was amended (#1) under PRB #18-177 to increase the maximum contract amount from \$1,000,000 to \$1,500,000 while maintaining the common contract expiration date of July 31, 2019.

In July 2018, the Contract was amended (#2) to change the consultant's name to Colliers Project Leaders USA NE, LLC from Strategic Building Solutions, LLC.

Two staff of CPL will be operating under individual Professional Engineering Licenses when required for certain professional consulting services. AON Insurance reported that the firm has no experienced any professional policy or general liability claims during the past 5 years. CPL scored a total of 300 out of a possible 300 points and was identified as one of the most qualified firms.

21-181 - SourceOne, Inc. (DE) (SOD) SourceOne was established in 1997 with the expectation that large entities would require expert support and guidance as they navigated the emerging energy marketplace and faced on-going issues, while trying to maintain a sustainable and economically beneficial energy infrastructure. In April 2007 SourceOne was acquired by Veolia Energy, NA, a leading operator and developer of energy efficient solutions. SOI has a staff of 90± employees in the United States focused on various engineering disciplines and construction management with offices in New York, Boston and Los Angeles. DCS reports SOD was awarded 4 contracts over the past five years with \$582,039 total volume of work. The company has not been awarded any formal contracts or tasks the prior two years.

SOD does not have staff with a Professional Engineering License assigned to this on-call series and will retain sub-consultants with property engineering credentials when necessary. Marsh USA Inc. reported that SOD has not experienced any 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. SOD scored a total of 300 out of a possible 300 points.

21-182 – Loureiro Engineering Associates, Inc (LEA) is located in Plainville and has a local staff of 134+ employees including 15 civil engineers, 21 environmental engineers and four mechanical engineers. DCS reports LEA was awarded 3 contracts over the past five years with \$357,004 total volume of work. The company has not been awarded any formal contracts or tasks for the prior two years.

LEA will be operating under its Professional Engineering Corporation (**PEC#0000379**) when required for certain professional consulting services. Willis Towers Watson reported that LEA has incurred 2 general liability or professional policy losses or claims during the past 5 years. Both are closed. No claims were paid. LEA scored a total of 260 out of a possible 300 points

21-183 – GreenerU, Inc. (GRU) is located in Waltham, MA and established in 2009. The have a staff of 16 employees including 4 energy engineers. DCS reports GRU was not awarded any contracts over the past five years. The company has not been awarded any formal contracts or tasks the prior two years.

GRU does not have staff with a Professional Engineering License assigned to this on-call series and will retain sub-consultants with property engineering credentials when necessary. Inland Underwriters Insurance Agency, Inc. reported that GRU has not experienced any general liability or professional policy loss or claims during the past 5 years. GRU scored a total of 252 out of a possible 300 points.

Colliers Project Leaders Hourly Rates:	SourceOne, Inc.(DE) Hourly Rates:																																								
ON-CALL CONTRACT OC-DCS-ENGY-0029	ON-CALL CONTRACT OC-DCS-ENGY-0050																																								
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DCS was asked to clarify the following:

1. Can you pl provide reasoning for variation in the hourly rates between the 4 consultants?

DCS Response: As to item 1 below, this on-call series will be used to provide a diverse array of energy-related services, from the analysis of systems operations and economics of district heating and cooling systems to carbon reduction and energy retrofit projects for HVAC and lighting. The DAS or its client agencies may need energy audits, retro-commissioning, or the analysis of systems for the reduction of utility costs. Tasks may require knowledge of photovoltaic, solar, thermal, fuel cell or wind turbine systems. As a result of the diverse array of projects and their required services, this series requires utilization of both larger, national firms to handle projects of a larger size, scope and complexity in a timely manner, as well as smaller firms that can address other capital projects related to the afore-mentioned tasks. The difference in fees represent this distinction among the firms and is necessary to ensure that DAS has available to it the appropriate firm for a given project. For these reasons, we have not provided a rate by personnel category, but carry the rates provided by the firms in response to the RFQ, which have been reviewed and determined reasonable.

Staff Response: OK

2. Pl identify or match the names of staff identified in their organization chart with the hourly rates schedule. This will be particularly helpful in understanding which staff is assigned to which title in the hourly rate schedule. Going forward it will be helpful if DCS can provide the information in similar format for the future on-call contracts.

