

## STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On February 1, 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 February 1, 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 Conference ID 917724280#.

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 Conference ID 917724280#. 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 Staff Thomas Jerram, immediately, at [thomas.jerram@ct.gov](mailto:thomas.jerram@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:**

Thomas Jerram

### **Guests Present – solely by means of electronic equipment:**

Jenna Padula, DAS-RECS  
David Barkin, DAS-RECS  
Keith Epstein, CSCU

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 29, 2024 Meeting. The motion passed unanimously.

### **2. COMMUNICATIONS**

### **3. REAL ESTATE- UNFINISHED BUSINESS**

### **4. REAL ESTATE – NEW BUSINESS**

**PRB File #:** 23-232  
**Transaction/Contract Type:** RE – Lease  
**Origin/Client:** DOT/DOT  
**DOT Project #:** 82-19-23A  
**Lessee:** Town of Farmington  
**Property:** Farmington, Farmington Ave @ Backage Rd  
**Project Purpose:** Open Space and Parking Use  
**Item Purpose:** New 10-Year Lease

**Lease Price:** \$0

The State acquired the property (2.54 acres-Map #5773) on April 15, 2009, for \$925,000 as recorded in a warranty deed beginning on page 668 of volume 952 of the Farmington Land Records.

Under this Proposal (PRB #23-232) DOT is seeking SPRB approval of a new Lease (Lease Out) for the Town of Farmington’s use for open space, a driveway and parking area, walking paths, benches and a sign, but signage cannot designate this land as a park. DOT states their statutory authority to Lease this land is pursuant to CGS §13a-80. SPRB review is required pursuant to CGS §13a-80(a).



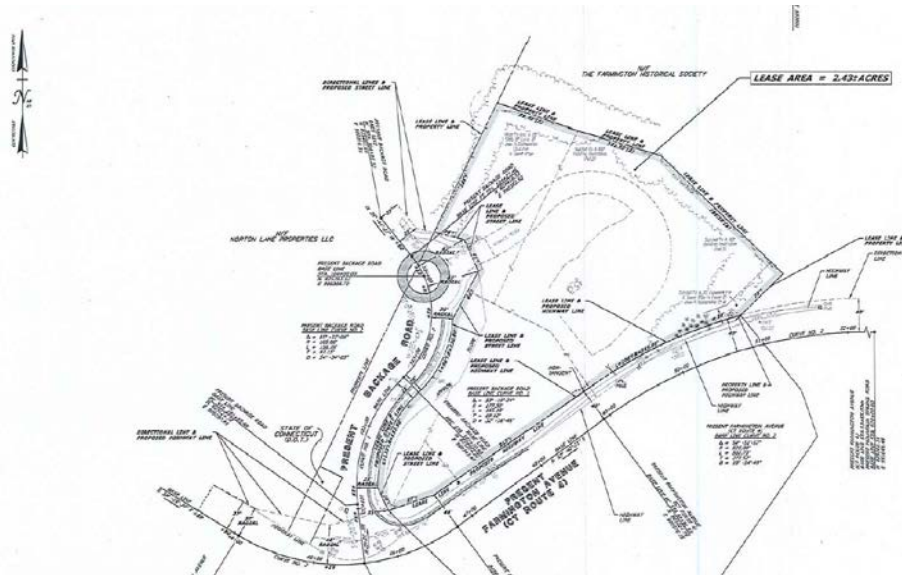
The terms of the lease are as follows:

Lessee	Town of Farmington
Premises	750 Farmington Ave – 2.43 acres
Use	Restricted to use for open space, a driveway and parking area, walking paths, benches and a sign
Term	Ten years commencing upon AG approval, three (3), five-year options to extend
Termination	Either party can terminate with 30 days’ notice, with or without cause
Rent	\$0.00/month.
Utilities, costs	All by tenant, if available (no electric, gas, sewer or water currently at site)
Other	Lease includes specifications as contained in “Standard Highway Lease Specifications & Covenants: Governmental, under \$50,000” dated 7/1/2022, which are attached to the lease. The specifications include insurance and indemnification requirements.

The Lessee executed the Lease on December 13, 2023. The Lessor executed the Lease on December 19, 2023. OPM approved the Lease agreement December 27, 2023.

**RECOMMENDATION:** Board approval of the Lease (lease-out) agreement to Town of Farmington is recommended for the following reasons:

- The Commissioner of Transportation has the authority under CGS §13a-80 to enter into lease agreements, subject to the approval of OPM (received 12-27-23), the SPRB & the AG.
- The 2.43 acres will continue to be used solely for open space & public parking purposes.
- The Lessee pays no rent. The term of the lease is for 10 years, commencing upon approval of the AG. The lease includes three (3) additional five-year options. The State reserves the right to terminate the lease with 30 days’ notice.





