

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On June 10, 2024

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United States, Hartford

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Pursuant to CGS §1-225a, the State Properties Review Board conducted a Regular Meeting beginning at 9:30AM. 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

Members Absent:

William Cianci

Staff Present – solely by means of electronic equipment:

Thomas Jerram

Guests Present – solely by means of electronic equipment:

Brian Dillon, JUD
Shane Mallory, DAS Leasing
David Barkin, DAS-RECS
Mary Taylor, DAS-RECS
Steven Udeh, DAS-RECS
Anthony DiNapoli, 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. Valengavich moved and Mr. Berger seconded a motion to approve the minutes of the June 6, 2024 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Members were also reminded of the Site Visit scheduled for Tuesday, June 11, 2024, at 10:30 for a Proposal being reviewed under PRB #24-072-A.

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 9:32. The motion passed unanimously.

For Discussion Purposes Only

PRB #: 24-072-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, the Board remained in Executive Session for a Proposal being conducted under Real Estate – New Business (PRB #24-076).

4. REAL ESTATE – NEW BUSINESS

EXECUTIVE SESSION

Upon completion of the Board's discussion of a Proposal being conducted under Real Estate – Unfinished Business (PRB #24-072-A), the Board remained in Executive Session to discuss the following Proposal.

PRB #: 24-076
Transaction/Contract Type: RE / Lease
Origin/Client: DAS / JUD

Statutory Disclosure Exemptions: 1-210(b)(24)

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 10:02. The motion passed unanimously.

OPEN SESSION

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

PRB # 24-069
Origin/Client: DAS/DOC
Transaction/Contract Type AE / Amendment
Project Number BI-JA-485
Contract BI- JA-485-ARC
Consultant: Hoffmann Architects, Inc.
Property Somers, Bilton Rd (335) – Osborn CI
Project purpose: Window & Door Replacement
Item Purpose Amendment #2 – Repackage CDs for Bid Phase 2

Proposed amount: \$68,790

At the State Properties Review Board meeting held on May 13, 2024, the Board voted to suspend this file pending Board clarification of the following issues:

1. Please provide a brief status update with respect to the initial phase of this Project.
DAS Response: Initial phase is progressing nicely and currently billed out at 18.05% of the project.
Staff Response: OK
2. What is the impact on the Construction Phase services with respect to the 748-calendar day construction phase and this Phase 2?
DAS Response: The Substantial Completion would be extended from 10/27/26 to 9/13/27.
Staff Response: OK
3. The GMP Amendment = \$58,924,309, specifically excluding window/door replacement in Phase 2 (Buildings N, O, P and Q-Loft). Form 1105 identifies funding for \$63,000,000 from PA 21-111, Section 21(j) and the Total Project Cost is now \$76,254,095. Please clarify the following:
 - a. Identify the source of funding in that it appears this Budget exceeds the statutory funding of \$63,000,000;
DAS Response: \$10,000,000 was added to the project. The funding source for the 10M is P.A. 21-111, Sec. 2(n).
Staff Response: From the Public Act:

(n) For the Department of Correction: Alterations, renovations, and improvements to existing state-owned buildings for inmate housing, programming and staff training space and additional inmate capacity, and for support facilities and off-site improvements, not exceeding \$30,000,000.
OK
 - b. Is the funding sufficient to cover the doors/windows portion in Phase 2, or will DAS/DOC require supplemental funding from Legislature and Bond Commission?
DAS Response: Yes. Supplemental funding will be required from Bond Commission.
Staff Response: OK
 - c. Is Form 1130, dated 4-10-24, accurate in that the Construction Budget (\$51,032,511) is less than the actual GMP (\$58,924,309); and
DAS Response: No. Please ignore the submitted Form 1130. Please see the attached revised Form 1105.
Staff Response: OK
 - d. Does this require a revised Form 1105?
DAS Response: Yes. Please see the attached revised Form 1105.
Staff Response: Form 1105 reviewed. OK

RECOMMENDATION: Staff recommend approval of Amendment #2 in the amount of \$68,790 for additional pre-construction services to repackaging the Contract Documents and Bid Phase 2 for renovations to Buildings N, O, P and Q-Loft within this Project.

- DAS has confirmed for that funding is available for this Amendment #2.
-

PROPOSED AMOUNT: \$68,790

At the June 6, 2019 SPRB Meeting, the Board approved under PRB #19-103, the Consultant's Contract (BI- JA-485-ARC) exterior door and window replacement project at Osborn Correctional Institution in Somers, CT. The overall compensation rate approved for this basic service was \$3,512,897 with an additional \$77,103 for special services, for a total fee of \$3,590,000.

And on June 15, 2023, the Board approved (PRB #23-079) Amendment #1 to the ARC Consultant Contract to compensate the ARC an additional \$892,485 for additional ARC Design and CA Services, including:

1. Expanded Bid Phase Services as it relates to the change in delivery method from Design, Bid, Build, (DBB) to Construction Manager at Risk (CMR) - \$34,100;
2. Expanded Bid Phase Services as it relates to Hazardous Materials Services - \$9,185;
3. Expanded CA Phase Services – \$55,000; and
4. Addition of HAZMAT CA Services and Monitoring Services - \$794,200.