DCS Response: As to item 2 below, we will provide the names submitted by the firms of the personnel to be utilized in servicing the contract, their titles and hourly rates, together with language that prior DAS approval will be required for the substitution or addition of other personnel, with such approval to be based on qualifications and proposed hourly rates.

Firm Name: Colliers Project Leaders USA NE, LLC
 On-Call Energy Consultant

Firm Name: SourceOne, Inc.
 On-Call Energy Consultant

EXHIBIT A

ON-CALL CONTRACT OC-DCS-ENGY-0029

HOURLY RATE SCHEDULE

Labor Category	Team Member	Title	Per hour
Principal in Charge	Evan Wosner	Senior Director	\$300.00
Project Manager	Adam Holmroth	Senior Project Manager	\$165.00
Senior Engineer/SPM	Sarah Marston	Project Director	\$175.00
Engineer	Ilya Reingold	Energy Services Support	\$165.00
	Cesar Lucas		
Senior Designer	Ravi Chavan	Energy Services Support	\$175.00
Designer	Mike Dykema	Energy Services Support	\$165.00
	Robert Lee		
	Mike Parravello		
Field Engineer	Chris Lin	Energy Services Support	\$165.00
	Rick Diaz		
	James Miller		
CAD/BIM Operator			\$165.00

EXHIBIT A

ON-CALL CONTRACT OC-DCS-ENGY-0050

HOURLY RATE SCHEDULE

Labor Category	Team Member	Title	Per hour
Principal in Charge	Michael Byrnes, Sr. VP	Project Executive	\$370.00
Project Manager	Bruce Schindler	Project Contract Manager	\$250.00
	Matt Casade	Principal Engineer	
	Manuel Cruz	Sr. Project Manager	
Senior Engineer/SPM	John Wiley	Sr. Project Engineer	\$210.00
	Peter Glow	Sr. Project Engineer	
	Seth Harris	Sr. Project Engineer	
	Bruce Terry	Sr. Project Engineer	
Engineer	Tyler Raibell	Project Engineer	\$210.00
	Josee Kovvada	Project Engineer	
	Masa Akhmet	Project Engineer	
Senior Designer	N/A		N/A
Designer	N/A		N/A
Field Engineer			\$160.00
CAD/BIM Operator	N/A		N/A

Firm Name: Loureiro Engineering Associates, Inc.
On-Call Energy Consultant

Firm Name: GreenerU, Inc.
On-Call Energy Consultant

EXHIBIT A

ON-CALL CONTRACT OC-DCS-ENGY-0031

HOURLY RATE SCHEDULE

Labor Category	Team Member	Title	Per hour
Principal in Charge	Nathan Strong	Principal in Charge	\$215.00
Project Manager	Rick Boswell	Senior Project Manager	\$165.00
	Hannes Kien	Project Manager	
Senior Engineer/SPM	Richard Camara	Sr. Engineer	\$140.00
Engineer	Michael Audette	Engineer	\$125.00
Senior Designer			\$ 97.50
Designer			\$ 90.00
Field Engineer	Chris Leadbetter	C&H Fire and Sprinkler	\$105.00
CAD/BIM Operator			\$ 97.50

EXHIBIT A

ON-CALL CONTRACT OC-DCS-ENGY-0032

HOURLY RATE SCHEDULE

Labor Category	Team Member	Title	Per hour
Principal in Charge	David Adamian -CEO	Project Executive	\$234.00
Project Manager	Chris Lewis	Project Manager	\$175.00
Senior Engineer/SPM		Sr. Energy Engineer	\$164.00
Engineer	Nicole Luiz	Energy Engineer II	\$142.00
Senior Designer	Anthony Duarte	Lighting Designer	\$166.00
Designer		Director of Change Mgmt.	\$142.00
Field Engineer		Energy Engineer I	\$134.00
CAD/BIM Operator			
Administrative			\$130.00

Staff Response: DCS notified staff that they are confirming the above tables with the firms.

RECOMMENDATION – Recommendations will depend on DCS response based on their confirmation with the firms for the On-Call ENGY Series.

PRB #19-181 to #19-184 approved December 19, 2019.

