

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On May 6, 2024

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Pursuant to CGS §1-225a, the State Properties Review Board conducted a Regular Meeting at 9:30AM on May 6, 2024. Pursuant to the statute, this Meeting was held solely by means of electronic equipment – via Microsoft TEAMS or Call-In Conference.

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

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. Halpert moved and Mr. Joseph seconded a motion to approve the minutes of the May 2, 2024 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Staff provided Members a summary of a Hartford Business Journal article on May 2, 2024 on a new Lease for the Department of Public Health reviewed by the Board under PRB #23-183.

Staff provided Members an update regarding the Job Posting for the staff vacancy.

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

Mr. Valengavich moved and Mr. Halpert seconded a motion to go out of Open Session and into Executive Session at 9:49. The motion passed unanimously.

EXECUTIVE SESSION

PRB #: 24-067-A
Transaction/Contract Type: AG / PDR
Origin/Client: DoAG/DoAG

Statutory Disclosure Exemptions: 1-200(6)(D) & 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 10:10. The motion passed unanimously.

OPEN SESSION

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB # 24-062
Origin/Client: DAS/CCSU
Transaction/Contract Type AE / Task Letter
Project Number BI-RC-393
Contract OC-DCS-CA-0032
Consultant: Gale Associates, Inc.
Property New Britain, Stanley St (1615) – Kaiser Hall
Project purpose: New Kaiser Hall Annex & Kaiser Hall Renovation
Item Purpose Task Letter #1D

Proposed Amount: \$20,675

PROJECT BRIEF – In general this project involved the design and construction of a new 70,000 GSF Recreation Center and renovations to the existing Kaiser Hall Facility at Central Connecticut State University (“CCSU”). The new recreation center was designed and constructed with a 50-year+ life expectancy and was anticipated to provide multi-sport courts, a wellness track, fitness areas, studio space, pilates area, offices, meeting rooms and complete shower facilities. The project also included the complete renovation of the existing Kaiser Hall Gymnasium to include a 1st and 2nd Floor entrance as well as VIP seating, a press box, elevator access and other associated basketball court amenities. The overall project also included the demolition of the existing 34,000 GSF fabric structure currently adjacent to the athletic facility as well as a new access drive, pedestrian access and landscaping.

Project Status

The project achieved substantial completion on December 23, 2019. The general contractor for the New Kaiser Hall Annex and Kaiser Hall Renovation project (BI-RC-393), Lawrence Brunoli, Inc., had filed a notice of claim against the State seeking compensation in the amount of \$4.869 million dollars. DAS-RECS had retained a Claims Analyst to assist DAS-RECS and the Office of Attorney

General to respond to the Claim.

In September 2019, Gale Associates was retained under Letter #1 (Informal) to their On-Call Contract – OC-DCS-ROOF-0035 – to conduct a Study for the subject project to evaluate the conditions of the roof installed at the new recreational building/gymnasium addition to the Kaiser Hall facility at CCSU and provide an opinion on necessary repairs/replacement of the roof systems. Their professional fee was \$14,235.

In December 2019, Gale Associates was retained under Letter #1A (Informal) to their On-Call Contract – OC-DCS-ROOF-0035 – to perform, among others, on-site observations (7 full days) during the roof repairs by the GC in compliance with the Study conducted under TL#1 and to provide a Project Binder incorporating daily reports, correspondence, and other roof repair project documentation upon project closeout. Their professional fee was \$19,837.

In August 2020, Gale Associates was retained under Letter #1B (Informal) to their On-Call Contract – OC-DCS-ROOF-0035 – to perform, among others, on-site observations, provide technical consulting, prepare and distribute written field reports of methods and materials of construction and review of conditions and documents at the request of DAS-RECS and the AG. Their professional fee was \$19,240.

In April 2021, under PRB #21-033, the Board approved Amendment #2 to BI-RC-393-ARC for the Consultant (Sasaki Associates, Inc.) to provide ARC services in conjunction with the repairs and replacement to selective portions of the roof at Kaiser Hall/Huang Recreation Center to bring the roof into conformance with the Contract Documents. The fee for Consultant's services was \$45,000. At that time, DAS-RECS reported they were currently withholding monies from the General Contractor for the non-conforming work and would utilize those monies withheld to compensate the ARC Consultant for Amendment #2.