In support of this project DAS advertised for BI-JA-485-CMR on February 14, 2022, 2023 with responses due by March 16, 2022. In this advertisement, the construction phase was stated at 748 calendar days. The AG approved the CMR contract with Gilbane Building Company on January 25, 2023.

The GMP Amendment to BI-JA-485-CMR, approved by the OAG on September 22, 2023, represents the work associated with the exterior doors and windows at the Osborn Correctional Facility for a total GMP amount of \$58,924,309. DAS-RECS concurrently authorized WAO # 1 (\$37,674,733), which included Glass and Glazing Packages A and C, the Sitework & Landscaping Package, CMR Construction General Conditions and CMR Field Office Support and General Requirements.

The project Date of Substantial Completion is 10/27/2026 and Date of Final Acceptance is 01/25/2027. Liquidated Damages will be assessed at \$4,869 per day for each calendar day beyond the established Substantial Completion Date of 10/27/2026 and Liquidated Damages will be assessed at \$4,169 per day for each calendar day beyond the Final Acceptance date of 01/25/2027.

Within GMP Amendment to BI-JA-485-CMR - Exhibit C - Assumptions and Clarifications made in Preparing the GMP, included the following:

General 07 - This GMP excludes any and all work associated with Buildings N, O, P and Q-Loft. It is anticipated that the work at these buildings will be part of a future authorization.

General 24 - The GMP excludes Hazardous Material monitoring costs. This is by Owner.

Under this proposal (PRB #24-069), DAS is now seeking Board approval of Amendment #2 to the ARC Consultant's Contract to compensate the Consultant an additional \$68,790 for additional pre-construction services to repackage the Contract Documents and Bid Phase 2 for renovations to Buildings N, O, P and Q-Loft, specifically excluded from the GMP Amendment.

The scope of work includes the following:

The Architect shall provide the following additional Basic Services for Phase 2 Bidding:

1. Based upon the agreed-upon scope of work, prepare Contract Documents consisting of drawings and specifications, setting forth in detail the requirements for the construction of the project. Drawing sheets and specification sections, applicable to buildings N, P, O, and Q-Loft will be extracted from the previously created Contract Documents and will be compiled into a Phase 2 document set.
2. Attend multiple pre-bid conferences and site visits as necessary with the CMR, subcontractors, Department of Corrections (DOC), and DAS.
3. Attend multiple scope review meetings with CMR and DAS to evaluate and review low bids and low bidder qualifications to make recommendations for award.
4. Attend multiple scope review meetings with DAS and the CMR to evaluate and level subcontractor bids.
5. Review the Guaranteed Maximum Price (GMP) proposal from CMR and provide comments and/or recommendations to DAS.

The Architect is authorized to engage the Services of Fuss & O'Neill, Inc., part of the Project Team, to provide additional Bidding Phase 2 Special Services, including, but not limited to:

1. Prepare Phase 2 Construction Documents, consisting of drawings and specifications. Drawings and specifications, previously prepared for the original project will be extracted from the original document package. Specification quantities shall be updated to reflect only buildings N, P, O, and Q Loft.
2. Participate in up to three (3) pre-bid conferences at the project site with CMR subcontractors or as required.
3. Respond to contractor questions and prepare addenda, as necessary.
4. Assist in evaluating bids solicited by the CMR for all trades.
5. Review the CMR Guaranteed Maximum Price (GMP) proposal and provide comments if necessary.
6. Review reconciled GMP.
7. Prepare "Conformed Set of Bid Documents."
8. Collaborate with the Architect and CMR on the feasibility of CMR's proposed project phasing.

The overall construction and total project budget are now established at **\$51,032,511** and **\$76,254,095** respectively.

For reference purposes, the overall construction and total project budget, established under PRB #23-079 were established at **\$50,932,511 (+\$15,032,511)** and **\$66,600,000** respectively, increased from **\$35,900,000** and **\$46,749,000**, under the original Contract (PRB #19-103).

