

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On January 25, 2024

– solely by means of electronic equipment - via telephone conference –

Pursuant to CGS §1-225a, the State Properties Review Board conducted a Regular Meeting at 9:30AM on January 25, 2024. Pursuant to the statute, this Meeting was held solely by means of electronic equipment, with Participants connecting via telephone conference at (860)-840-2075 and used passcode 389034483#.

The Notice provided designated this Regular Meeting as open to the public. Call in instruction were provided as: Dial toll free (860)-840-2075 and use passcode 389034483#. If you have any questions or need assistance to attend these Meetings, or for some reason the Call-In Numbers do not work, please contact SPRB Director Dimple Desai, immediately, at dimple.desai@ct.gov to make appropriate arrangements.

Members Present – solely by means of electronic equipment:

Bruce R. Josephy, Chairman
Jeffrey Berger, Vice Chairman
John P. Valengavich, Secretary
Edwin S. Greenberg
Jack Halpert
William Cianci

Members Absent:

Staff Present – solely by means of electronic equipment:

Dimple Desai
Thomas Jerram

Guests Present – solely by means of electronic equipment:

David Barkin, DAS-CS
Jenna Padula, DAS-CS
Peter Simmons, DAS-CS
Daniel Wagoner, DAS-CS
Brian Dillon, JUD
Bruce Wood, KMW Architecture

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 22, 2024 Meeting, and January 23, 2024 Special Meeting. Mr. Berger moved and Mr. Valengavich seconded a motion to approve the minutes of the January 24, 2024 Special Meeting. Both motions passed unanimously.

2. COMMUNICATIONS

3. REAL ESTATE- UNFINISHED BUSINESS

EXECUTIVE SESSION

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Open Session and into Executive Session at 10:40. The motion passed unanimously.

PRB #: 24-006-A
Transaction/Contract Type: AG / PDR
Origin/Client: DoAG/DoAG

Statutory Disclosure Exemptions: 1-200(6) & 1-210(b)(7)

Upon completion of the Board's review of this Proposal, Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Executive Session and into Open Session at 10:44. The motion passed unanimously.

OPEN SESSION

4. REAL ESTATE – NEW BUSINESS

PRB File #: 23-228
Transaction/Contract Type: RE –Release
Origin/Client: DOT/DOT
DOT Project #: 004-118-001A
Grantee: Town of Avon
Property: Avon, Waterville Rd (Rt 10) at Old Farms Rd
Project Purpose: Replacement of Bridge No. 04470, and Reconstruction of Old Farms Road & Route 10 Intersection
Item Purpose: Quit Claim Deed

At the State Properties Review Board meeting held on September 26, 2023, the Board voted to return this file (PRB #23-137) pursuant to a DOT request. At that time the Board had requested clarification of the following issues:

1. DOT Project No. 4-118-1A was presented to the SPRB on March 7, 2016, and the SPRB voted to approve the Release on March 28, 2016. No record of said Release was identified in the Avon Land Records. Please clarify why the land and easements were not released to the Town in 2016.
2. In this current Release, an easement acquired under DOT Project No. 4-118-11 is identified in the QC Deed to be released, as follows:

A full and perpetual easement to slope for the support of the highway, as acquired from Avon Old Farms School, Inc. d/b/a The Avon Old Farms School, Incorporated, as contained in an Easement Instrument dated April 18, 2017 and recorded in Book 708 at Page 1134 of the Avon Land Records.

Please clarify the following:

- a. Please confirm it is the intent of the State to Release this slope easement to the Town.
- b. And, if it is the intent to Release this easement, should a statement of assigning the easement to slope be included on page 3 of the Deed, similar to that of Fitzgerald as follows:

Together with that easement to slope assigned, as acquired from Paul R. Fitzgerald and Jill M. Fitzgerald as evidenced by a Certificate of Condemnation filed on June 26, 2018 and recorded in Book 720 at Page 301 of the Avon Land Records.

- c. Please identify the location of this slope easement on the Release Map to be filed in the Land Records and submitted with this Proposal.

DOT Response: The original deed sent in 2016 was sent over erroneously as the project was not completed. The voided deed should have been included in the package and is

included herein. In researching the other questions, it was determined that a map revision was required. As such, please consider this a formal request to return the file. Once the map and deed are updated, we will forward the package out for statutory approvals.

