

## STATE PROPERTIES REVIEW BOARD

### Minutes of Meeting Held On January 27, 2022 – 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 January 27, 2022 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 January 24, 2022 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>	22-002
<i>Origin/Client:</i>	DCS/WCSU
<i>Transaction/Contract Type</i>	AE / Amendment
<i>Project Number</i>	BI-RD-290
<i>Contract</i>	BI-RD-290-ARC
<i>Consultant:</i>	TSKP Studio, LLC
<i>Property</i>	Danbury, White St (181) – Higgins Hall & Annex
<i>Project purpose:</i>	Extended CA Services Beyond Scheduled Substantial Completion
<i>Item Purpose</i>	Amendment #1 for Extended CA Services

**CONSULTANT FEE: \$57,547**

At the July 25, 2016 SPRB Meeting, the Board approved, under PRB #16-186, the Consultant's Contract (BI-RD-290-ARC) for the completion of the WCSU Major Renovations to Higgins Hall Project with the completion of a pre-design study and then the initiation of a schematic design phase through the construction document phase and the subsequent completion of construction. The overall compensation rate for this basic service was \$2,032,500 with an additional \$219,853 for special services, totaling \$2,252,353. The special services detailed in the project scope include traffic engineering, geotechnical/environmental engineering, land surveying and FF&E consulting.

Under this proposal (PRB #22-001), DCS is now seeking Board approval of Amendment #1 to the Consultant Contract to expend an additional \$57,547 for extended design and construction administration services due to delays in final completion of the project.

DCS provided the following support for the extended services:

This Amendment is required for extension of the Architect's Construction Administration Services due to delayed completion of the project. The additional time needed to complete the project resulted in the Architect and their sub-consultants having to make additional site visits, attend additional meetings, and perform additional punch list inspections.

The original Substantial Completion Date for the project was June 7, 2019. This was for all areas except for the Lower Level of Area B, which had a later Substantial Completion Date of August 17, 2019. The original Final Acceptance Date for the project was September 11, 2019, but the project was not completed until June 10, 2020. Please refer to the timeline below:

TSKP Original Contract Duration:	360 Calendar Days + 10% (36 Calendar Days) = 396 Days
TSKP Original Duration:	May 10, 2018 + 396 Calendar Days = June 10, 2019
Closeout Period (90 days):	June 11, 2019-September 11, 2019
Extended CA Services due to delays:	September 11, 2019-October 9, 2020

Between September 11, 2019 and October 9, 2020, the Architect and their sub-consultants spent time on the project continuing to support DAS and the Construction Team by attending site meetings and additional walkthroughs well beyond the project's scheduled completion dates, reviewing closeout documents that were submitted late and/or required resubmission, following up on missing submittals, and preparing record drawings once all closeout documents were submitted. Again, this process extended well beyond the project's Final Acceptance Date of September 11, 2019. All of the above services were completed by October 9, 2020.

DAS did not process this Amendment until the costs had been recovered from the CMR. DAS settled the delay costs with the CMR in October of 2021. Specifically, the final settlement change order to the CMR was signed by DAS on 10-29-21.

DCS has confirmed for SPRB that funding is available for this contract.

As part of this contract amendment DCS states that the construction budget was \$24,255,576 and the total project budget was \$34,576,000.

TSKP Fee for Basic Services (PRB #16-186)	COST (\$) (BASIC)	COST (\$) (SPECIAL)	C. Budget (\$)	(%) Budget
Schematic Design Phase	\$316,150			
Design Development Phase	\$416,800			
Construction Document Phase	\$618,200			
Bidding and Review Phase	\$99,150			
Construction Administration Phase	+\$582,200			
TOTAL BASIC SERVICE FEE (#16-186) (A)	\$2,032,500		\$22,184,486	9.16%
TSKP Fee for Expanded CA Services (PRB 22-002) (A1)	\$57,547			
TOTAL BASIC SERVICE FEE (#22-002) (A) + (A1)	\$2,090,047		\$24,255,576	8.62%
<b>SPECIAL SERVICES:</b>				
Pre-Design Study ( TKSP)		\$60,000		
Survey (Milone & MacBroom)		\$15,373		
FF& E Consulting Services (TSKP)		\$104,000		
Educational Programming ( Rickes Assoc)		\$27,500		
Traffic Engineering (Hesketh Associates)		\$2,750		
Geotech Engineering (Welti)		+\$10,230		
TOTAL SPECIAL SERVICES(B)		\$219,853		
TOTAL FEE ( PRB #22-002) (A) + (A1) + (B)		\$2,309,900	\$24,255,576	9.52%

Staff have requested clarification of the following issue:

1. In a June 10, 2020 DAS communication to the CMR, DAS assessed Liquidated Damages in the amount of \$1,171,635. On page 2 of the DCS Memo it states “Specifically, the final settlement change order to the CMR was signed by DAS on 10-29-21.”
  - a) Please provide a copy of the final ‘settlement change order.’
  - b) Identify various costs that were recovered from the CMR – A/E; CA; legal
  - c) Identify the liquidated damages that were assessed

**RECOMMENDATION:** Staff recommends to suspend Amendment #1 in the amount of \$57,547 for extended CA Services pending response from DCS.