**5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS**

**6. ARCHITECT-ENGINEER - NEW BUSINESS**

<b>PRB #</b>	24-002
<b>Origin/Client:</b>	DAS/CTC
<b>Transaction/Contract Type:</b>	AE / Task Letter
<b>Project Number:</b>	BI-CTC-677
<b>Contract:</b>	OC-DCS-ROOF-0039
<b>Consultant:</b>	Gale Associates, Inc.
<b>Property:</b>	Norwalk, Richards Ave (188) – Norwalk Community College
<b>Project purpose:</b>	B-Wing, D-Wing, Dining/Café & Connector Roof Replacement
<b>Item Purpose:</b>	Task Letter #6

**CONSULTANT FEE:** \$261,535

**PROJECT BACKGROUND**

At the March 21, 2019 SPRB Meeting, the Board approved, under PRB #19-073, the Consultant’s Contract (BI-CTC-565-ARC – Tecton Architects) for the completion of the “B-Wing” Renovation Project from a pre-design study, design phases, construction and project close out. The Consultant’s fee was \$1,904,935.

At that time the Consultant described the project as a “full building gut” removing all existing building materials/assemblies to the building’s existing structural frame, floors and roof construction to allow for a new floor plan layout to support the current and proposed programs.

D-Wing, Dining/Café & Connector spaces were not included in this Project.



At the August 22, 2019 SPRB Meeting, the Board approved, under PRB #19-139, the Consultant's Contract (BI-CTC-565-CA – The Morganti Group) for the completion of the Project from schematic design phase through project close out. The overall compensation rate for this basic service was \$690,315. Amendment #1 to this Contract (PRB #22-016) seeking an additional \$61,625 for extended construction administration services due to required removal of hazardous materials identified in the building envelope (roof and exterior walls) and all interior building materials, systems and finishes, was suspended by the Board on March 3, 2022. DAS-CS has not responded to the issues raised by the Board.

At the May 24, 2021 SPRB Meeting, the Board approved, under PRB #21-073, Task Letter #2 to OC-DCS-Cx-0010, for the Consultant (Gale Associates) to provide Cx services in conjunction with the Project. The fee for the Consultant's services was \$191,115. Cx Contract Document Phase services were \$39,522. Gale was providing BECx Services and their Sub-Consultant Hallam was providing SCx Services.

**DATE:** 4/23/2021  
**SUBJECT:** Request for Approval of Task Letter  
**PROJECT TITLE:** B-Wing Renovations and Improvements  
Norwalk Community College  
**PROJECT NUMBER:** BI-CTC-565  
**ON-CALL CONTRACT NO.:** OC-DCS-Cx-0010  
**TASK LETTER NO.:** T2

Gale Associates, Inc., being the same as and transacting business in the State of Connecticut as Gale Consultants, Inc. of 703 Hebron Avenue, Glastonbury, Connecticut 06033, has been selected to provide Commissioning Consultant services for a total fee of One Hundred Ninety-One Thousand One Hundred Fifteen Dollars (\$191,115.00) for the above referenced task assignment. Please refer to the task letter log for the fee history of task assignments.

From Gale's Proposal to DAS-RECS dated November 30, 2020 and revised February 1, 2021:

BEcx services, provided by Gale, generally consist of items related to the performance of building enclosures (the envelope) such as, but not limited to roofing, façades, air/vapor barriers, flashing and moisture management components, thermal insulation barriers, windows, curtainwalls, skylights, doors, slab-on-grade vapor proofing, and foundation waterproofing.

The SCx services, provided by Hallam, generally consist of items related to the performance, control and operation of building mechanical, electrical, plumbing, and fire protection components as well as chillers, humidifiers, boilers, cooling tower(s), chilled-water distribution systems, and emergency generators.

In 2021, DAS-CS stated the overall construction and total project budget were increased to \$14,720,000 (from \$14,320,000) and \$23,699,392 respectively.

The Project was bid (Solicitation # 2110BICTC565) on October 5, 2021, with responses due by November 18, 2021. No bid was awarded on this Project.