December 16, 2019 Update:

At its meeting held on September 5, 2019, the State Properties Review Board voted to suspend this series of On-Call Contracts pending response to the following issues:

1. DCS clarification whether the 48 general liability or professional policy loss or claims over the last five years against Fuss and O’Neill were discussed in general and whether the outcomes of the claims will impact the Consultant’s insurance coverage/liability and qualification of this consultant.

DCS Response: Interviews are not part of the on-call procurement process. Selections are based upon submitted qualifications. The forty eight claims identified by SPRB, therefore, were not discussed with the firm prior to selection. See Conn. Gen. Stat. Sec. 4b-57(c); Form 1300 RFQ Web Advertisement For On-Call Energy Consultant Services, Paragraph 16; and, 0330 On-Call Consultant Services Selections & Task Assignment Procedure Manual (Manual). The final selection of the firm is conditional upon the firm submitting various professional credentials, business credentials and insurance requirements for DAS review and approval. See Manual, Article 13.1. Information about the requirements for professional credentials, business credentials and insurance requirements are explained in Form 1150 Credentials and Insurance Requirements. Concerning the insurance requirements, the Consultant is required to provide an insurance certificate with the mandated coverages, a statement from the Consultant’s insurance agent or company, and five year professional liability and claims history. The statement of the agent or company confirms that he or she has reviewed the current claims and that the Consultant has sufficient coverage reserves to handle open claims while still providing the required coverage reserves for the DAS contract. Please note, in addition, that the on-call contract states in Paragraph R that, “If any claims are paid against its professional services liability insurance policy, Engineer agrees to purchase additional insurance in order to maintain the minimum coverage of \$1,000,000 each occurrence and per aggregate.”

For this on-call contract, the Consultant’s insurance company’s statement (Statement) identified forty eight claims/incidents reported by the Consultant to its professional liability policy carrier. As to the claims at issue, there are three open items, \$1,951 paid on three closed claims and thirty

nine claims carrying the status of “N/O” or *notice only*. Of the three open claims, two are personal injury claims. In this case, the firm is carrying professional liability insurance in the amount of \$5,000,000 per claim and \$5,000,000 aggregate, or five times the amount mandated by the DAS contract. OK

2. DCS clarification whether the 20 general liability or professional policy loss or claims over the last five years against WSP USA were discussed in general and whether the outcomes of the claims will impact the Consultant’s insurance coverage/liability and qualification of this consultant.

DCS Response: As to the number of claims in general, the Consultant employs over 6,500 professional and support personnel, who are located throughout North America. Its work encompasses the design of complex highway interchanges, new commuter rail systems, bridges, parks, schools and greenways. It would seem reasonable that a large multi-state company engaged in these types of projects, would experience a higher number of incidents or claims. That being said, the claims history provided was for a period of ten years and if looking at the five year horizon there were only five claims made with three remaining open. Of these three claims, one involves the work of a subconsultant to the Consultant. All three of these claims occurred in states other than Connecticut, and are being contested by the firm. OK

3. Please clarify the divergence between the Consultant’s hourly rates and whether those rates were negotiated between DCS and the Consultants.

DCS Response: We received rates from each of the four firms. Upon receipt, I reviewed the rates. I requested a reduction in rates from one firm for certain positions, in order to bring the rates more in line with the other three firms. While there may remain difference among the firms’ rates, there are difference among the firms themselves, from smaller Connecticut based firm to firms with offices along the East coast and Midwest. In addition, the rates assigned by the firms can vary by position. For example, one firm may have the highest Principal in Charge Rate, but the lowest rate for a Senior Engineer. Taking the rates for each firm and all the firms as a whole, DAS believes that the rates are reasonable under the circumstances. OK

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.

This is the 6th series of On-Call Engineer-Energy Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2003. 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 Engineer-Energy Consulting Contracts expired on 04/30/2019.

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 Engineer-Energy Consulting Contracts was approved by the Board in January 2015 under PRB Files #15-005 and #15-008. A contract amendment extending the expiration date until April 30, 2019 was approved under PRB #16-290 to #16-292 for three of the four Consultants. Only two (2) of the firms under this current 6th series RFP submittal have been previously approved for

Engineer-Energy Consulting On-Call Contracts: Fuss & O’Neill, Inc. and Diversified Technology Consultants, Inc.