Staff Response: OK

Under this Proposal (PRB #23-228), DOT is now seeking SPRB approval to Release the land and easements to the Town of Avon, consisting of 1.47 ± acres (Parcel No. 1) and 105 ± square feet (Parcel No. 2), consisting of the present Old Farms Road and land located north of Old Farms Road and west of Present Waterville Road (CT Route 10). This new deed incorporates the following changes:

- The easement to slope for support of the highway as acquired from Avon Old Farms School recorded in Book 708 at Page 1134 was added on page one of the new deed.
- The easement to slope assigned as acquired from Paul R. Fitzgerald et al recorded in Book 708 at Page 1136 was added on page three of the new deed.
- Source of title "STATE OF CONNECTICUT FORMERLY PAUL R. FITZGERALD ET AT CERTIFICATE OF CONDEMNATION BK. 708, PG. 1136 (4-118-1A)" was added on map Parcel No. 2.

RECOMMENDATION: Staff recommends approval of the Release for the following reasons:

1. The conveyance complies with Section 13a-80 of the CGS governing the release of property and easements by the commissioner of transportation;
2. Properties and rights acquired by the State for the construction of any Project are released for highway purposes to the Municipality upon completion of construction; and
3. The deed description is consistent with the map description.

From PRB #23-137

September 18, 2023 Update

At the State Properties Review Board meeting held on September 5, 2023, the Board voted to suspend this file pending Board clarification of the following issues:

3. DOT Project No. 4-118-1A was presented to the SPRB on March 7, 2016, and the SPRB voted to approve the Release on March 28, 2016. No record of said Release was identified in the Avon Land Records. Please clarify why the land and easements were not released to the Town in 2016.
4. In this current Release, an easement acquired under DOT Project No. 4-118-11 is identified in the QC Deed to be released, as follows:

A full and perpetual easement to slope for the support of the highway, as acquired from Avon Old Farms School, Inc. d/b/a The Avon Old Farms School, Incorporated, as contained in an Easement Instrument dated April 18, 2017 and recorded in Book 708 at Page 1134 of the Avon Land Records.

Please clarify the following:

- d. Please confirm it is the intent of the State to Release this slope easement to the Town.
- e. And, if it is the intent to Release this easement, should a statement of assigning the easement to slope be included on page 3 of the Deed, similar to that of Fitzgerald as follows:

Together with that easement to slope assigned, as acquired from Paul R. Fitzgerald and Jill M. Fitzgerald as evidenced by a Certificate of Condemnation filed on June 26, 2018 and recorded in Book 720 at Page 301 of the Avon Land Records.

- f. Please identify the location of this slope easement on the Release Map to be filed in the Land Records and submitted with this Proposal.

DOT Response: The original deed sent in 2016 was sent over erroneously as the project was not completed. The voided deed should have been included in the package and is included herein. In researching the other questions, it was determined that a map revision was required. As such, please consider this a formal request to return the file. Once the map and deed are updated, we will forward the package out for statutory approvals.

Staff Response: OK

RECOMMENDATION: Staff recommend return of this Proposal to DOT pursuant to DOT's request.

CONVEYANCE FEE: \$0

At its meeting held on March 28, 2016, under PRB #16-062, the State Properties Review Board voted to approve the Release (TRR) the remainder of seven acquisitions (fee, easements & DROWs) under DOT Project No. 004-118-001A, to the Town of Avon. DOT previously acquired the land acquired for the *Realignment of Old Farms Road Project* and pursuant to Item No. 11 of Agreement No. 06.06-14(00) all remnants of the acquisitions were conveyed to the Town. There was no monetary consideration.







A review of DOT conveyances to the Town of Avon reveal that this Release was never recorded in the town's Land Records.