From DAS Form 1105

Norwalk's B-Wing roof has been in poor condition for several years. In 2018 the CSCU designed and bid for construction an inexpensive roof overlay of a phenolic foam membrane. The project was as an interim mitigation effort until the B-Wing renovation (BI-CTC-565), that includes significant mechanical roof top work and a new roofing system, could be completed. The interim roof was bid for construction, no bids were received and the summer roof replacement time frame was missed. The CSCU determined that periodic roof repairs would need to occur to the existing roof until BI-CTS-565 could complete the replacement. BI-CTC-565 was bid for construction and a contract for construction did not occur. A roof replacement for the B-Wing can no longer be delayed.

The scope of this project is to re-roof the B Wing (17,200 SF), cafeteria and dining hall (12,500 SF), and connector (1,000 SF). The existing built-up roof, curbs, metal fascia, gravel stop and deteriorated roof decking are to be removed and replaced with a new energy compliant 90-mil EPDM system with a 30-year non-prorated warranty. The consultant will coordinate with OSFM, OSBI and FM Global for required approvals. A structural analysis will need to occur to verify the existing structure has the capacity to support all design and installation requirements of the new system.

The selected design consultant is also required to retain a subconsultant to perform an analysis of hazardous material. The investigation results will be incorporated into the drawings and specifications per EPA reg-40 CFR-part 763.

The awarded consultant should be provided roof replacement drawings for BI-CTC-565 so the new design can take into consideration changes that will occur when BI-CTC-565 improvements occur.

Under this proposal (PRB #24-002), DAS-CS is now seeking Board approval of Task Letter #6 to the Consultant’s (Gale Associates, Inc.) On-Call Contract – OC-DCS-ROOF-0039 - to expend \$261,535 for the following scope of work:

Roof replacement of the B-Wing, D-Wing, Cafeteria, and Connector at Norwalk Community College. The existing roof coverings, thermal insulation, rooftop unit curbs, metal fascia, metal roof edges, and the deteriorated roof deck are to be replaced with a new energy compliant 90-mil EPDM roofing system with a 30-year non-prorated warranty. A structural analysis shall be conducted to verify that the existing structure has the capacity to support all the design and installation requirements of the new roof system. A new ladder design between the Cafeteria and B-Wing as well as a new ladder design from the D-Wing over the parapet onto the D-Wing is to be included within the scope. Review of the masonry chimney on B-Wing is required to define above roof line masonry and façade repairs that may be required as part of the roof replacement project. A hazmat investigation shall be performed to identify any hazardous materials, not including PCBs, that will need to be abated as part of the project.

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

Design and Construction Administration Services for the Norwalk Community College B-Wing, Café/Dining, and Connector Roof Replacement. The design of the roof replacement shall include structural analysis and hazmat investigation.

In May 2021, SPRB approved Gale Associates, Inc. (“GAL”) (PRB #21-053) as one of five Firms under the latest *On-Call Roof Series* of consultant contracts. These contracts have a common expiration date of August 31, 2023 and have a maximum cumulative fee of \$750,000.

DAS-CS Legal assigned this Task Letter #6 on July 7, 2023.

Pursuant to Article E of the On-Call Contract, “This contract shall commence with the date this contract was entered into and shall expire on August 31, 2023. *No new projects may be assigned on or after the expiration date, but all projects assigned prior to the expiration date will be allowed to continue to completion with all the terms and conditions of this contract herein set forth remaining in full force and effect.* The term of this contract may be extended in writing by the Commissioner.”

Gale has been approved for the following Task Letters under this Series:

Expires				
8/31/2023	OC-DCS-ROOF-0039	Gale Associates Inc	\$750,000	21-053
	Task Letter #2	CCSU New Engineering Building	\$4,000	Informal
	Task Letter #2A	CCSU New Engineering Building	\$9,215	Informal
	Task Letter #3	Hartford Amory - Pointing repairs	\$12,550	Informal
	Task Letter #4	SCSU Emergency Flood repairs	\$38,110	Informal
	Task Letter #5	SGT John Levitow Health Center - new roof	\$47,393	Informal
		Total Informal TLs	\$111,268	
	Task Letter #1	Water Infiltration Repairs	\$214,677	21-162
	Task Letter #1A	Water Infiltration Repairs	\$20,710	23-082
	Task Letter #6	Norwalk CC B-D Wing new roof	\$261,535	24-002 Pending
		Total Committed Funds	\$608,190	
		Maximum Total Fee	\$750,000	
		Uncommitted (Remaining)	\$141,811	

DAS-CS has confirmed for SPRB that funding is available for this contract.

DAS-CS states the overall construction and total project budget are \$1,941,000 and \$2,923,075 respectively.