GMP Amendment = \$58,924,309

Hoffmann Basic Service Fee (#19-103)	ARC Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Design Phase	\$474,707				
Design Development Phase	\$533,660				
Construction Document Phase	\$890,240				
Bidding and Review Phase	\$178,290				
Construction Administration Phase	<u>1,436,000</u>				
TOTAL BASIC SERVICE FEE (#19-103) (A)	\$3,512,897		\$3,512,897	\$35,900,000	9.79%
Hoffmann Special Services Fee (#19-103)					
Restoration contractor		\$42,350			
HazMat contractor		<u>\$34,753</u>			
TOTAL SPECIAL SERVICE FEE (#19-103) (B)		\$77,103			
TOTAL FEE #19-103 (A) + (B)			\$3,590,000	\$35,900,000	10.00%
Expanded Bid Phase (A1) (23-079)	\$34,100				
TOTAL BASIC SERVICE FEE (#23-079) (A) + (A1)	\$3,546,997			\$50,932,511	6.96%
Hoffmann Special Services Fee (#23-079)					
HAZMAT Bidding		\$9,185			
HAZMAT CA Phase		\$55,000			
HAZMAT Monitoring		<u>\$794,200</u>			
TOTAL SPECIAL SERVICES (B1) (23-079)		\$858,385			
TOTAL FEE #23-079 (A) + (A1) + (B) + (B1)			\$4,482,485	\$50,932,511	8.80%
Phase 2 CD and Bidding (A2) (24-069)	\$43,600				
TOTAL BASIC SERVICE FEE (#24-069) (A) + (A1) + (A2)	\$3,590,597			\$51,032,511	7.04%
Special Service Phase 2 Hazmat CD and Bidding (B2)		<u>\$25,190</u>			
24-069 TOTAL SPECIAL SERVICES(B)+(B1)+(B2)		\$960,678			
TOTAL FEE #24-069 (A) + (A1) + (A2) + (B) + (B1) + (B2)			\$4,551,275	\$51,032,511	8.92%

Staff inquired with DAS-RECS regarding the following:

4. Please provide a brief status update with respect to the initial phase of this Project.
5. What is the impact on the Construction Phase services with respect to the 748-calendar day construction phase and this Phase 2?
6. The GMP Amendment = \$58,924,309, specifically excluding window/door replacement in Phase 2 (Buildings N, O, P and Q-Loft). Form 1105 identifies funding for \$63,000,000 from PA 21-111, Section 21(j) and the Total Project Cost is now \$76,254,095. Please clarify the following:
 - e. Identify the source of funding in that it appears this Budget exceeds the statutory funding of \$63,000,000;
 - f. Is the funding sufficient to cover the doors/windows portion in Phase 2, or will DAS/DOC require supplemental funding from Legislature and Bond Commission?
 - g. Is Form 1130, dated 4-10-24, accurate in that the Construction Budget (\$51,032,511) is less than the actual GMP (\$58,924,309); and
 - h. Does this require a revised Form 1105?

RECOMMENDATION: Staff recommend suspension of Amendment #2 in the amount of \$68,790 for additional pre-construction services to repackaging the Contract Documents and Bid Phase 2 for renovations to Buildings N, O, P and Q-Loft within this Project, pending response from DAS.

PROPOSED AMOUNT: \$892,485

At the State Properties Review Board meeting held on June 1, 2023, the Board voted to suspend this file pending Board clarification of the following issues:

- 1) What is the status of the Project?
DAS Response: DAS is in the preparing the GMP with the CMR for a portion of the project.
Staff Response: OK
- 2) Why did the project take from 2019 till now? Why is there delay in executing this project?
DAS Response: The project was ready to bid, and the DAS Management changed the delivery method from DBB to CMR.
Staff Response: OK
- 3) Why was project not bid after the Architect, HA submitted the bid documents in July 2021?
DAS Response: Again, because the project delivery method was changed which meant repackaging the documents and getting a CMR on board.
Staff Response: OK
- 4) Please clarify what led to the change in the Project delivery method to CMR from the original DBB and who made that decision?
DAS Response: This was a DAS procedural directive from Deputy Commissioner Noel Petra.
Staff Response: OK
- 5) What amount has been paid to the Architect and any other sub-consultants before changing the project delivery method?
DAS Response: The architect was subconsultants were compensated for the completed 110% SD, DD, and CD phase.
Staff Response: DCS clarified that compensation is 100% not 110% during the meeting.
- 6) Please provide electronic copies of the Cost Estimates delivered in the SD, DD and CD Phases, and please reconcile with the current Project Budget 41.9% higher than the original estimate.
DAS Response: Sent with other email. The budget was not accurate from the beginning, additionally COVID and inflation was a major contributor.
Staff Response: Two Sub-Consultants provided cost estimates for this project: Nasco (ARC) and Ellana (CA), and their final, reconciled, cost estimates were \$44,118,547 and \$43,796,000, respectively.
- 7) Provide staffing matrix for F&O's increase in the fees
DAS Response: See attached.
Staff Response: OK
- 8) F&O's fees increased from \$34,753 to \$858,385. Was any other consultant contacted to provide fee seeing that the amount of increase in the fee is \$823,632?
DAS Response: The scope of work for F&O is for monitoring hazmat removal. At the time Hoffman submitted their original proposal the extent of abatement was not quantified and therefore F&O could not put a value to this scope of work, accordingly once the Hazmat scope of work was finalized DAS requested the monitoring scope of work and fee outlined in F&O proposal.
Staff Response: OK
- 9) Please provide the RFP referenced in the Architect's proposal. How many responses were received for this RFP?
DAS Response: See Attached 5 responses were received, please see the attached long list.

Staff Response: OK

RECOMMENDATION: Staff recommend **APPROVAL** of Amendment #1 in the amount of \$892,485 to provide expanded ARC Services for the Project.

