

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On June 17, 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
William Cianci

Members Absent:

Staff Present – solely by means of electronic equipment:

Thomas Jerram

Guests Present – solely by means of electronic equipment:

David Barkin, DAS-RECS

Mr. Valengavich moved and Mr. Berger 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 13, 2024 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Staff presented the Board with a monthly voucher statement pursuant to CGS 13a-73(h) identifying DOT real estate acquisitions for less than \$10,000.

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

5. ARCHITECT-ENGINEER - UNFINISHED BUSINESS

PRB #	24-064
Origin/Client:	DAS/ECSU
Transaction/Contract Type	AE / Task Letter
Project Number	BI-RW-351
Contract	OC-DCS-ARC-0066
Consultant:	Quisenberry Arcari Malik, LLC
Property	Willimantic, Windham St (83) – ECSU Sports Center
Project purpose:	ECSU Sports Center Pool Renovation & Structural Repair
Item Purpose	Task Letter #5

CONSULTANT FEE: \$195,200

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. The Form 1105 stated funding for this project was from “the remaining funds authorized/allocated under CSCU 2020 Capital Projects Program.” There was no funding verification from either DAS-RECS or CSCU contained within this Proposal. Please confirm the funding.
DAS-RECS response: DAS/RECS has uploaded to the SPRB SharePoint site funding verification.
Staff Response: CSCU confirmed the funding (\$195,200) was available from CSCU 2020 Capital Projects Program. OK
2. The Consultant’s Proposal identified \$30,385 for combined SD/DD services, and this Task Letter #5 includes \$34,685 for combined SD/DD services. Please identify what led to the increase in the Consultant’s proposed fee for SD/DD services.
DAS-RECS response: DAS/RECS has uploaded to the SPRB SharePoint site a revised task letter and a revised proposal.
Staff Response: The Consultant had resubmitted their Proposal to DAS-RECS. The Fee Proposal is as follows:

QAM Basic Services Fee (TL5 - PRB #24-064)	Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic/Design Development Phase (56 days)	\$68,320				
Contract Documents Phase (98 days)	\$58,560				
Bidding Phase	\$9,760				
Construction Administration (180 days)	\$58,560				
TOTAL BASIC SERVICE FEE (TL5 - PRB #24-064) (A)	\$195,200			\$1,400,000	13.94%

The primary difference from the original Proposal and Task Letter is reallocating their effort from the CD Phase to the combined SD/DD phase. There were also minor changes to the Bidding and CA Phase fees. There was no change to the Consultant’s total fee. OK

RECOMMENDATION: Staff recommends approval of Task Letter #5 in the amount of \$195,200 for design, bidding and CA Services related to the ECSU Sports Center Pool Renovation & Structural Repair Project.

- CSCU has confirmed for that funding is available for this Amendment.
- The submittal is accompanied by a Campaign Contribution Affidavit notarized on 8/9/23.

CONSULTANT FEE: \$195,200

PROJECT BACKGROUND

The Sports Center and Pool was constructed in 1970, at a time when the University's enrollment was less than half the current enrollment level. The Sports Center & Pool had a recent study completed on December 13, 2022, by Partner Engineering and Science and TPC Architects and is attached for your use. The study pointed out that the Pool needed some equipment replaced, some updating, and renovation. The study also pointed out that the Sports Center needed some structural repairs done as soon as possible since water leaks have damaged some structural steel beams on the bottom of level two at the northwest corner by the Gym emergency exit doors.

The Pool Renovation & Structural Repair project is intended to make these much-needed pool repairs and equipment updating and preferably do it so the pool can still be used by ECSU Athletics Swim Team, if possible, thus making the construction a summer project. The pool area is in located in a 13,416 square foot area and the pool equipment is located below the pool. The December 2022 Pool Study cost estimate was \$920,000 dollars to update the equipment. When one considers inflation, I suggest inflated the pool cost estimate 20% to \$1,104,000 dollars.

The structural concern ECSU has at the Sports Center is due to a rusted beam area that has recently become exposed at the northeast corner of the gym. It looks like flashing on the exterior of the second-floor gym exit has failed and allowed water drainage to damage the steel beam that is below the gym exit door area. Thus, this steel beam needs to be repaired as part of this structural correction. I would estimate the structural repair cost to be approximately \$296,000. Thus, the total project construction cost estimate is \$1,400,000. When one adds the contingency and other fees this becomes a \$1,700,000 project.