The Architect's additional services included:

- Prepare contract documents for the repairs and replacement required to address the deficiencies as identified in the Architect's field reports during the construction phase of this project and reports from Gale Associates, Inc. The contract documents shall include both demolition and construction drawings. The documents prepared shall be consistent with the roof design reflected in the original contract documents prepared by the Architect. The Architect shall also review the documents with the roofing manufacturer and obtain in writing that the new work will not affect the warranty of already installed systems to remain and that the manufacturer will warranty the new work as reflected in the new set of contract documents (\$23,000)
- Provide bidding assistance during the bidding phase including, but not limited to, attending pre-bid walkthroughs, providing responses to bid RFIs and attendance at contractor scope review meetings etc (\$4,000).
- Provide Construction Administration services during the construction phase of the project including, but not limited to weekly site visits, attendance at OAC meetings, review and respond to submittals, RFIs etc (\$18,000).

In February 2022, Gale Associates was retained under Letter #1C (Informal) to their On-Call Contract – OC-DCS-ROOF-0035 – to perform, among others, additional construction phase services to observe, record and report on the roof replacement of a portion of the low roof area and provide daily observations and issue daily reports of the work. This included 15 full-day visits and attending two additional construction site meetings. Their professional fee was \$46,580.

Under this Proposal (PRB #24-062), DAS-RECS and CCSU/CSCU are seeking SPRB approval of Task Letter #1D in the amount of \$20,675 for the Consultant to provide CA Phase Services described as follows:

In accordance with the applicable provisions of the subject on-call contract; the applicable provisions of the Department of Administrative Services (DAS) Consultants Procedure Manual dated November 2019, which may be modified or amended current with the date hereof; and the Construction Administrators Procedure Manual dated June 2018, which may be modified or amended current with the date hereof, Gale Associates, Inc. / Gale Consultants, Inc. is hereby authorized to perform the following scope of services for the subject project. In this task letter the term Consultant shall be interpreted to mean Construction Administrator as identified in the contract for on-call services.

Repairs and replacement of the roof at the new Kaiser Hall Annex Building

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

The consultant is to provide Ten (10) additional construction phase services to observe, record, and report on the roof replacement of a portion of the low roof area. Provide daily observations and issue daily reports of the work. This is an increase to Twenty-Five (25) total on-site construction observation days.

Claims and Disputes

The action taken, services rendered, and data gathered by the Consultant during contract administration are key elements with regard to construction claims. Upon direction of the Commissioner, the Consultant shall perform the following:

- a. Administer the construction contract fairly and in accordance with the contract terms and conditions.
- b. Identify potential problems, evaluate the conditions involved, and coordinate with the GC and Architect/Engineer to prevent or minimize problems.
- c. Refute promptly, in writing, any written statements by the GC that are not correct.
- d. Keep in a separate file complete documentation of claims or potential claim activities.

In March 2019, the Board approved Gale Associates, Inc. (PRB #19-059) as one of five Consultants under the 7th series of On-Call Roof Contracts awarded by the Department of Administrative Services (“DAS”) since 2002. The contracts had a maximum total cumulative fee of \$750,000/contract and a common expiration date of May 14, 2021.

Expires				
5/14/2021	OC-DCS-ROOF-0035	Gale Associates Inc	\$750,000	19-059
	Task Letter #1	CCSU Kaiser Hall	\$14,235	Informal
	Task Letter #1A	CCSU Kaiser Hall	\$19,837	Informal
	Task Letter #1B	CCSU Kaiser Hall	\$19,240	Informal
	Task Letter #1C	CCSU Kaiser Hall	\$46,580	Informal
	Task Letter #2	DPH Water Infiltration at Roof	\$34,961	Informal
		Total Informal TLs	\$134,853	
	Task Letter #1D	CCSU Kaiser Hall	\$20,675	24-062
		Total Committed Funds	\$290,381	
		Maximum Total Fee	\$750,000	
		Uncommitted (Remaining)	\$459,619	

The overall construction budget was changed to \$18,210,670 and the total project budget was changed to \$25,384,809.

DAS-RECS has confirmed that funding is available for this Task Letter.

The Consultant provided the following narrative in their request to DAS-RECS as follows:

The original Kaiser Hall facility was expanded to include the construction of a new recreational/gymnasium addition to the north of the existing building in 2018 (refer to Image 1). There are two (2) primary roof areas on the addition referred to as the “low” and “high” roofs (refer to Image 2). The high roof covers the gymnasium portion of the structure, and the low roof covers various recreational and support spaces.