A Request for Qualifications (RFQ) for the consultant services was released on April 11, 2019 and elicited nine responses. All 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 19-181 – Fuss & O’Neill, LLC (“MEL”) originally established in 1971, has a staff of 200± employees including 6 project executives, over 20 professional engineers and 9 construction project managers. The company has been awarded four (4) On-call Contract with the DCS in the past two years and has been not been awarded a formal contract over the past two years. FO has been awarded the following contracts:

OC-DCS- OC-DCS-ENGY-0020

- Task Letter#1A Energy Upgrades DOC Wethersfield \$84,476 (PRB #18-216)
-

OC-DCS- OC-DCS-MDE-0035

- Task Letter #1 Higgins Hall Reno. WCSU, Danbury \$18,760 (Informal)
 - Task Letter #2 Barnard Hall Reno. CCSU, New Britain \$18,761 (Informal)
 - Task Letter#3 CT Mental Health Center, New Haven \$90,100 (PRB #18-144)
-

\$127,621

FO’s Joint Practice Corporation License (JPC.0000072) with the CT State DCP is active. Ames and Gough Inc. reported that FO has had 48 professional or general liability policy loss or claims during the past 5 years; five of these claims were dismissed, three of the claims were settled for less than \$2,250 each, and the balance of the claims are still open without loss reserves identified. FO scored a total of 300 out of a possible 300 points and was identified as the most qualified firm.

PRB 19-182 – Colliers Project Leaders USA NE, LLC (CPL) established in 2019 with its acquisition of Strategic Building Solutions, has a local staff of 8± employees including 1 senior director, 1 project director and 2 senior project managers. CPL has retained RZ Design Associates, Inc. as a sub-consultant for design and construction documents. The company has been awarded the following On-call or Formal Contract with the DCS in the past two years.

OC-DCS-CA-0026

- Task Letter #1 Parking Garage Repairs, Housatonic CC \$277,400 (PRB #17-151*)
 - Task Letter #2 Ana Grace Academy of the Arts \$489,000 (PRB #18-209)
 - Task Letter #3 Harkness Mansion – Maintenance Plan \$15,400 (Informal)
-

Total Fee to Date: \$781,800

*PRB 17-151, approved by the Board on July 6, 2017, was originally presented under DCS Contract OC-DCS-CA-0019, Task Letter #8. Subsequent to Board approval, the contract expired on June 30, 2017. DCS Staff informed Board Staff that at that time it was agreed to utilize the new On-Call Contract approved by the Board on June 8, 2017.

CPL will be operating under its Senior Director’s Engineering License (**PEN#.0020393**). Smith Brothers Insurance reported that CPL has incurred two general liability or professional policy loss or

claims during the past 5 years. One claim with the City of Hartford was closed (\$0) and one claim with O&G remains open. CPL scored a total of 298 out of a possible 300 points.

PRB 19-183 – WSP USA, Inc (WSP) is located in New York City. Parsons Engineering was established in 1985. WSP acquired Parson Brinckerhoff, Inc. in 2014 and rebranded the firm as **WSP USA, Inc.** in 2016. The company has not been awarded an On-call Contract with DCS in the past two years.

DCS presented BI-JA-465-ARC in the amount of \$2,967,170, for WSP USA, Inc. to provide ARC Services for the York Correctional Central Plant & Distribution System Project approved by the Board under PRB #17-197.

WSP will be operating under its professional engineering corporation license PEC.0000055. Arthur J. Gallagher & Co. reported that WSP has incurred 20 general liability or professional policy loss or claims during the past 5 years. Three claims remain open. None of these claims involved state-related projects. WSP scored a total of 258 out of a possible 300 points and was the third most qualified firm.

19-184 – Diversified Technology Consultants, Inc., LLC (DTC) originally established in 1979. DTC has a local staff of 52 employees including 10 civil engineers and 20 engineer design professionals for various disciplines. The company has been awarded _____ On-call Contracts and has not been awarded a formal contract with the DCS in the past two years. DTC has been awarded the following contracts:

DTC’s Engineering Corporation License (PEC.0000234) with the CT State DCP is active. Smith Brothers Insurance, LLC reported that DTC has been exposed to one professional policy or liability loss or claim during the past 5 years and that it is closed. It was not determined if it was related to a project with the State of Connecticut. DTC scored a total of 244 out of a possible 300 points and was identified as the fourth most qualified firms.