- DAS has confirmed for that funding is available for this Amendment.

PROPOSED AMOUNT: \$892,485

At the June 6, 2019 SPRB Meeting, the Board approved under PRB #19-103, the Consultant's Contract (BI- JA-485-ARC) exterior door and window replacement project at Osborn Correctional Institution in Somers, CT. The overall compensation rate approved for this basic service was \$3,512,897 with an additional \$77,103 for special services, for a total fee of \$3,590,000.

Under this proposal (PRB #23-079), DAS is now seeking Board approval of Amendment #1 to the ARC Consultant Contract to compensate the ARC an additional \$892,485 for additional ARC Design and CA Services, including:

1. Expanded Bid Phase Services as it relates to the change in delivery method from Design, Bid, Build, (DBB) to Construction Manager at Risk (CMR) - \$34,100;
 - a) Remove Division 1 Specifications in the project manual and replace with Division 1 Specifications specific to the Construction Manager at Risk (CMR) project delivery method.
 - b) Attend multiple pre-bid conferences and site visits as necessary with the CMR, subcontractors, Department of Corrections (DOC), and DAS.
 - c) Attend multiple scope review meetings with CMR and DAS to evaluate and review low bids and low bidder qualifications to make recommendations for award.
 - d) Attend meetings with the CMR, DAS, and DOC to review and discuss the CMR's proposed construction phasing plan.
 - e) Attend meetings with the CMR, DAS, and DOC to review contract documents and discuss feasibility and logistics.
 - f) Review final reconciled Guarantee Maximum Price (GMP) and recommend approval
2. Expanded Bid Phase Services as it relates to Hazardous Materials Services - \$9,185;
 - a) Attend multiple pre-bid conferences and site visits as necessary with the CMR, subcontractors, Department of Corrections (DOC), and DAS.
 - b) Attend multiple scope review meetings with CMR, the Architect, and DAS to evaluate and review low bids and low bidder qualifications to make recommendations for award.
 - c) Attend meetings with the CMR, DAS, the Architect, and DOC to review and discuss the CMR's propose construction phasing plan.
 - d) Attend meetings with the CMR, DAS, the Architect and DOC to review contract documents and discuss feasibility and logistics.
 - e) Review final reconciled Guarantee Maximum Price (GMP) and recommend approval.
3. Expanded CA Phase Services – \$55,000
 - a) Participate in multiple meetings as necessary with DAS, DOC and the CMR prior to the

- commencement of the work, to review the CMR's proposal for compliance with the requirements of the Contract Documents.
- b) Review and take appropriate action on CMR submittals, shop drawings, product data, and samples, for general conformance with the design concept expressed in the Contract Documents.
 - c) Visit the site and attend owner's meetings as necessary during the construction to become generally familiar with the progress and quality of abatement work and to determine if the work being performed is compliant with the Contract Documents.
4. Addition of HAZMAT CA Services and Monitoring Services - \$794,200
- a) During abatement, provide two (2) full-time, on-site project monitors to observe critical barriers and regulated waste for proper disposal. Each project monitor will review the abatement procedures of up to four (4) work crews.
 - b) Provide Connecticut-certified project monitors to monitor airborne hazardous materials and conformance with hazardous materials abatement specifications.
 - c) Collect and analyze air samples, on a periodic basis, for the presence of hazardous materials.
 - d) At the conclusion of the project, provide a monitoring summary report, which will include inspection reports, checklists, and log sheets prepared throughout the duration of the construction phase.
 - e) Observe the construction of regulated work areas and interior containments. Fuss & O'Neill will also conduct pre-abatement work area visual inspections.
 - f) Provide trained, experienced, and Connecticut-certified Asbestos Project Monitors to verify adherence to technical specifications during abatement activities. Notify the project team of any deviations.
 - g) The Project Monitor's specific on-site duties will include:
 - 1) Document that the asbestos abatement contractor is adhering to standard procedures identified in the technical specification during removal/abatement work.
 - 2) Periodically collect and analyze on-site background air samples by Phase Contrast Microscopy (PCM) to evaluate total airborne fiber concentrations in areas adjacent to abatement activities.
 - 3) Collect background samples exteriorly adjacent to the regulated work areas
 - 4) Check regulated work area barriers for integrity, adherence to standard operating procedures, and proper engineering control systems are in place.
 - 5) Conduct a final visual inspection for areas of asbestos removal to ensure the scope of removal/abatement work has been completed, and to provide a final visual inspection form once abatement is complete.
 - 6) All interior work containments will undergo final visual inspection and re-occupancy air clearance sampling.
 - 7) Collected background air samples will be analyzed by PCM and compared to CTDPH re-occupancy standards to ensure that the Contractor's engineering controls are successful or if modifications are required.
 - 8) Samples will be collected at the exterior adjacent to the regulated work area.
 - 9) Collect Abatement contractor's certifications, licenses, medical and training records.
 - 10) Collect Waste disposal records.
 - h) The Monitoring Summary Report will include, but not limited to:
 - 1) Introduction and summary of the project
 - 2) Final visual inspection form(s)
 - 3) Air sampling analysis worksheet
 - 4) Air sample data sheets
 - 5) Sample analysis laboratory reports
 - 6) Daily log sheets
 - 7) Pre-abatement, final checklists, and inspection reports for work areas
 - 8) Permits and notifications

The overall construction and total project budget have now been established at **\$50,932,511 (+\$15,032,511)** and **\$66,600,000** respectively.