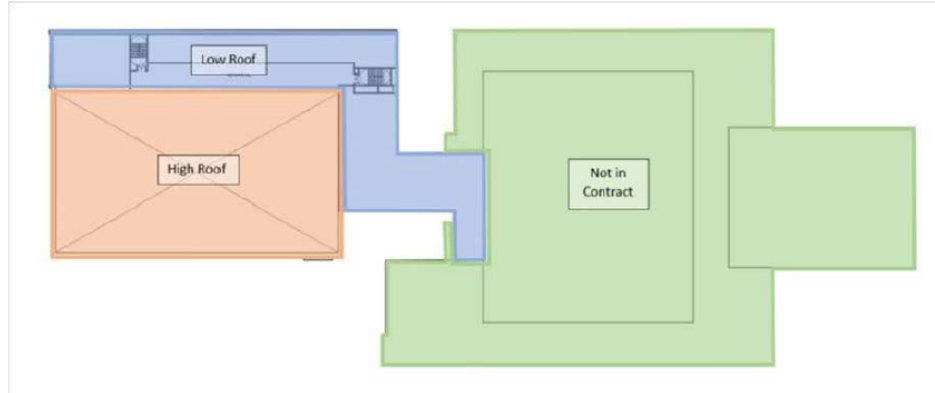


Image 2 – Roof Area Designation

Gale completed an evaluation of the high and low roof assemblies, performed an infrared survey, and delivered the final evaluation report on November 19, 2019. Deficient items including wet roofing assemblies, incomplete or incorrectly installed flashing work, and drain sump irregularities were identified for repair. The Construction Manager Lawrence Brunoli Inc. (LBI) and the roofing subcontractor Quality Roofing Services, Inc. (QRS) were directed to perform roof repairs. Gale provided limited on-site observation and consulting on a time-and-expense basis in accordance with Gale’s proposal, dated November 20, 2019. Additional construction phase services were approved and performed on a time-and-expense basis in accordance with Gale’s proposal, dated July 20, 2020, and Task Letter No. 1B, as LBI and QRS continued to perform repair work.

Following the repair work by LBI and QRS, DAS determined that partial roof replacement was required and directed Sasaki Associates, the Architect of Record (AOR) to design a partial roof replacement project. The AOR generated bid documents for partial roof replacement dated July 12, 2021, and the project was awarded to Young Developers, Inc (YDI) on June 6, 2022, with a Contract Duration of 60 days. DAS issued Notice To Proceed to YDI on Monday October 10, 2022.

On December 23, 2023, approximately 74 days into the project, YDI struggled to source roofing materials and provide the required project submittals, including FM Global submissions and no significant work had occurred to replace the designated areas of roofing. The AOR response to RFI #01 requested a 113-day project shut down over the winter between December 23, 2022, and April 15, 2023, due to contractor delays and inclement weather. Since restarting the project in April 2023, construction is still in progress. To date, YDI has replaced approximately 1,700 square feet of the 3,800 square feet indicated for replacement (+/- 45%) and has issued RFIs based on moisture encountered in roofing and base flashing substrates, which require additional demolition of wet materials, exploration into the metal wall panel system, and further direction from the AOR.

Gale has performed construction phase services for the partial roof replacement project on a time-and-expense basis in accordance with Gale’s proposal, dated January 25, 2022, and per CT-DAS requests. We have exhausted our fee budget for preconstruction meetings, review of contractor’s shop drawings and product data submittals, construction site meetings, and technical consulting. To date, Gale has performed eight (8) of the fifteen (15) site visits included in our Task Letter No. 1C, and has yet to perform a punchlist visit or follow-up visit, which are scheduled for after project completion.

To allow for increased duration due to project complexities, CT-DAS has requested this proposal for additional construction phase services, which includes ten (10) additional site visits, for a total of 25, and is based on an anticipated project completion in *July 2024*. Services will be provided following receipt of written requests by DAS and will be invoiced on an hourly basis up to the allowable budget.

RECOMMENDATION: Staff recommends approval of Task Letter #1D in the amount of \$20,675 for CA Services related to the Kaiser Hall roof replacement Project.

PRB #	24-063
Origin/Client:	DAS/DOC
Transaction/Contract Type	AE / Amendment
Project Number	BI-JA-465
Contract	BI-JA-465-CA
Consultant:	Downes Construction Company, LLC
Property	East Lyme, West Main St (201) – York Correctional Institute
Project purpose:	York Correctional Central Plant & Distribution System
Item Purpose	Amendment #2 for Credit of Unused Testing Services

CONSULTANT FEE: \$26,298.73 CREDIT

At the June 14, 2018 SPRB Meeting, the Board approved, under PRB #18-090, the Consultant's Contract (BI-JA-465-CA) to provide construction administration services during the design, renovation and equipment replacement of the existing 9,700-GSF Central Plant. Construction Phase services were for a period of 803 days, plus 90-day close out. The fee for services was \$2,845,410, of which \$1,854,484 was allocated to CA services and \$206,054 was allocated to close out.