Search Results 1 to 3 of 3 For Expanded: Name #1 Firm/Last Name: (begins with) connecticut, state of In All Parties Index Type(s): LAN Document Type(s): QC Date From: 3/1/2016 Date Thru: 12/31/2023

Searched on 8/1/2023 7:34:04 AM ET

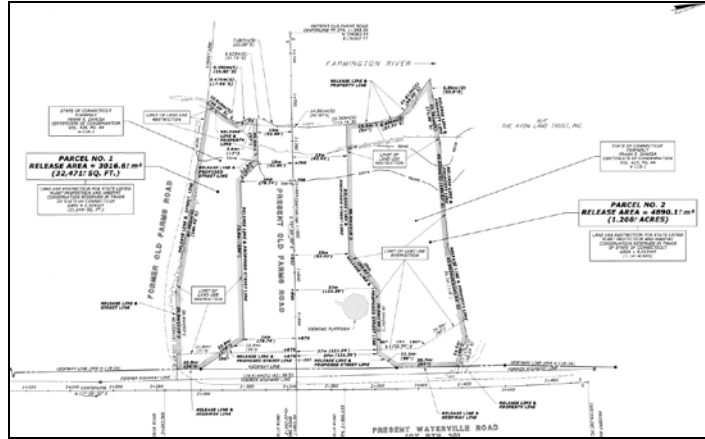
Filters:

Selected Rows Printed

#	View	Scan Pages	Date	Type	Party One	Party Two	Description	File#	Book/Page
1	 	3	01/30/2020	LAN QC	CONNECTICUT STATE OF	ZACHERY, CLARENCE E AKA ZACHERY, CLARENCE E SR	AVON MOUNTAIN RD		736 / 1203
2	 	3	09/11/2020	LAN QC	CONNECTICUT STATE OF DOT	AVON TOWN OF	REPLACE LOCAL BRIDGE 05850		745 / 1125
3	 	5	07/06/2022	LAN QC	CONNECTICUT STATE OF DOT	AVON TOWN OF	INTERSECTION OF OLD FARMS RD AND WATERVILLE RD		776 / 1015

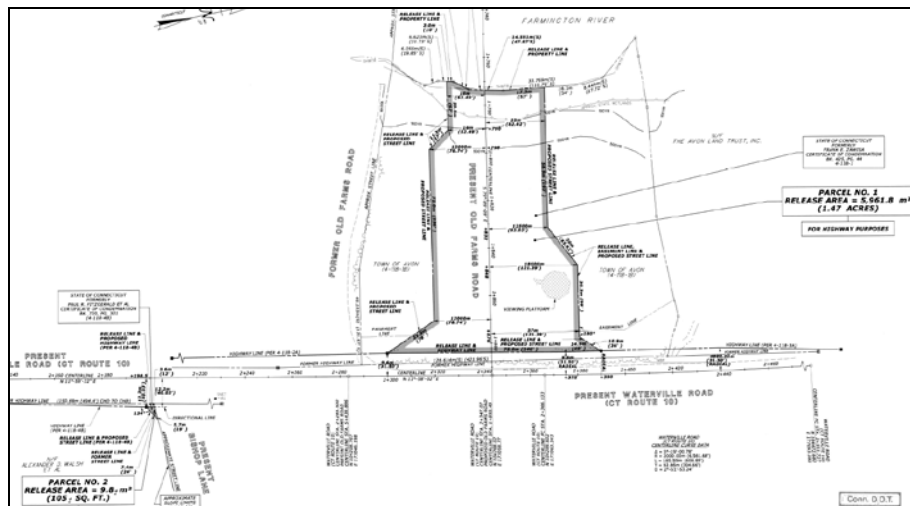
And on March 31, 2022, under PRB #22-023, SPRB approved the release two remnant parcels of land to the Town of Avon. Parcel No. 1 (s/s Old Farms) consisting of 32,471 ± square feet, and Parcel No. 2 (n/s Old Farms) consisting of 1.208 ± acres, are located on the westerly side of Present Waterville Road (CT Route 10), split by Old Farms Road.

The land was acquired by the Department of Transportation on behalf of the Town for the realignment of Old Farms Road. This property was requested by the Town of Avon for open space with a land use restriction for plant protection and habitat conservation pursuant to DEEP's regulations of 25- 68h-1 to 3 and use restriction for state listed plant protection and habitat conservation.



Parcels No 1 & No 2 released under PRB #22-023.

Under this Proposal (PRB #23-137), DOT is seeking SPRB approval to Release the land and easements to the Town of Avon, consisting of 1.47 ± acres (Parcel No. 1) and 105 ± square feet (Parcel No. 2), consisting of the present Old Farms Road and land located north of Old Farms Road and west of Present Waterville Road (CT Route 10).