For reference purposes, the overall construction and total project budget, established under PRB #19-103, were established at **\$35,900,000** and **\$46,749,000**.

Hoffmann Basic Service Fee (#19-103)	ARC Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Design Phase	\$474,707				
Design Development Phase	\$533,660				
Construction Document Phase	\$890,240				
Bidding and Review Phase	\$178,290				
Construction Administration Phase	<u>1,436,000</u>				
TOTAL BASIC SERVICE FEE (#19-103) (A)	\$3,512,897			\$35,900,000	9.79%
Expanded Bid Phase (A1)	\$34,100				
TOTAL BASIC SERVICE FEE (#23-079) (A) + (A1)	\$3,546,997			\$50,932,511	6.96%
Hoffmann Special Services Fee (#19-103)					
Restoration contractor		\$42,350			
HazMat contractor		<u>\$34,753</u>			
TOTAL SPECIAL SERVICE FEE (#19-103) (B)		\$77,103			
HAZMAT Bidding		\$9,185			
HAZMAT CA Phase		\$55,000			
HAZMAT Monitoring		<u>\$794,200</u>			
TOTAL SPECIAL SERVICE FEE (#23-079) (B1)		\$858,385			
TOTAL SPECIAL SERVICE FEE (#23-079) (B) + (B1)		\$935,488			
TOTAL FEE (PRB #23-079) (A) + (A1) + (B) + (B1)			\$4,482,485	\$50,932,511	8.80%

Staff have requested clarification of the following issue:

1. What is the status of the Project?
2. Why did the project take from 2019 till now? Why is there delay in executing this project?
3. Why was project not bid after the Architect, HA submitted the bid documents in July 2021?
4. Please clarify what led to the change in the Project delivery method to CMR from the original DBB and who made that decision?
5. What amount has been paid to the Architect and any other sub-consultants before changing the project delivery method?
6. Please provide electronic copies of the Cost Estimates delivered in the SD, DD and CD Phases, and please reconcile with the current Project Budget 41.9% higher than the original estimate.
7. Provide staffing matrix for F&O's increase in the fees
8. F&O's fees increased from \$34,753 to \$858,385. Was any other consultant contacted to provide fee seeing that the amount of increase in the fee is \$823,632?
9. Please provide the RFP referenced in the Architect's proposal. How many responses were received for this RFP?

RECOMMENDATION: Staff recommend suspension of Amendment #1 in the amount of \$892,485 to provide expanded ARC Services for the Project, pending response from DAS to aforementioned issues.

- DAS has confirmed for that funding is available for this Amendment.

From PRB #19-103

PROPOSED AMOUNT: \$3,590,000

This project involves providing architectural and engineering services for the exterior door and window replacement project at Osborn Correctional Institution in Somers, CT.

Osborn CI – population 1,348 - is a medium security institution constructed in two phases. The original section was constructed in 1957. The second and larger phase was constructed in 1960. All windows and doors are original to the building and have exceeded their useful service life. The correctional institution comprises approximately 990,000 square feet of floor area and approximately 93,200 square feet of window and door openings. The facility is heated from a central boiler house but, there is no air-conditioning, with the exception of window units for some spaces. All window replacements must take into account the requirement for natural ventilation in the building.

The Department of Corrections had requested DCS effect the renovation/modernization identified in a July 2017 Study – Osborn Window and Exterior Door Replacement (BI-JA-479).

In September 2018 the Department of Construction Services (“DCS”) issued a Request for Qualifications for Architect/Engineer (A/E) Consultant Services related to the Osborn Exterior Door and Window Replacement project. DCS elicited five (5) responses to the advertisement of which all submittals were considered “responsive” but one firm subsequently withdrew. DCS then proceeded to review the submittals and after the completion of the internal review process, and all four firms were selected for short-listed interviews. These firms were as follows, Hoffmann Architects, Inc., Clohessy Harris & Kaiser, LLC, Northeast Collaborative Architects, LLC and Silver, Petrucelli & Associates, 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 Hoffmann Architects, Inc. (“HAI”) as the most qualified firm.

The overall construction and total project budget have been established at \$35,900,000 and \$46,749,000.