In August 2021, the Board approved Amendment #1 (PRB #21-123) to the Consultant Contract to expend an additional \$343,674 for extended construction administration services (183 days/6 months) for the user-requested (DOC) expanded CA Services not related to the original construction project.

DAS-RECS now informs the Board that the Project is in Close Out.

Under this Proposal (PRB #24-063), DAS-RECS and DOC are now seeking Board approval of Amendment #2 to the Consultant Contract to receive a \$26,298.73 Credit for unused expanded Commissioning Services related to testing the integrity of the pipe welding and piping insulation jacket. The Sub-Consultant's fees (BVH) for those services in the original Contract was and \$435,960 (NTE).

RECOMMENDATION: Staff recommends approval of Amendment #2 to receive a \$26,298.73 Credit for unused expanded Commissioning Services related to testing the integrity of the pipe welding and piping insulation jacket.

FROM PRB #21-123

CONSULTANT FEE: \$343,674

At the June 14, 2018 SPRB Meeting, the Board approved, under PRB #18-090, the Consultant's Contract (BI-JA-465-CA) to provide construction administration services during the design, renovation and equipment replacement of the existing 9,700-GSF Central Plant. Construction Phase services were for a period of 803 days, plus 90-day close out. The fee for services was \$2,845,410, of which \$1,854,484 was allocated to CA services and \$206,054 was allocated to close out.

Under this proposal (PRB #21-123), DCS is now seeking Board approval of Amendment #1 to the Consultant Contract to expend an additional \$343,674 for extended construction administration services (183 days/6 months) due to the user (DOC) requesting additional work, not related to the original construction project, including the following:

- Replace domestic hot water makers in housing units
- Added control and isolation valves for terminal units and unit heaters
- Convert existing pneumatic smoke dampers
- Replace Building 22 RTU's and upgrade ATC controls
- Convert Building 9 propane service to natural gas
- Replace existing cook/chill boilers

The amended Contract provides for on-site construction administration services with all work to be completed by December 31, 2021.

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

The overall construction and total project budget have been established at \$45,800,000 and \$59,550,000 (reduced from \$60,000,000) respectively.

DCC Basic Service Fee (#18-090)	CA Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Design Phase	\$0				
Design Development Phase	\$0				
Construction Document Phase	\$39,254				
Bidding Phase	\$151,465				
Construction Administration Phase	\$1,854,484				
Close Out	\$206,054				
TOTAL BASIC SERVICE FEE (#18-090) (A)	\$2,251,257			\$45,800,000	4.92%
DCC Amendment #1 (#21-123)					
Extended CA Phase Services - 6 months (A1)	\$343,674				
TOTAL BASIC SERVICE FEE (#21-123) (A) + (A1)	\$2,594,931			\$45,800,000	5.67%
AUI Special Services Fee (#18-090)					
Pre-Design		\$0			
Commissioning		\$158,193			
Construction Phase Pipe Testing		\$435,960			
TOTAL SPECIAL SERVICE FEE (#18-090) (B)		\$594,153			
TOTAL FEE (PRB #21-123) (A)+(A1) (B)			\$3,189,084	\$45,800,000	6.96%

Staff have requested clarification of the following issue:

1. What is the status of the project under current contract?
DCS RESPONSE: Substantial Completion of the base contract work occurred on schedule on June 30, 2021.
Staff Response: OK
2. Please provide the construction budget for those six (6) items requested by DOC Change Orders.
DCS RESPONSE: The value of added Agency Change Request Work to be completed by the end of the year is ~\$3M. Please refer to the attached ACR Log
Staff Response: Staff are awaiting the ACR Log.
3. Was DOC required to provide a revised Form 1105? If not, why? If yes, please provide.
DCS RESPONSE: No, DOC was not asked to provide a revised 1105 form. The work is related to the base contract scope as it is an extension of energy efficiency goals for the project.
Staff Response: OK
4. Did the DOC-requested changes utilize funding from the current \$45,800,000 project budget? If not, what is the source of funding?

DCS RESPONSE: Remaining project funds and energy incentive rebates are the source of funding for the added scope of work.