Staff inquired with DOT regarding the following:

1. DOT Project No. 4-118-1A was presented to the SPRB on March 7, 2016, and the SPRB voted to approve the Release on March 28, 2016. No record of said Release was identified in the Avon Land Records. Please clarify why the land and easements were not released to the Town in 2016.
2. In this current Release, an easement acquired under DOT Project No. 4-118-11 is identified in the QC Deed to be released, as follows:

A full and perpetual easement to slope for the support of the highway, as acquired from Avon Old Farms School, Inc. d/b/a The Avon Old Farms School, Incorporated, as contained in an Easement Instrument dated April 18, 2017 and recorded in Book 708 at Page 1134 of the Avon Land Records.

Please clarify the following:

- a) Please confirm it is the intent of the State to Release this slope easement to the Town.
- b) And, if it is the intent to Release this easement, should a statement of assigning the easement to slope be included on page 3 of the Deed, similar to that of Fitzgerald as follows:

Together with that easement to slope assigned, as acquired from Paul R. Fitzgerald and Jill M. Fitzgerald as evidenced by a Certificate of Condemnation filed on June 26, 2018 and recorded in Book 720 at Page 301 of the Avon Land Records.

c) Please identify the location of this slope easement on the Release Map to be filed in the Land Records and submitted with this Proposal.

RECOMMENDATION: Staff recommend suspension of this Proposal to assign the land and easements acquired by the State to the Town of Avon pending response from DOT.

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

PRB #	19-114
Origin/Client:	DAS/JUD
Transaction/Contract Type:	AE / DBCA Services Contract
Project Number:	BI-JD-239
Contract:	BI- JD-239-DBCA
Consultant:	Kallman, McKinnell & Wood, Architects, Inc.
Property:	Torrington, Field St (59) – Litchfield Courthouse
Project purpose:	DBCA Services for new Courthouse
Item Purpose:	Amendment # 1

PROPOSED AMOUNT: ~~\$164,165~~ \$106,568.64.

At the State Properties Review Board meeting held on November 20, 2023, the Board voted to suspend this file pending Board resolution of the following issue:

1. DAS-CS and the Judicial Branch to resolve a budgetary/funding issue with respect to this Proposal and a Judicial Branch issue with the overall Project.

On January 8, 2024, David Barkin of DAS-CS sent the following request to the Board for their consideration and action:

Litchfield Courthouse Criteria Architect Amendment – KMW Architects. I have asked our legal office to place this suspended item back on the agenda as soon as practical. We have had a discussion with the Judicial Branch to validate the available contract funds. There are irreconcilable differences between Judicial Branch’s approach and the DAS obligation to the state’s consultant. We are requesting this item be acted upon by the Board and either approved or denied to allow KMW to move to their next step towards resolution. It should be noted the suspension notice of 11/20/23 indicated a number of inquiries and additional clarifications surrounding public art dating back to the June 20, 2019 action memo. We have not addressed these issues but can clarify our position when back on the agenda. *The DAS legal office will be submitting to SPRB shortly.*

No other communications from DAS-CS have been received by the Board.

CURRENT RECOMMENDATION: Staff recommendation is contingent upon SPRB discussion with JUD and DAS-CS to conclude whether a change in the prior recommendation is warranted.

PROPOSED AMOUNT: ~~\$164,165~~ \$106,568.64.

At its meeting held on June 20, 2019, the State Properties Review Board voted to suspend this item pending clarification of the following issues:

- The SPRB Contract Memo budget submitted differs from the original B100. Please provide executed revised B1105 with current dollar amounts for various line items.

- Was public art in lobbies and galleries part of the original project? If no, why not?
- When did DCS find out that the Public Art is required for this project?
- Was public art in lobbies and galleries part of the original DBCA contract? If no, why not?
- What modifications are planned to existing corridor on the 4th floor to create a Gallery for Public Art?
 - What is the estimated cost of these modifications?
 - Will there be an amendment to the D-B contract for this work?
 - If yes, what is the source of funds?
 - If no, how will this work be procured?
- PI provide backup documentation justifying the negotiated monthly fee of \$13,760. The backup should include staffing/fee matrix associated with various tasks.
- Provide staffing/fee matrix for \$26,475 (Art related tasks) and also identify sub-consultants, their fees including markups

On Monday, October 30, 2023, DAS has resubmitted a revised Amendment #1 to the contract with the following narrative:

The original projected substantial completion date was April 11, 2016. A number of items adversely impacted the schedule in the contract amendment approval process with the design builder KBE. The broad effect on the schedule was that Substantial Completion was granted on February 6, 2017, an actual ten (10) month impact. The DBCA was present for all the biweekly site visits, attendance at project meetings, attending special design meetings regarding interior wall finish requirements in the main lobby and courtroom corridors, and finishing all other construction administration duties.