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

Fuss & O'Neill	Proposed	Colliers Project Leaders	Proposed
Officer/Principal	\$220	Officer/Principal	\$215
Project Manager	\$162	Project Manager	\$150
Senior Engineer	\$108	Senior Engineer	\$165
Engineer 2		Engineer 2	
Engineer	\$100	Engineer	\$150
Senior Designer	\$108	Senior Designer	
Designer	\$100	Designer	
Field Engineer	\$96	Field Engineer	\$120
CAD Operator	\$96	CAD Operator	
Administrative Assistant	\$69	Administrative Assistant	\$110
WSP USA, Inc.	Proposed	Diversified Technology	Proposed
Officer/Principal	\$220	Officer/Principal	\$200
Project Manager	\$185	Project Manager	\$180
Senior Engineer	\$175	Senior Engineer	\$165
Engineer 2		Engineer 2	
Engineer	\$155	Engineer	\$140
Senior Designer	\$155	Senior Designer	\$165
Designer	\$145	Designer	\$120
Field Engineer	\$155	Field Engineer	\$95
CAD Operator	\$125	CAD Operator	\$90
Administrative Assistant	\$72	Administrative Assistant	\$85

Staff have requested clarification of the following issues:

1. Please provide a Task Log for the Consultants under OC-DCS-ENGY – 0021-0024.

2. DCS clarification whether the 48 general liability or professional policy loss or claims over the last five years against Fuss and O'Neill were discussed in general and whether the outcomes of the claims will impact the Consultant's insurance coverage/liability and qualification of this consultant.
3. DCS clarification whether the 20 general liability or professional policy loss or claims over the last five years against WSP USA were discussed in general and whether the outcomes of the claims will impact the Consultant's insurance coverage/liability and qualification of this consultant.
4. Please clarify the divergence between the Consultant's hourly rates and whether those rates were negotiated between DCS and the Consultants.

RECOMMENDATION – Staff recommend **suspension** 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, pending a response to Board inquiries.

From PRB #16-290-#16-292

This series of On-Call Energy Consulting Contracts was approved by the Board in January 2015 under PRB Files #15-005 through #15-008. This was the 5th series of On-Call Energy Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2003 and included four firms. DCS is resubmitting three of the four firms to the Board for approval under a contract amendment to extend the expiration date until April 2019. The current maximum contract value will remain at \$300,000. The fourth firm Alternative Resource Management is no longer in business in CT.

RECOMMENDATION – **Board approval for the following firms to have the contract expiration date extended to April 30, 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 # 16-290, Fuss & O'Neill, Inc.....Contract #OC-DPW-ENGY-0021
PRB # 16-291, SourceOne, Inc.....Contract #OC-DPW-ENGY-0022
PRB # 16-292, Diversified Technology Consultants, Inc....Contract #OC-DPW-ENGY-0024

From PRB #15-005-#15-008

The original project approval memo is as follows:

This is the 5th series of On-Call Energy Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2003. 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 4/30/2017. This contract series has been developed for the purposes of procuring consultant services required for energy management and conservation related building improvement and upgrade projects. DCS has made some minor revisions to the boilerplate contract for this series to include the following; updated DAS statutory references, updated DAS Sexual Harassment Policies and revised sovereign immunity language.

The 4th series, awarded in 2011, had a term of 24 months and a maximum total cumulative fee of \$400,000/contract. Out of the first four (4) selected firms recommended under this current 5th series RFQ, Fuss & O'Neill Inc. was awarded contracts under the 2nd, 3rd and 4th series. Alternative Resource Management was awarded a contract under the 1st, 2nd series and 4th series. Diversified Technology Consultants, Inc. was awarded a contract under the 4th series and this is the first time that SourceOne, Inc. has been awarded a contract under this on-call series.