Under this proposal (PRB #24-064), DAS-RECS is now seeking Board approval of Task Letter #5 to the Consultant's (Quisenberry Arcari Malik, LLC) On-Call Contract – OC-DCS-ARC-0066 – to expend \$195,200 for design, bidding and CA Services related to the agency-administered Project with the following scope of work:

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

- The Consultant shall provide design and construction administration services to renovate and update the Sports Center & Pool facility. The Consultant shall also develop drawings and specifications for structural repairs. The Consultant shall identify and repair pool equipment.
- The Consultant shall replace the existing natatorium heating & ventilation. The Consultant shall refer to the study completed by Partner Engineering and Science and TPC Architects dated December 13, 2022.

The Consultant shall develop two schemes during the Schematic Design Phase. The first scheme will expand the existing basement level mechanical room to house the new pool equipment and to provide a new means of egress to the exterior. The Consultant shall also include an addition large enough to accommodate a stairway and an areaway for equipment access. The second approach will utilize an addition large enough to house all new pool equipment at grade level with a new basement level passageway that provides egress and piping access from the current basement level mechanical room. The Consultant shall produce construction documents to be used in bidding and constructing the project once a scheme is selected.

In addition to the design and bid services, the Consultant will provide CA Services over the 26-week construction phase with visiting the site a minimum of 13 times during construction.

In May 2021, SPRB approved Quisenberry Arcari Malik, LLC ("QAM") (PRB #21-061) as one of five Firms under the latest *On-Call ARC Architect Series* of consultant contracts. These contracts have a common expiration date of August 15, 2023 and have a maximum cumulative fee of \$1,000,000. The Consultant's Contract was amended under 23-140 to extend the expiration date to May 15, 2024.

Since the award of this contract QAM has been approved for the following tasks under this series:

8/15/2023	OC-DCS-ARC-0066	Quisenberry Arcari Malik LLC	\$1,000,000	21-061
5/15/2024				23-140
	Task Letter #1	MXCC – Advance Mfg Renov.	\$99,695	Informal
	Task Letter #2	Capital CC – Mfg Feasibility Study	\$29,850	Informal
	Task Letter #4	Capital CC Advance MFG	\$99,370	Informal
		Total Informal TLs	\$228,915	
	Task Letter #3	Aircraft Storage-Maintenance Hangar	\$458,025	22-142
	Task Letter #3A	Aircraft Storage-Maintenance Hangar	\$9,240	23-067
	Task Letter #5	ECSU Sports Pool Renovation & Structural Repair	\$195,200	24-064
		Total Committed Funds	\$696,180	
		Maximum Total Fee	\$1,000,000	
		Uncommitted (Remaining)	\$303,820	

DAS-RECS states the overall construction and total project budget are \$1,400,000 and \$1,700,000 respectively.

DAS-CS has authorized the Consultant to retain the following Sub-Consultants (+10% OHP) during the CA Phase:

- Szewczak, Kilty & Fluhr, Avon, CT – to provide structural engineering services for a total fee of \$20,000;
- Van Zelm Engineers, Farmington, CT – to provide MEP services for a total fee of \$49,900;
- Alfred Benesch & Company (CES), Glastonbury, CT – to provide civil engineering services for a total fee of \$18,300;
- Aquatica, Newtonville, NY – to provide aquatics engineering services for a total fee of \$33,000; and
- Pan American Consulting Services LLC, Colechester – to provide cost consulting services for a total fee of \$6,000.

QAM Basic Services Fee (TL5 - PRB #24-064)	Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic/Design Development Phase	\$34,685				
Contract Documents Phase	\$95,450				
Bidding Phase	\$9,295				
Construction Administration (180 days)	\$55,770				
TOTAL BASIC SERVICE FEE (TL5 - PRB #24-064) (A)	\$195,200			\$1,400,000	13.94%

Staff had the following questions for clarifications:

3. The Form 1105 stated funding for this project was from “the remaining funds authorized/allocated under CSCU 2020 Capital Projects Program.” There was no funding verification from either DAS-RECS or CSCU contained within this Proposal. Please confirm the funding.
4. The Consultant’s Proposal identified \$30,385 for combined SD/DD services, and this Task Letter #5 includes \$34,685 for combined SD/DD services. Please identify what led to the increase in the Consultant’s proposed fee for SD/DD services.

RECOMMENDATION: Staff recommends suspension of Task Letter #5 in the amount of \$195,200 for design, bidding and CA Services related to the ECSU Sports Center Pool Renovation & Structural Repair Project, pending response from DAS.