This proposal before the Board is for a new ARC contract for the Consultant to provide Schematic Design, Design Development, Contract Documents, Bidding and Construction Administration services with the following scope:

- The replacement of all exterior doors and windows at Osborn Correctional Institution including
- Visual survey / investigation of existing doors and windows throughout the facility to design head, jamb, and sill details for new units;
- Verification of existing window types and quantities;
- Exploratory probes at select locations to understand the condition and configuration of existing materials adjacent to window openings;
- Review preliminary design concepts for reduction in existing glazing area. Prepare and

- value engineer schematic level wall assembly options for DCS/DOC approval;
- Construction of interior and exterior temporary partitions, fences, barricades, access routes, etc. for project phasing and security;
- Abatement and removal of all window and door frames;
- Disposal of the entire window and frame as hazardous material contaminated refuse;
- Preparation of existing masonry/rough openings;
- Preparation and painting of miscellaneous structural steel;
- Installation of new detention grade doors, windows, curtain walls, hardware, and associated materials and assemblies; and,
- Replacement of windows and coordination with new wall assemblies to reduce glazing area.

The overall compensation rate for this ARC basic services is \$3,590,000.

DAS has confirmed that funding is in place for design and construction administration services.

Hoffmann Basic Service Fee (#19-103)	ARC Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic Design Phase	\$474,707				
Design Development Phase	\$533,660				
Construction Document Phase	\$890,240				
Bidding and Review Phase	\$178,290				
Construction Administration Phase	<u>1,436,000</u>				
TOTAL BASIC SERVICE FEE (#19-103) (A)	\$3,512,897			\$35,900,000	9.79%
Hoffmann Special Services Fee (#19-103)					
Restoration contractor		\$42,350			
HazMat contractor		<u>\$34,753</u>			
TOTAL SPECIAL SERVICE FEE (#19-103) (B)		\$77,103			
TOTAL FEE (PRB #19-103) (A)+ (B)			\$3,590,000	\$35,900,000	10.00%

- The September 2018 RFQ elicited 5 responses. The Selection Panel interviewed four firms and ultimately recommended the appointment of Hoffmann Architects, Inc. (HAI). The selection was approved by Commissioner Currey on 11/26/18.
- HAI is located in Hamden. This firm was established in 1985 and has 44 employees which includes fourteen registered Architects and four structural engineers. HAI is operating under its corporate license No. ARC.0000228. The license is valid until 07/31/2019.
- Smith Brothers Insurance, LLC reported that over the past 5 years HAI has been exposed to two general liability or professional liability claims, both of which have been closed.
- The submittal is accompanied by a Consulting Agreement Affidavit notarized on 9/24/2018.

RECOMMENDATION: Staff recommend approval of this ARC consultant contract in the amount of \$3,590,000. The overall basic service rate of 9.79% is generally consistent with the established guideline rate of 9.5% for this Group B Renovation Project.

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB #	24-083
Origin/Client:	DAS/WCSU
Transaction/Contract Type	AE / Amendment
Project Number	CF-RD-303
Contract	CF-RD-303-CA
Consultant:	AI Engineers, Inc.
Property	Danbury, Western CT ST University – Berkshire Hall
Project purpose:	CA Services for Berkshire Hall Renovation
Item Purpose	Amendment #1 for Extended CA Services

CONSULTANT FEE: \$168,586

At the April 25, 2019 SPRB Meeting, the Board approved, under PRB #18-224, the Consultant's Contract (CF-RD-303-CA) to provide construction administration services during the initiation of a schematic design phase through the completion of construction. The overall compensation rate for the basic service was \$1,017,250 with an additional \$84,000 for special services, for a total fee of \$1,101,250. The special services detailed in the project scope include Mechanical, Electrical, Plumbing (MEP) Commissioning and Building Envelope Commissioning services. The contract included an additional \$20,000 for CA Contingency. As such the total project fee was \$1,021,250. Construction phase services were for 548 days plus 90 days for project closeout.

The AG approved the CMR contract on December 6, 2019. The GMP Amendment to the CMR Contract was approved by the Office of the Attorney General on July 28, 2021. The following are the salient points within the GMP Amendment:

- 7-23-2021 – CMR Cover Letter to DAS/RECS - GMP = \$20,954,004
- 7-28-2021 – AG approval of GMP Amendment
- 7-30-2021 – Notice to Proceed (548 construction days)
- 1-28-2023 – Substantial Completion
- \$3,562/day – Liquidated Damages beyond Substantial Completion
- 4-28-2023 – Final Acceptance
- \$3,178/day – Liquidated Damages beyond Final Acceptance

Under this Proposal (PRB #24-083), DAS-RECS and WCSU are now seeking Board approval of Amendment #1 to the Consultant Contract to provide extended Construction Administration Services, provide additional Supervision and Observation to provide review and analysis of Recovery Schedules and Time Impact Analysis (TIA) and to apply the balance of the contingency to offset the total fee.

The scope of work includes the following:

The Construction Administrator shall provide the following additional services: Additional Construction Administration, Supervision and Observation, and Schedule Review Services for the period between the Original Substantial Completion Date of January 28, 2023, and the Revised Substantial Completion Date of June 2, 2023; one month of Post-Construction CA Services; review and analysis of Recovery Schedules and Time Impact Analyses (TIA's); and an allowance for additional TIA and Claims Meetings, if required. If the allowance for TIA and Claims Meetings is not used, it will be credited in a separate Contract Amendment.