Whereas the DBCA's monthly fee per contract was eighteen (18) equal installments of \$24,602.00, DAS negotiated a monthly fee equal to \$8,600.00 for that extended ten (10) month period. This portion of the total amendment fee would be equal to Eighty-Six Thousand Dollars (\$86,000.00).

The second part of the DBCA's Amendment One is the assistance with the development of a Gallery for Public Art on the fourth level of the building. The existing corridor, which serves the Jury Assembly and Law Library spaces, was identified as a place to exhibit the public art as purchased through the Department of Economic and Community Development 1% Art program. The fourth floor is a corridor that required spatial definition, exhibit surfaces, and appropriate lighting. The previous PM with Judicial Facilities and DECD wanted to utilize KMW's extensive experience in the design of public art spaces with requisite lighting systems. KMW and the previous PM scoped an appropriate level of services in transforming the 4th floor corridor into a space for the presenting and viewing of the public art pieces that will be procured for the courthouse.

The fee negotiated with KMW on the art gallery development is Twenty Thousand Five Hundred Sixty-Eight Dollars and Fifty-Four Cents (\$20,568.54). The fee amount includes sub-consultant fees. The design work has been completed; however, the actual designed work was not completed. These design fees are due and owing to the consultant.

The sum of both parts comprising Amendment One is equal to One Hundred Six Thousand Five Hundred Sixty-Eight Dollars and Fifty-Four Cents (\$106,568.54). This fee is lower than the previously suspended requested amendment from 2019. This fee has been negotiated down and agreed to by all parties based on the project's ability to pay. The original amendment was for a total of \$164,165.00. The revised amount of \$106,568.54 is all the money left in the project.

The overall budget as included here in this document, which reflects the Design-Build Agreement approval memorandum to the State Properties Review Board on July 8, 2014, is \$81,445,700.00. The extreme care in managing the available funding has allowed the project to be completed without any further requirement for additional bond funds. This Contract Amendment One for the DBCA Architect will be paid from the current balance of funds remaining in the project.

With respect to the first part of this revised Proposal under PRB #19-114, DAS seeks approval of an additional \$86,000 to compensate the Consultant for a Time Extension of 10 months beyond the original 18 month Contract. This fee was reduced from the initial request of \$137,960 in 2019.

It should be noted that on November 13, 2018, the Board approved PRB #18-208 (Amendment # 1 to DB Contract with KBE). At that time DAS provided additional information to justify time extension (10 months) payment to KBE as the previous file - PRB 17-320 – seeking approval of payment for a time extension was rejected at its meeting on May 20, 2018.

With respect to the second part of this revised Proposal under PRB #19-114, DAS seeks approval of an additional \$20,568.54 to compensate the Consultant for the design of the public art space that has already been completed, but not implemented. This fee was reduced from the initial request of \$26,475 in 2019.

1. Overall status of the art work (for all included floors) and related tasks, including design fees, art costs, etc.
2. DAS-CS and the Judicial Branch to review the status of the outstanding claims as it relates to HVAC and other items discussed at the meeting
3. DAS-CS and the Judicial Branch to resolve the budgetary/funding issue with respect to this Proposal and outstanding claims as discussed at the meeting
4. Criteria Architect's roles and responsibilities as it relates to the claims that Judicial is working on
5. Please provide the proposal from the Architect for this work for which reimbursement is sought

Please clarify the following items from the June 20, 2019 action memo:

- The SPRB Contract Memo budget submitted differs from the original B100. Please provide executed revised B1105 with current dollar amounts for various line items.
- Was public art in lobbies and galleries part of the original project? If no, why not?
- When did DCS find out that the Public Art is required for this project?
- Was public art in lobbies and galleries part of the original DBCA contract? If no, why not?
- What modifications are planned to existing corridor on the 4th floor to create a Gallery for Public Art?
 - What is the estimated cost of these modifications?
 - Will there be an amendment to the D-B contract for this work?
 - If yes, what is the source of funds?
 - If no, how will this work be procured?
- Pl provide backup documentation justifying the negotiated monthly fee of \$13,760. The backup should include staffing/fee matrix associated with various tasks.
- Provide staffing/fee matrix for \$26,475 (Art related tasks) and also identify sub-consultants, their fees including markups

RECOMMENDATION: Staff recommend suspension of Amendment #1 to the DBCA Contract in the amount of \$106,568.54, pending response from DAS-CS.