6. ARCHITECT-ENGINEER - NEW BUSINESS

PRB # 24-080
Origin/Client: DAS/DAS
Transaction/Contract Type AE / Amendment
Contract: OC-DCS-VEH-0029
Consultant: Macchi Engineers, LLC
Item Purpose: Amendment #1 for Time

PRB # 24-081
Origin/Client: DAS/DAS
Transaction/Contract Type AE / Amendment
Contract: OC-DCS-VEH-0030
Consultant: Vanasse Hangen Brustlin, Inc.
Item Purpose: Amendment #1 for Time

PRB # 24-082
Origin/Client: DAS/DAS
Transaction/Contract Type AE / Amendment
Contract: OC-DCS-VEH-0031
Consultant: SLR International Corp.
Item Purpose: Amendment #1 for Time

At the State Properties Review Board meeting held on March 17, 2022, the Board approved PRB Files #22-028 to 22-030, three On-Call Vehicular Parking Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2002. The three (3) On-Call Contracts have a maximum total cumulative fee of \$500,000 per contract and a common expiration date of 7/01/2024.

DAS advertised for a new series of VEH On-Call Contracts on April 4, 2024 with responses due no later than May 16, 2024. The RFP is identified as ‘Under Evaluation.’

Under this Proposal (24-080 to 24-082), DAS-CS is now resubmitting these Firms to the Board for approval under Contract Amendment #1 to the On-Call Architect Consulting Contracts (VEH-29, 30 & 31) to extend the contract expiration date to January 3, 2025. The \$500,000 maximum cumulative fee is unchanged.

In addition to extending the contract expiration date, DAS-RECS has incorporated all Articles reflecting statutory changes/additions from the prior On-Call Series.

A summary of Task Letters for each Consultant under this Series is as follows:

7/1/2024	OC-DCS-VEH-0029	Macchi Engineers LLC	\$500,000	22-028
	Task Letter #1	NHCC Parking Garage Repairs	\$11,528	Informal
	Task Letter #2	Plaza and Parking Garage Repairs	\$189,890	22-126
	Task Letter #3	79 Elm Mech/Elec Vault & Dock Repair	\$61,679	Informal
		Total Committed Funds	\$263,097	
		Maximum Total Fee	\$500,000	
		Uncommitted (Remaining)	\$236,903	
7/1/2024	OC-DCS-VEH-0030	Vanasse Hangen Brustlin Inc	\$500,000	22-029
	Task Letter #1	Hartford CC Parking Garage Inspection/Repairs	\$237,500	23-216
		Total Committed Funds	\$237,500	
		Maximum Total Fee	\$500,000	
		Uncommitted (Remaining)	\$262,500	
7/1/2024	OC-DCS-VEH-0031	SLR International Corp	\$500,000	22-030
	Task Letter #1	Housatonic CC Parking Garage OCR/ADA Study	\$20,000	Informal
		Total Committed Funds	\$20,000	
		Maximum Total Fee	\$500,000	
		Uncommitted (Remaining)	\$480,000	

RECOMMENDATION – Staff recommend **APPROVAL** of Amendment #1 to the On-Call Contracts (VEH-29, 30 & 31) to extend the common expiration date to January 3, 2025. The \$500,000 maximum cumulative fee is unchanged.

This is the 7th series of On-Call Vehicular Parking Consulting Contracts awarded by the Department of Construction Services (“DCS”) since 2002. The three (3) On-Call Contracts that are the subject of this memorandum have a maximum total cumulative fee of \$500,000 per contract and a common expiration date of 7/01/2024. The prior series of On-Call Vehicular Parking Consulting Contracts expired on 11/30/2021 that included a maximum total cumulative fee of \$300,000 per contract.

DESCRIPTION: The scope of work under these contracts shall encompass, but not be limited to:

Provide DAS with vehicular consulting services for sites, properties, structures, and/or buildings under its care and control or under the care and control of other state agencies. The scope of work under these on-call contracts shall encompass, but not be limited to, the entire spectrum of services affecting vehicular parking structure and/or parking lot management, maintenance and repair, design, and related services.

Each contract is exactly the same except for the name and address of the firm, and the named individuals and their titles in Exhibit A. The rates for this series have been carefully reviewed and deemed appropriate for the type of work to be assigned.

The On-Call Contract can be utilized on DCS projects with construction budgets of up to five million dollars (\$5,000,000).