All of the above services represent the period between January 28, 2023, and October 2, 2023.

The Consultant provided the following information in their request for this Amendment:

AI Engineers is requesting the following extension of CA services to cover the changes in contract listed below:

- The original substantial completion of the project was established as 01/28/2023, however, the CMR was granted a no cost time extension of 96 days, which changed the substantial completion to 05/04/2023.
- Due to CMR delays, it was agreed that the substantial completion date would be changed to 06/02/23. This change resulted in a 29 day duration extension.
- Per the contract, the CMR had 90 days to complete the closeout period. Due to numerous delays and issues the project was not closed out in this period and has extend past the due date of 08/31/23.

Due to these changes AI Engineers is requesting an additional (4) months of CA Services during the Construction phase and (1) month of CA Services during the Post Construction Phase (Construction Administration services only). This Additional CA Services extension also includes additional schedule review services provided by our subconsultant, Arcadis, for the review and analysis of monthly schedule reviews for the months of February – April of 2023, as well as recovery schedule and TIA reviews. Below is the breakdown of costs that we have expended and will incur to perform the additional CA services.

A breakdown of the Fee Proposal is as follows:

a. Construction Administration during Construction, \$5,700.00/month for 4 months	\$22,800.00
b. Post-Construction Construction Administration, \$5,700.00/month for 1 month	\$5,700.00
c. Supervision and Observation, \$32,300.00/months for 4 months	\$129,200.00
d. Review and Analysis of Recovery Schedules and Time Impact Analysis	\$25,586.00
e. Deduct unused DAS Contingency Allowance in CA Contract	(-\$20,000.00)
f. Additional TIA and Claims Meetings	<u>\$5,300.00</u>
TOTAL	\$168,586.00

DAS-RECS was presented with the following inquiry regarding this Proposal:

1. The Amendment and DAS Memo clearly define proposed fees for Extended CA Phase services during the extended period as well as extended close out and recovery schedules & TIAs (Arcadis). Please define what scope of services are/were provided by the Consultant for “Supervision and Observation” as this language was not contained in the Contract or this Amendment, nor is it found in the CA Project Administration Manual 600, and how these proposed services fall outside of the Supervision and Inspection Services detailed in Section 2.4.7 of the CA Manual and that of the original Contract or this Amendment.

DAS/RECS Response: This is correct. The AI Engineers Amendment CF-RD-303-CA-A1 is for additional Supervision and Inspection Services, Closeout Management, and Review of Recovery Schedules and Time Impact Analyses (TIAs) due to delays by the CMR in completing the project.

The “Supervision and Observation” services are equivalent to the “Supervision and Inspection Services” detailed in Section 2.4.7 of the CA Manual. As such, these services do not fall outside of the Supervision and Inspection Services detailed in Section 2.5.7 of the CA Manual, nor do they fall outside of the Supervision and Inspection Services that are part of the Original CA Contract.

Staff Response: The Consultant and DAS-RECS highlighted their request the fees request for the CA Administration – work done to administer the actual contract in the office – along with Supervision and Observation – work done in the field during the extended period. The term ‘Supervision and Observation’ and ‘Supervision and Inspection’ were different labels for the same job function.

A follow-up question was raised seeking the DAS-RECS and the Consultant to support their \$38,000 monthly request, for four additional months, in light of their contractual monthly CA-Phase fee of approximately \$34,500 per month (CA Total Fee = \$724,230 / 21 months).

RECOMMENDATION: Staff recommends suspension of Amendment #1 for Extended CA Services to complete this Project, upon DAS-RECS providing support regard the CA Fees for the final four months of the Project.

FROM PRB #18-224

UPDATE - APRIL 22, 2019

At its meeting held on January 3, 2019, the State Properties Review Board voted to suspend this item for the following reason:

- Until further clarification is received regarding OPM Form 1.

DAS/DCS has provided the Board with SEEC File No. 2019-033 regarding the outcome of the SEEC investigation of the Respondent's (Rubina Islam) June 2017 \$100 contribution to the campaign of "Srinivasan for Governor." Paragraph 9 of the *Agreement Containing Consent Order* confirms that as the spouse of "principal state contractor" she is covered by the prohibitions contained in CGS §9-612. And, paragraph 12 of the Agreement affirms the contribution to a candidate committee for statewide office was a prohibited contribution in violation of CGS §9-612 (f)(1)(F)(v).

The SEEC, in paragraph 21 of the Agreement, concludes that "these mitigating circumstances concerning the violation by Respondent do not bar DAS pursuant to CGS §9-612 (f)(2)(c) from implementing or otherwise moving forward with their existing contract obligations with the Company and that DAS may exercise their discretion consistent with their authority under that section."

RECOMMENDATION: Staff recommends APPROVAL of the agreement with the Consultant in the amount of \$1,021,250.

PROPOSED AMOUNT: \$1,021,250

This this project involves a partial implementation of an approved 2016 Perkins +Will's Master Plan for WCSU. This project initiates the Berkshire Hall classroom building conversion into a new student center, with a new student-dining facility and a central commercial kitchen for the campus.