PROPOSED AMOUNT: \$164,165

CONTRACT AMENDMENT #1 – The Department of Construction Services (“DCS”) has submitted to the Board Contract Amendment #1 which is intended to compensate the Consultant, Kallman, McKinnell & Wood, Architects, Inc. (dba KMW Architecture) (“KMW”) for additional Design-Build Construction Administration (“DBCA”) services. The submittal provided by DCS breaks down Amendment #1 into two (2) different project components which are described as follows:

1. DCS reported the substantial completion date for construction of the Litchfield Courthouse was April 11, 2016, but was extended by 10-months to February 6, 2017, due to the following owner-responsible issues:
 - a. Storm water reconstruction;
 - b. Ground water remediation and discharge;
 - c. Eversource Agreement for natural gas supply; and
 - d. Stone finishings in the court lobby and corridors

DCS reports that during the 10-month extension, the DBCA was present for all the bi-weekly site visits, attendance at project meetings, attending special design meetings regarding interior wall finish requirements in the main lobby and courtroom corridors, and finishing all other construction administration duties.

DCS stated the original contract was for 18 months and the DBCA’s monthly payment was \$24,602/month.

In this Amendment #1, DCS is seeking approval to compensate the DBCA for additional fees due to the 10-month extension. DCS negotiated a reduced monthly consultant fee of \$13,769, or a total of totaling \$137,960.

2. Included in the second part of Amendment #1, DCS is seeking Board Approval to expand the scope of services provided by the DBCA in transforming the fourth floor corridor into a space for the presenting and viewing of the public art pieces that will be procured for the courthouse pursuant to CGS §4b-53. The existing corridor serves the Jury Assembly and Law Library spaces and has been identified by DCS and JUD as a place to locate a Gallery for Public Art.

DCS is seeking Board approval for the increased fee of \$26,475 to compensate the Consultant for the design of the public art space and state the work will be complete within six (6) months.

Staff have requested clarification of the following issues:

1. The SPRB Contract Memo budget submitted differs from the original B100. Please provide executed revised B1105 with current dollar amounts for various line items.
2. Was public art in lobbies and galleries part of the original project? If no, why not?
3. When did DCS find out that the Public Art is required for this project?
4. Was public art in lobbies and galleries part of the original DBCA contract? If no, why not?
5. What modifications are planned to existing corridor on the 4th floor to create a Gallery for Public Art?
 - a. What is the estimated cost of these modifications?
 - b. Will there be an amendment to the D-B contract for this work?
 - c. If yes, what is the source of funds?
 - d. If no, how will this work be procured?
6. Pl provide backup documentation justifying the negotiated monthly fee of \$13,760. The backup should include staffing/fee matrix associated with various tasks.

7. Provide staffing/fee matrix for \$26,475 (Art related tasks) and also identify sub-consultants, their fees including markups

RECOMMENDATION: It is recommended to SUSPEND the file until further clarification is received from DCS on the questions raised by the staff and Board.

FROM PRB #12-216

PROJECT BRIEF– In general the project involves the required architectural and engineering services utilizing the Design/Build Delivery Method for the construction of the new Litchfield Judicial District Courthouse in Torrington. The project will include the construction of a new courthouse that is estimated to comprise 117,000 GSF in addition to the renovation of an existing 43,000 GSF two-story office building. The project shall be designed and constructed to receive a LEED Silver rating and meet the State of Connecticut High Performance Building Guidelines. The overall project and construction budgets are \$65,046,400 and \$52,270,000 respectively.

In March 2009 the Department of Public Works now known as the Department of Construction Services (“DCS”) issued a Request for Qualifications (RFQ) for *Design Build Criteria Architect Consultant Teams* related to the *New Litchfield County Courthouse*. DCS elicited six (6) responses to the advertisement and after completion of the internal review process interviewed three firms. The firms were as follows; Kallman, McKinnell & Wood Architects, Inc., Tecton Architects, Inc. and Perkins Eastman Architects P.C. 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 Kallman, McKinnell & Wood Architects, Inc., (“KMW”) as the most qualified firm.