Staff Response: OK

5. Please clarify if the requested change orders require the Project Manager and Superintendent to provide full time services in light of the limited scope of work during the six-month extended period.

DCS RESPONSE: Both Downes staff members are needed to oversee the work, coordinate inspections and ensure coordination, communication and execution of the required code and quality control inspections.

Staff Response: OK

RECOMMENDATION: Staff recommends to **suspend** Amendment #1 in the amount of \$343,674 for extended CA services for 6 months due to DOC-requested change orders, pending receipt and review of the ACR Log.

Note: Based on the Board's review and comments from DCS Staffing, the recommendation was changed to approve this Proposal for DOC-requested change orders. DCS will submit the ACR log for subsequent Board review.

Date: June 13, 2018
Re: PRB # 18-090, Standard Fixed-Fee—Construction Administration Services Contract Project BI-JA-465; Contract BI-JA-465-CA-2
York Correctional Central Plant & Distribution System Project - Total Fee \$2,845,410
York Correctional Institution – Downes Construction Company (DCC), LLC

PROJECT BRIEF– In general this project involves the complete renovation and equipment replacement of the existing 9,700-GSF Central Plant. The project will include the replacement of existing boilers and chillers with high efficiency boilers and chillers and the replacement of all associated required pumps, valves and chemical treatment accessories. Due to the ongoing system failures the project includes the complete replacement of all 32,000-LF of 10-inch hot water and chilled water supply and return underground piping that services the system. This work will include all the required valve replacements and vault connections to connect all eighteen buildings located on the campus. Atypical expenses incurred for this project, and part of the CA Contract, include \$158,193 for commissioning services and \$435,960 for testing the integrity of the pipe welding and piping insulation jacket. The overall construction and total project budget have been established at \$45,800,000 and \$60,000,000 respectively.

In September 2017 the Department of Construction Services (“DCS”) issued a Request for Qualifications (RFQ) for *Construction Administrator (CA) Consultant Services* related to the York Correctional Central Plant and Distribution Project. DCS elicited ten (10) responses to the advertisement of which nine (9) of the respondents were considered “responsive” and one was considered “ineligible”. DCS then proceeded to review the nine submittals and after the completion of the internal review process, three firms were selected for short-listed interviews. These firms were as follows, Downes Construction Company, LLC, A/Z Corporation and O&G Industries, Inc. 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 Downes Construction Company, LLC as the most qualified firm.

This contract is for *Construction Administrator (CA) Consultant Services* for the completion of the York Correctional Central Plant and Distribution Project. The scope of work for this contract includes both preconstruction and construction phase services as well as mechanical and building envelope commissioning. The overall compensation rate for basic services is \$2,251,257 with an additional \$594,153 for special services. DCS has confirmed for SPRB that funding is available for this contract

through PA 13-239, Section 2(m), a bonding allocation totaling \$10 million. 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>
DCC Fee Design Phase CA Services. (Separate Contract) (PRB #18-090)	\$2,251,257		\$45,800,000	4.92%
DCC Fee Basic Services (PRB #18-090) (A)	\$2,251,257		\$45,800,000	4.92%
BVH Integrated Services– Commissioning		\$158,193		
Construction Phase Pipe Testing - TBD		+\$435,960		
Total Special Services Fee (B)		\$594,153	\$45,800,000	1.3%
TOTAL PROJECT FEE (A) + (B)		\$2,845,410	\$45,800,000	6.21%

RECOMMENDATION:

It is recommended that SPRB APPROVE this contract amendment as all the required documents have been submitted by DCS and the basic service fee will remain at \$2,251,257 which amounts to 4.92% of the construction budget which is generally consistent with the DCS Guideline of 5%. The CA contract includes additional fees for commissioning (\$158,193) and pipe weld testing (\$435,960), both considered a priority by DOC to ensure the integrity of the subsurface piping welds and insulation, as the existing system is failing after 24 years.

7. OTHER BUSINESS:

8. VOTES ON PRB FILE:

PRB FILE #24-067-A – Mr. Halpert moved and Mr. Valengavich seconded a motion to suspend PRB FILE #24-067-A, pending a Site Inspection of the Farm. The motion passed unanimously.

PRB FILE #24-062 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #24-062. The motion passed unanimously.

PRB FILE #24-063 – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #24-063. The motion passed unanimously.

9. NEXT MEETING – Thursday, May 9, 2024 – will be held solely by means of electronic equipment via Microsoft TEAMS and conference call.

The meeting adjourned.

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