In this first phase of the project, WCSU requires pre-design, design and construction administration services for the project, including exterior site work including a new site retaining wall for loading dock access to the new kitchen. Preliminary plans require selective demolition replaced with a new 22,000 square foot facility with renovation to approximately 10,000 square feet of Berkshire Hall. The pre-design study will verify the programmatic requirements.

The anticipated scope of work for the building's conversion includes the removal of the basement, first and second floors of Berkshire's classroom wing, the locker room and fitness center wing, as well as investigate the re-use of the theater wing and retain the gymnasium footprint.

The overall construction and total project budget have been established at \$16,635,294 and \$27,002,335 respectively.

In December 2017 the Department of Construction Services ("DCS") issued a Request for Qualifications for Construction Administrator (CA) Consultant Services related to the WCSU Berkshire Hall Conversion project. DCS elicited 15 responses to the advertisement of which all submittals were

considered “responsive”. DCS then proceeded to review the submittals and after the completion of the internal review process, five firms were selected for short-listed interviews. These firms were as follows, AI Engineers, Inc. HAKS Engineers, P.C., KBE Building Corporation, Nosal Builders, Inc. and The Morganti Group, 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 AI Engineers, (“AIE”) as the most qualified firm.

This contract is for Construction Administrator (CA) Consultant Services for the completion of the WCSU Berkshire Hall Conversion 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 \$1,017,250 with an additional \$84,000 for special services, for a total fee of \$1,101,250. The special services detailed in the project scope include Mechanical, Electrical, Plumbing (MEP) Commissioning and Building Envelope Commissioning services. The contract includes an additional \$20,000 for CA Contingency. As such the total project fee is \$1,021,250.

WCSU confirmed funding is in place for preconstruction services totaling \$197,020 via CHEFA Bond Funding for pre-construction services.

AIE Fee for Basic Services (PRB #18-224)	<u>COST (\$)</u> <u>(BASIC)</u>	<u>COST (\$)</u> <u>(SPECIAL)</u>	<u>Total Cost</u>	<u>C. Budget</u> <u>(\$)</u>	<u>(%)</u> <u>Budget</u>
Pre-Design Phase	\$18,280				
Schematic Design Phase	\$18,280				
Design Development Phase	\$39,460				
Contract Document Phase	\$98,120				
Bidding and Review Phase	\$20,880				
Construction Administration Phase	\$650,007				
Project Close Out	<u>\$72,223</u>				
TOTAL BASIC SERVICE FEE (#18-224) (A)	\$917,250			\$16,635,294	5.51%
SPECIAL SERVICES:					
MEP Commissioning		\$55,540			
Building Envelope Commissioning		\$24,460			
Contingency		\$20,000			
Mark Up on Commissioning		<u>\$4,000</u>			
TOTAL SPECIAL SERVICES(B)		\$104,000			
TOTAL FEE (PRB #18-224) (A) + (B)			\$1,021,250	\$16,635,294	6.14%

Staff asked DCS to clarify the following:

1. B1105 is not executed by DCS
 - DCS provided an executed Form B1105.
2. Please clarify the difference in the estimated CA Phase Services is estimated at 600 calendar days with the Consultant’s proposal identifying 18 months, or 540 calendar days.
 - DCS provided an updated contract reflecting the 18-month construction schedule.
3. There are issues with OPM Form 1 and currently the Board is in the process of making policy for such issues.

RECOMMENDATION: Staff recommended suspension until Board Policy regarding OPM Form 1 is agreed upon and implemented by the Board.

7. OTHER BUSINESS:

Chairman Josephy requested a motion to approve Board Fees reimbursement for the Members attending the June 7th Personnel Subcommittee Meeting to discuss Personnel Matters before the Board, including Mr. Josephy, Mr. Berger and Mr. Greenberg. Mr. Valengavich made the motion, seconded by Mr. Halpert. The motion passed unanimously.

These minutes incorporate a vote taken at the June 6, 2024 meeting – inadvertently omitted from the Minutes - where a motion was made by Mr. Valengavich and seconded by Mr. Greenberg that approved Board Fees reimbursement for the Members attending the June 4th and 5th Meeting including Mr. Josephy, Mr. Berger and Mr. Greenberg with DAS Human Resources for interviews with Candidates for the vacant staff position.

8. VOTES ON PRB FILE:

PRB FILE #24-076 – Mr. Valengavich moved and Mr. Halpert seconded a motion to suspend PRB FILE #24-076, pending DAS-JUD review of options within the Lease. The motion passed unanimously.

PRB FILE #24-069 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #24-069. The motion passed unanimously.

PRB FILE #24-083 – Mr. Valengavich moved and Mr. Halpert seconded a motion to suspend PRB FILE #24-083, pending response from DAS-RECS regarding the Fee Proposal for the extended 4-month CA services. The motion passed unanimously.

9. NEXT MEETING – Special Meeting, Tuesday, June 11, 2024.

The meeting adjourned.

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