	COST (\$) (BASIC)	COST (\$) (SPECIAL)	TOTAL COST	C. Budget (\$)	(%) Budget
Gale Associates Basic Fees (PRB #24-002)					
Combined Eval Schematic/Design Dev Phase (105 days)	\$97,254.20				
Contract Document Phase (60 days)	\$47,847.50				
Procurement Phase	\$16,950.10				
Construction	\$99,483.20				
TOTAL BASIC SERVICE FEE (#18-101) (A)	\$261,535.00			\$1,961,400	13.33%

Staff had the following questions for clarifications:

Staff had the following questions for clarifications:

1. Please clarify how the \$1.2 million Construction Budget in Form 1105, signed by DC Hobbs on June 29, 2023, was increased as of September 26, 2023 to \$1,961,400.

**DAS-RECS Response:** The initial project scope comprised only the replacement of the B-Wing roof, located above the B-Wing proposed renovation project (BI-CTC-565). BI-CTC-565 bid for construction but did not receive a funding allocation from the Bond Commission for construction phase services. The State increased the scope for this project in September to include the adjacent D-Wing roof that is also in need of replacement.

**Staff Response:** OK

2. Please confirm sufficient funds are in place for this Project as the Form 1105 identifies \$1,932,000 in bond funding available and the overall construction budget and total project budget are \$1,941,000 and \$2,923,075 respectively.

**DAS-RECS Response:** The initial budget of \$1.9M was for the replacement of the B-wing roof. The \$2.9M revised budget was increased to include the D-Wing roof replacement. The B-Wing and D-Wing roof replacement project is estimated as \$2,923,086. The project will be funded from PA 11-57 sec 21(i)(2) and PA 20-1 sec 21(1)(C).

**Staff Response:** Yes, the funding sources cited by DAS-RECS are correct and included in the Form 1105 submitted with the Proposal identified the following:

2.6	<b>State Bond Public Act, Year, &amp; Section:</b> (Example: PA #57, 2001, Sec. 2(f)(2).)	(Double left click imbedded MS Excel Spreadsheet below to activate, double left click outside imbedded MS Excel Spreadsheet to deactivate.)	
	Notes: PA 15-1 sect. 21 (n)(4) April 13, 2018, Item #7 - Pre-construction PA 11-57 sect. 21 (L)(2) March 13, 2013; Item #18 – Preconstruction P, A 20-1, Section 21(1)(C) July 29, 2022, Item #28	<b>Description</b>	<b>Authorized</b>
			<b>Allocated</b>
		Design	\$ 110,500
		DCS Fee	\$ 2,500
		Construction/Other	\$ 1,819,000
		<b>Total Bonding</b>	<b>\$ - \$ 1,932,000</b>

In the original Form 1105 allocated funds total \$1,932,000, of which \$110,000 is allocated for Design and this pre-construction fees (design/bid) total \$251,552. The Board has previously required appropriate levels of funding be in place for all pre-construction fees. The total project cost is \$2,923,086. See Item #3.OK

3. Please update the Budget in the Form 1105 to reflect the current state of this Proposal and confirm that CSCU approves of this new Budget.

**DAS-RECS Response:** DAS RECS has uploaded to the SPRB SharePoint site the updated budget in Form 1105.

**Staff Response:** The Form 1105, approved 9-29-2023, has been updated as follows:

2.6	<b>State Funding:</b>		
	<b>State Bond Public Act &amp; Section</b> (i.e., PA 15-3, Sec. 2(f)(2)):	P.A. 11-57, Sec. 21 (i)(2)	
	P.A. 15-1 Sec. 21(n)(4)	P. A. 20-1, Sec 21(1)(C)	
	<b>State Bond Commission Approval Date &amp; Item Number:</b>	April 13, 2018; Item #7	
	July 29, 2022; Item #28	March 13, 2013; Item #18	
	Notes:	(Double left click imbedded MS Excel Spreadsheet below to activate, double left click outside imbedded MS Excel Spreadsheet to deactivate.)	
		<b>Description</b>	<b>Authorized</b>
			<b>Allocated</b>
		Design/DCS Fee	\$ 261,535
		Construction/other	\$ 2,661,540
		<b>Total Bonding</b>	<b>\$ - \$ 2,923,075</b>

Proper funding is in place for both Design and Construction. OK.

4. Please provide a summary of the responses for the Project bid under BI-CTC-565, received by the November 18, 2021 due date and why is this Project identified as 'Under Evaluation' if the closing date was over two years ago?

**DAS-RECS Response:** This question is unclear. The B-Wing Renovation project was bid for construction, that included the roof replacement, and did not receive a construction fund allocation from the Bond Commission. After holding the bids for one year and then the bids no longer being valid, they were canceled.