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Re: PRB # 16-186, Standard Fixed-Fee—A/E Services Contract  
Western Connecticut State University– Higgins Hall Major Renovation Project  
Project #BI-RD- 290-ARC– Tai Soo Kim Partners, LLC- Total Fee \$2,252,353

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PROJECT BRIEF– In general this project involves the design and construction of a planned major renovation to Higgins Hall at the Western Connecticut State University (“WCSU”) Campus. Higgins Hall is comprised of two buildings encompassing approximately 90,000 GSF of existing structure. The overall goal of the project is to complete a major “like new” renovation of the existing structure inclusive of complete space re-programming and utilization. The primary goal of the project is to create an updated plan and atmosphere for classrooms, faculty offices and support services area. The project program may include a small building addition to establish a more formal building entrance that is cohesive with planned program and space layout. As part of the project, all building systems will be replaced including but not limited to HVAC Systems, Plumbing, electrical Services, A/V equipment and telecommunication requirements. The overall construction and total project budget have been established at \$22,184,486 and \$34,576,000 respectively.

In February 2015 the Department of Construction Services (“DCS”) issued a Request for Qualifications (RFQ) for *Architect & Consultant Design Teams* related to the WCSU Major Renovations to Higgins Hall Project. DCS elicited eleven (11) responses to the advertisement of which ten (10) submittals were considered “responsive”. DCS then proceeded to review the ten submittals and after the completion of the internal review

process, five firms were selected for short-listed interviews. These firms were as follows, Amenta/Emma Architects, P.C., Tai Soo Kim Partners, LLC, ID3A, LLC, The S/L/A/M Collaborative, Inc. and SviGals + Partners, LLP. 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 Tai Soo Kim Partners, LLC (“TSKP”) as the most qualified firm.

This contract is for *Architect/Engineer Consultant Design Team Services* for the completion of the WCSU Major Renovations to Higgins Hall Project with the completion of a pre-design study and then the initiation of a schematic design phase through the construction document phase and the subsequent completion of construction. The overall compensation rate for this basic service is \$2,032,500 with an additional \$219,853 for special services. As such the total project fee is \$2,252,353. The special services detailed in the project scope include traffic engineering, geotechnical/environmental engineering, land surveying and FF&E consulting.

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

TOTAL BASIC SERVICE FEE (#16-186) (A)	\$2,032,500		\$22,184,486	9.16%
<u>SPECIAL SERVICES:</u>				
Pre –Design Study ( TKSP)		\$60,000		
Survey (Milone & MacBroom)		\$15,373		
FF& E Consulting Services (TSKP)		\$104,000		
Educational Programming ( Rickes Assoc)		\$27,500		
Traffic Engineering (Hesketh Associates)		\$2,750		
Geotech Engineering ( Welti)		<u>+\$10,230</u>		
TOTAL SPECIAL SERVICES(B)		\$219,853		
TOTAL FEE ( PRB #16-186) (A) + (B)		\$2,252,353	\$22,184,486	10.15%

- The RFQ February 2015 elicited 11 candidates. The Selection Panel interviewed five firms and ultimately recommended the appointment of Tai Soo Kim Partners, LLC (“TSKP”). The selection was approved by Commissioner Currey on 3/23/2015.
- TSKP is locally located in Hartford. This firm was established in 1970 and has over 20 employees which includes 6± registered Architects, Landscape Architects and Interior designers. TSKP is operating under the license of Mr. Whit Iglehart, a Principal of TSKP, license No. ARI.0003711. The license is valid until 07/31/2016.
- Fenner & Essler Inc. reported that over the past 5 years TSKP has been exposed to one general liability or professional liability claims which has been closed.
- The submittal is accompanied by a Consulting Agreement Affidavit notarized on 4/21/2015.

**RECOMMENDATION:** It is recommended that Approve this new contract for Tai Soo Kim Partners, LLC to provide design related services at the WCSU Major Renovations to Higgins Hall Project. The overall basic service rate of 9.16% is within the established guideline rate of 11.50% for this Group B New Construction/Renovation Project.

**7. OTHER BUSINESS**

Update on PRB #22-008 - BI-2B-414 - OC-DCS-ENGY-0030

Director Desai received a communication from DCS Legal regarding suggested changes to Task Letter #1 to the Contract (OC-DCS-ENGY-0030), approved by the Board under PRB #22-008. The communication read:

As you are aware, SourceOne’s review of the approved task letter resulted in two suggested changes that are acceptable to DAS. The first change concerns Section 1 – “Scope”, paragraph 7, which provides, “Prepare Scope of Work/RFP, review, administer and manage the following specialty consultants (to be retained by the State) for purposes of supporting the State of Connecticut (Purchaser) Due Diligence efforts, as required.” The inclusion of the word “manage” is premature; the costs of managing and directing the State of Connecticut retained specialty subconsultants cannot be determined at this time. Said management costs will depend on the specialty subconsultants’ scopes of work and availability. Consequently, we would like to delete the word “manage” from this paragraph.

The second change involves the subconsultant to be retained by SourceOne directly. The task letter reflects our approval of SourceOne’s use of Waldron Engineering & Construction, Inc. In the event, however, that Waldron is unavailable to provide the necessary services during the limited due diligence window, SourceOne and DAS would like to add language to the task letter that allows SourceOne to hire Waldron “or other engineering firm acceptable to the State of Connecticut.” This will provide flexibility, if needed, to bring aboard an engineering firm within the due diligence period.

As no changes were made to the financial component of Task Letter #1 to the Contract, no action was taken by the Board. DCS will provide a copy of the Task Letter with the changes.

**8. VOTES ON PRB FILE:**

**PRB FILE #22-002** – Mr. Valengavich moved and Mr. Halpert seconded a motion to suspend PRB 22-002. The motion passed unanimously. Director Desai will coordinate a meeting with DCS’ Deputy Commissioner Petra regarding project management issues.

**9. NEXT MEETING** – Monday, January 31, 2022.

The meeting adjourned.

**APPROVED:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
John Valengavich, Secretary