A Request for Qualifications (RFQ) for the consultant services was issued in February 2014 and elicited 13 responses. All of the respondents were considered “responsive”. Thereafter, the DCS selection panel

began the process of evaluating all 13 proposals. The State Selection Panel consisted of 5 members and rated each firm based upon a weighted ranking system with the following scoring methodology:

<i>Experience with Work of Similar Size & Scope</i>	<i>35 Points</i>
<i>Organizational / Team Structure</i>	<i>30 Points</i>
<i>Past Performance Record</i>	<i>20 Points</i>
<i>Partnering Experience</i>	<i>15 Points</i>
TOTAL POINT VALUE	100 Points

RECOMMENDATION – Board approval of the following four (4) firms as potential energy consultants for projects of various sizes and scope is recommended. All four consultants provided the required insurance, Gift/Campaign and Consulting Affidavits accompanied by appropriate Corporate Resolutions. The four firms recommended for approval at this time are the following:
PRB # 15-005, Fuss & O’Neill, Inc.....Contract #OC-DCS-ENGY-0021
PRB # 15-006, SourceOne, Inc.....Contract #OC-DCS-ENGY-0022
PRB # 15-007, Alternative Resource Management, Inc..... Contract #OC-DCS-ENGY-0023
PRB # 15-008, Diversified Technology Consultants, Inc..... Contract #OC-DCS-ENGY-0024

Fuss and O’Neill Inc.(FO) originally established in 1971, has a staff of 200± employees including 6 project executives, over 20 professional engineers and 9 construction project managers. The company has been awarded one (1) On-call Contract with the DCS in the past two years and has been not been awarded a formal contract over the past two years. FO has been awarded the following contract:

1. 6/2012 On-Call CIV Consultant PRB #12-055 NTE \$300,000

FO’s Joint Practice Corporation License (JPC.0000072) with the CT State DCP is active. Ames and Gough Inc. reported that FO has had over thirty professional or general liability policy loss or claims during the past 5 years; five of these claims were dismissed, seven of the claims were settled for less than \$5,000 each and the balance of the claims are still open without loss reserves identified. FO scored a total of 305 out of a possible 400 points and was identified as one of the most qualified firms.

SourceOne Inc., (SOI) is located in Boston was originally established in 1997. More recently the company was acquired by Vieola Energy, Inc. SOI operates an independent subsidiary of Vieola Energy. SOI has a local staff of 20± employees including 2 project executives, over 10 professional engineers and 1 construction project manager. The company has not been awarded an On-call Contract or Formal Contract with the DCS in the past two years.

SOI’s Engineering Corporation License (PEC.0001401) with the CT State DCP is active. Marsh Insurance Company reported that SOI has not had a professional policy loss or claim during the past 5 years. SOI scored a total of 293 out of a possible 400 points and was identified as one of the most qualified firms.

Alternative Resource Management Inc., LLC (ARM) originally established in 1983, has a staff of 5± employees including 1 project executive and 2 professional engineers. ARM will be partnering with Musco Engineering Associates Inc. to increase personnel capacity for this project. The company has not been awarded an On-Call Contract or a formal contract with DCS over the past two years.

ARM’s Engineering Corporation License (PEC.0000483) with the CT State DCP is active. Camilleri and Clarke Insurance Company reported that ARM has not had a professional policy loss or claim during the past 5 years. ARM scored a total of 312 out of a possible 400 points and was identified as one of the most qualified firms.

Diversified Technology Consultants, Inc., LLC (DTC) established in 1979, has a staff of 70± employees including 2 project executives, over 10 professional engineers and 5 construction project managers. The company been awarded one (1) On-call Contract with the DCS in the past two years but has not been awarded a formal contract over the past two years. DTC has been awarded the following contract:

- | | | | | |
|----|-----------|------------------------|-------------|-----|
| 1. | 9/2012 | On-Call MEP Consultant | PRB #12-239 | NTE |
| | \$500,000 | | | |

DTC's Engineering Corporation License (PEC.0000234) with the CT State DCP is active. RSA Insurance Company reported that DTC has had five (5) professional policy or general liability losses or claims during the past 5 years. All of these claims are currently open with loss reserves not yet established. DTC scored a total of 306 out of a possible 400 points and was identified as the one of the most qualified firms.

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILES #21-159 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB 21-159. The motion passed unanimously.

PRB FILES #21-162 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB 21-162. The motion passed unanimously.

PRB FILES #21-164, #21-165, #21-166 & #21-167 – Mr. Berger moved and Mr. Valengavich seconded a motion to approve PRB FILES #21-164, #21-165, #21-166 & #21-167. The motion passed unanimously.

PRB FILES #21-180, #21-181, #21-182 & #21-183 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILES #21-180, #21-181, #21-182 & #21-183. The motion passed unanimously.

9. NEXT MEETING – Monday, November 15, 2021.

The meeting adjourned.

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