This contract is for *Design Build Criteria Architect Consultant Services* for the development of the *D-B Criteria, Project Design Oversight and Construction Observation*. The total compensation rate for this project is \$991,186. The overall contract can be segregated with basic services and special services accounting for 891,910 and 99,276 respectively. Whereas the basic service fee is equivalent to 1.71% of the construction budget.

This contract was subsequently approved by Commissioner Curtis in April 2009 but not executed by DPW due to internal funding issues and discussions on the viability of the project for Torrington. These issues have all been resolved and DCS has submitted updated proposals by KMW and their consultants to reflect the current requirements for the project, staffing and 2012 fee schedule.

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

FEE – The costs of basic and special services are as follows:

	<u>COST (\$)</u> <u>(BASIC)</u>	<u>COST (\$)</u> <u>(SPECIAL)</u>	<u>C. Budget</u> <u>(\$)</u>	<u>(%) Budget</u>
KMW Fee for Basic Services:				
Phase I – Programming and RFP Develop.	\$121,106			
Phase II – Project Design Oversight	\$116,162			
Phase III – Construction Observation	\$254,012			
KMW Fee for Basic Services	\$491,280			
Cosentini Associates – CxA & MEP	\$220,700	\$99,276		
VHB Inc. – Site Civil Engineering	\$35,430			
DiBlasi Assoc. – Structural Engineering	\$116,500			
Chris Laux – Independent Code Review	+\$28,000			
TOTAL BASIC SERVICES(A)	\$891,910		\$52,270,000	1.71%
TOTAL SPECIAL SERVICES(B)		\$99,276		
TOTAL PROJECT FEE (PRB #12-216) (A) + (B)		\$991,186	\$52,270,000	1.88%

The submittal conforms to State statute and/or DCS policy as follows:

- The RFQ posted March 2009 elicited six responses. The Selection Panel interviewed three firms and the selection of KMW was approved by Commissioner Curtis on 4/27/09.
- KMW was established in 1962 and is located in Boston Massachusetts. The firm has 10± architects and construction related professionals.
- Poole Professional Ltd. reported that over the past 5 years KMW has not been exposed to any general liability or professional liability claims.
- The submittal is accompanied by a Consulting Agreement Affidavit notarized on 8/16/2012.
- KMW is a licensed Architecture Corporation in the State of Connecticut. (ARC.0000283)

RECOMMENDATION: It is recommended that SPRB approve this contract as all the required documents have been submitted by DCS and the basic service fee of \$891,910 amounts to 1.71% of the construction budget which is well within the consistent guideline rate of 2 to 3% that has been established for similar DBCA contracts.

6. ARCHITECT-ENGINEER - NEW BUSINESS

7. OTHER BUSINESS:

Chairman Josephy requested a motion to approve Board Fees reimbursement for all the Members attending the January 23, 2024 Site Visit for a Proposal being reviewed under PRB #24-006-A, including Mr. Josephy, Mr. Berger and Mr. Valengavich. Mr. Halpert made the motion, seconded by Mr. Berger. The motion passed unanimously.

Chairman Josephy requested a motion to approve Board Fees reimbursement for the Members attending the January 24, 2024 Special Meeting to discuss Personnel Matters before the Board, including Mr. Josephy, Mr. Berger and Mr. Greenberg. Mr. Halpert made the motion, seconded by Mr. Valengavich. The motion passed unanimously.

8. VOTES ON PRB FILE:

PRB FILE #24-006-A – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #24-006-A. The motion passed unanimously.

PRB FILE #23-228 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #23-228. The motion passed unanimously.

PRB FILE #19-114 – Mr. Berger moved and Mr. Halpert seconded a motion to approve PRB FILE #19-114. The motion passed unanimously.

Based on information presented during the Meeting, it became apparent there was a failure in the DAS-CS process in several areas including: Memorializing proposed Amendments between all Stakeholders; Drafting Amendments to the Contract in a timely fashion; and Providing the Consultant with Notice to Proceed prior to statutorily-required approvals. Board Members asked Staff to inquire with DAS/CS in the Action Memo if there is a process improvement in place to avoid such failures.

9. NEXT MEETING – Monday, January 29, 2024 – will be held solely by means of electronic equipment.

The meeting adjourned.

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