DAS/DCS has made some revisions to the contract for this series to include:

- Expansion of Article W language – Non-Discrimination;
- Removal of Article X language – Executive Orders regarding references to XO 49;
- Expansion of Article Z language – Summary of State Ethics Laws to reflect new laws effective July 1, 2021;
- Removal of Article EE language – Related to an Attachment Notice for Campaign Contributions;
- Addition of Article JJ language – Access to Contract and State Data – requiring the Contractor to provide information to the Client Agency and State Auditors of Public Accounts;
- Addition of Article KK language – Large State Contract Representation for Contractor – requiring the Contractor to comply with Acting Governor Susan Bysiewicz’ Executive Order No.21-2, effective July 1, 2021 regarding gifts and the Contractor’s Principals or Key Personnel;

- Addition of Article LL language – Large State Contract Representation for Official or Employee of State Agency – requiring the State Official or Employee represents that the selection of a Contractor was not the result of collusion, gift, promise of a gift, etc;
- Addition of Article MM language – Iran Energy Investment Certification;
- Addition of Article NN language – Consulting Agreement Certification; and
- Addition of Article OO Language – Notices; and
- Addition of Exhibit A – Hourly Rate Schedule.

A Request for Qualifications (RFQ) for the consultant services was released on September 3, 2021 and elicited four (4) responses at the September 28, 2021 due date for response. All Respondents were interviewed. The State Selection Panel consisted of three members and rated each firm based upon a weighted ranking system.

At the completion of the State Selection Panel process; DCS Management Team reviewed the results and recommended the approval of three firms under this series. The selection of the firms was approved by DAS Deputy Commissioner Petra on 11-17-2021.

This proposal before the SPRB is for review and approval of the following Firms under this Series:

PRB 22-028 – Macchi Engineers, LLC (“MEL”) originally established in 1945 and is locally located in Hartford. MEL has a staff of 10 employees including 6 civil/structural engineers, 1 construction inspector and 1 CADD tech. DCS reports the Consultant has been awarded four contracts in the last five years with \$560,039.76 total volume of work. The company has been awarded the following Formal Contracts and Task Letters for the prior two years:

OC-DCS-VEH-0025:

• Task Letter #1	Lafayette Street Garage Inv. & Repairs	\$88,200	(Informal)
• Task Letter #1A	Lafayette Street Garage Inv. & Repairs	\$10,000	(Informal)
• Task Letter #1B	Lafayette Street Garage Inv. & Repairs	\$222,900	(PRB #21-131)
Total Fee to Date:		\$321,100	

OC-DCS-STR-0031

• Task Letter #7	NVCC – Core Garage Repairs	\$309,600	(PRB #20-193)
• Task Letter #8	DOC – Soffit Repairs - 24 Wolcott Hill Rd	\$4,000	(Informal)
Total Fee to Date:		\$313,600	

MEL will be operating under their Professional Engineering Corporation License (PEC#0000720). Fenner & Esler Insurance Inc. reported that MEL has incurred three (3) general liability or professional policy losses or claims during the past 5 years. Two of these claims are related to state funded projects: Ella Grasso Regional THS and UCONN Stamford parking garage. A third claim is not state related. All claims are closed (\$0). MEL scored a total of 290 out of a possible 300 points.

PRB 22-029 – Vanasse Hangen Brustlin, Inc. (VHB) originally established in 1978, located in Springfield, has a local branch in Wethersfield Hill and has a local staff of 45± employees including 19 civil/transportation engineers and 1 environmental planner and retained a sub-consultant (Walker Parking Consultants/Engineers – parking structural engineering) located in Boston, MA. The company has been awarded the following Formal Contracts and Task Letters for the prior two years:

- None.

VHB will be operating under its Professional Engineering Corporation License (PEC#0000456). Poole Professional LTD reported that VHB had 184 general liability or professional policy loss or claims during the past 5 years. None appear to be state-related. Four appear to be municipally related. Poole reported the Consultant has sufficient coverage for any open claim and provide required coverage for this On-Call Contract. VHB scored a total of 272 points out of a possible 300 points.

VHB self reported it is/was involved in litigation (17 cases) over the past 10 years, of which four litigants are located in Connecticut. No litigants were involved in a DCS project.

PRB 22-030 - SLR International Corporation (SLR) has 37 branches throughout the US and entered Connecticut by acquiring Milone & MacBroom, Inc. originally established in 1984. SLR has over 400 employees. The local office is located in Cheshire with a staff of 112± employees including 14 civil engineers, 11 landscape architects and 8 surveying professionals. DCS reports SLR was awarded 6 contracts over the past five years with \$293,061.22 total volume of work. The company has been awarded the following Formal Contracts and Task Letters for the prior two years:

OC-DCS-EPA-0029

- No Task Letters to date.