**Staff Response:** In light of this response, and that in Item #1 that Bond Funding was never approved, the bids were canceled. OK

5. Please clarify what, if any, HAZMAT remediation was completed under Project (BI-CTC-565) and quantify the cost of said remediation.

**DAS-RECS Response: No construction or remediation work was conducted under BI-CTC-565.**

**Staff Response:** DAS-RECS presented Amendment #1 to BI-CTC-565-CA (The Morganti Group) in early 2022 (PRB #22-016) seeking an additional \$61,625 for extended construction administration services due to required removal of hazardous materials identified in the building envelope (roof and exterior walls) and all interior building materials, systems and finishes. The Board reviewed & suspended this Proposal March 3, 2022 given lack of DAS-RECS had not responded to the issues raised by the Board.

As DAS-RECS statement that no construction/remediation was conducted is consistent with response to Item #1 above in that Bond Funding was not authorized and no construction contract was awarded. OK

6. What deliverables were received by DAS-CS from Gale Associates retained under Task Letter #2 to OC-DCS-Cx-0010 for the Project (BI-CTC-565) and summarize their contents.

**DAS-RECS Response: Gale Associates was not part of BI-CTC-565. No deliverables were received by Gale Associates for BI-CTC-565.**

**Staff Response:** In light of response to Item#1 above OK.

7. On page 3 of 6 of this Task Letter #6, it states: "Review plans from the BI-CTC-565 Renovation Project so the new roof design can consider the changes that will take place when the BI-CTC-565 project occurs." Please clarify the following:

- a) Please clarify why the ARC of Record - Tecton Architects - for the Project (BI-CTC-565) that has fully prepared Contract Documents (Specs & Drawings) that included roof replacement of the B-Wing to include structural analysis and abatement, was not amended to include the expanded scope of D-Wing, Dining/Café & Connector Roof Replacement.

**DAS-RECS Response: We attempted to negotiate a scope of service with Tecton but their fee was not respective of their work already in the BI-CTC-565. They felt it was like a start over in addition to the lowest fee we could negotiate and was not competitive for the scope of work. The State solicited a quote from another qualified design consultant who will be completing the work for a lower fee.**

**Staff Response:** OK

- b) Please clarify what impacts are anticipated in the ARC of Record's Contract Documents (Specs & Drawings) that will require revision should the BI-CTC-565 Renovation Project commence.

**DAS-RECS Response: The largest change in the roof field, if BI-CTC-565 does commence in the future, may be removing and relocating roof top units, air vent curbs and donnage steel at several locations. This would not be cost prohibitive and the State would ensure great care is taken through the work to not void out the manufacturer's warrantee.**

**Staff Response:** OK

- c) If the ARC of Record for the Project (BI-CTC-565) was required to provide Cx services for the building envelope, does DAS-CS anticipate securing Cx services for this new roof replacement project (BI-CTC-677)?

**DAS-RECS Response: Commissioning services are not required for roof replacement projects.**

**Staff Response:** With respect to this Task Letter #6, DAS-RECS is not seeking commissioning services. OK

- d) If Gale Associates was retained to provide Cx Services for the Project (BI-CTC-565) including envelope commissioning, please clarify how DAS-CS can now seek to retain Gale for Roof design services if they are retained to provide commissioning services as it appears there is an inherent conflict.



DAS-RECS Response: Gale is not part of the preestablished BI-CTC-565 project team. A commissioning agent would have already been involved in the design phase of the B-Wing and would be more beneficial to continue the current Cx involvement (if BI-CTC-565 occurs) than hire a new Cx agent.

Staff Response: Correct. Gale was not part of the pre-established BI-CTC-565 team, but were retained by DAS-RECS. DAS-RECS and CSCU did provide comments regarding the lack of funding for Project BI-CTC-565 and related Consultant Contracts, including TL#2 to Cx-0010. OK

**RECOMMENDATION:** Based on information presented by DAS-RECS and CSCU with respect to the lack of funding for Project BI-CTC-565 and related Consultant Contracts, Staff recommends approval of Task Letter #6 in the amount of \$261,535 for design and CA Services related to the Roof Replacement Project B-Wing, D-Wing, Dining/Café & Connector Roof Replacement.

**7. OTHER BUSINESS:**

**8. VOTES ON PRB FILE:**

**PRB FILE #23-232** – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #23-232. The motion passed unanimously.

**PRB FILE #24-002** – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #24-002. The motion passed unanimously.

**9. NEXT MEETING** – Monday, February 5, 2024 – will be held solely by means of electronic equipment.

The meeting adjourned.

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