OC-DCS-CIV-LA-0034 (formerly Milone & MacBroom):

• Task Letter #4	Statewide DESPP Infrastructure Review	\$144,700	(#20-121)
• Task Letter #5	ECSU-Fine Arts Building Plumbing Remed	\$9,000	(Informal)
• Task Letter #5A	ECSU-Fine Arts Building Plumbing Remed	\$30,540	(Informal)
Total Fee to Date:		\$184,240	

SLR will be operating under its Professional Engineering Corporation (PEC#0001904). Crum & Forster reported that SLR has incurred 12 general liability or professional policy losses or claims during the past 5 years. All are closed. None of these claims are related to state funded projects. SLR scored a total of 254 out of a possible 300 points.

A summary of the Consultants' professional fee schedule is as follows:

Macchi Engineers	Proposed	Prior	Vanasse Hangen Brustlin	Proposed	Prior	SLR International	Proposed
Principal	\$230	\$200	Principal	\$230	\$220	Principal	\$230
Project Manager	\$190	\$150	Project Manager	\$190	\$185	Project Manager	\$190
Senior Engineer	\$185	\$125	Senior Engineer	\$185	\$165	Senior Engineer	\$185
Engineer	\$155	\$100	Engineer	\$155	\$155	Engineer	\$155
Senior Designer	\$140	\$115	Senior Designer	\$140	\$140	Senior Designer	\$140
Designer	\$115	\$100	Designer	\$115	\$130	Designer	\$115
CAD Operator	\$100	\$95	CAD Operator	\$100	\$110	CAD Operator	\$100

Staff have requested clarification of the following issues:

1. Please clarify the need for increasing the maximum cumulative value of each contract to \$500,000, and limiting the maximum amount of a Task Letter to \$490,000 (Item 1.11 of Advertisement).

DCS Response: DAS, overtime, has increased the majority of on-call contract series dollar values to reflect increases in the cost of work over time and as a means to provide DAS with greater flexibility for procurement of on-call services when warranted, i.e., using an on-call contract instead of going through a formal selection. Increasing the amount, in addition, avoids the need for an amendment to the contracts. Presently, only the scheduling, environmental policy, energy and auditor on-call contracts are at \$300,000. The cap of \$490,000 recognizes that a "project" is

defined by the requirement of consultant services in excess of \$500,000 and a “project” requires a formal procurement process.

Staff Response: OK

2. Has DCS reviewed the litigation self-reported by Vanasse Hangen Brustlin, Inc.?

DCS Response: Yes, DAS reviewed the litigation self-reported by Vanasse Hangen Brustlin, Inc. and see no issue proceeding with its contract. The company has over thirty locations along the eastern seaboard, over 1,500 employees and thousands of projects. As to the cases self-reported, the only pending case in Connecticut is an action for a declaratory judgment regarding contract terms, particularly an indemnification clause. While DOT and a subcontractor arbitrated issues based on design, VBH was not a party to the arbitration, and there was no finding against the firm as of this date. The two other pending cases involves a slip and fall where the plaintiff named 13 defendants including VHB and a Florida claim regarding flooding on residential property. The three settled Connecticut cases reported by VHB are from 2013, 2014 and 2015. Two of the claims were brought by general contractors against the owners and VHB, and the third (2013) was resolved among VBH, the owner and DOT.

Staff Response: OK

3. Please provide a Task Log for the Consultants under OC-DCS-VEH-0025 to 0028.

DCS Response: Cathy will provide you with a copy of the task log for consultants under OC-DCS-VEH-0025 to 0028.

Staff Response: DCS provided. The Task Log summary identifies only 3 Task Letters were issued for this series, all to Macchi Engineers and all related to the Lafayette Street Garage in Bridgeport. OK

RECOMMENDATION – Staff recommend approval of the three On-Call Contracts that have a maximum total cumulative fee of \$500,000 per contract and a common expiration date of 07/01/2024.

7. OTHER BUSINESS:

8. VOTES ON PRB FILE:

PRB FILE #24-064 – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #24-064. The motion passed unanimously.

PRB FILES #24-080 to 24-082 – Mr. Berger moved and Mr. Valengavich seconded a motion to approve PRB FILES #24-080 to 24-082. The motion passed unanimously.

9. **NEXT MEETING** – Thursday, June 20, 2024 – will be held solely by means of electronic equipment via Microsoft TEAMS and conference call.

The meeting adjourned.

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