

## STATE PROPERTIES REVIEW BOARD

### Minutes of Meeting Held On January 30, 2020 450 Columbus Boulevard, Hartford, Connecticut

The State Properties Review Board held a Regular Meeting on January 30, 2020 in Suite 2035, 450 Columbus Boulevard, Hartford, Connecticut.

#### **Members Present:**

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

#### **Members Absent:**

#### **Staff Present:**

Dimple Desai  
Thomas Jerram

#### **Guests Present**

Chairman Greenberg called the meeting to order.

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 and Mr. Berger seconded a motion to approve the minutes of the January 27, 2020 Meeting. The motion passed unanimously.

##### **2. COMMUNICATIONS**

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

##### **4. REAL ESTATE – NEW BUSINESS**

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

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

#### **20-012**

DCS/NWCC  
AE / Task Letter #2A  
BI-CTC-427  
OC-DCS-ANLY-0021  
Arcadis U.S., Inc.  
Winsted, South Main St.– Joyner Hall @ NWCC  
Joyner Hall Replacement Project – Claims Analysis  
Task Letter #2A

PROPOSED AMOUNT: \$33,908

The project involved the demolition of the existing Joyner Building and construction a new 24,400 GSF state of the art Allied Health and Veterinary Technician Academic Building. The overall project scope included existing building demolition, site work, expanded parking lot and new utility connections. The building consists of two floors. The first floor is occupied by the Veterinary Technology Program. The second floor houses the Allied Health Program. The first floor includes a surgical suite, X-Ray area, an animal dental area, a mock reception area, faculty offices, two general classrooms and a hematology laboratory. The second floor is comprised of three Allied Health classrooms, a computer lab and faculty offices.

In September 2016, DCS retained Arcadis U.S., Inc. to provide Claims Analyst consultant services in conjunction with potential claims of Lawrence Brunoli, Inc. (LBI) against the state in connection with the Joyner Hall project, and in addition the Consultant will provided claims analyst services for any and all claims and counterclaims of the State against the Claimant (LBI). The initial fee for services was \$93,836 (Informal TL) and included the following two phases of work:

- Phase One to provide Claims Analyst services in connection with LBI Claims concerning Disposal of Regulated Soils, Rock Excavation, and Delay due to Additional Pile Driving, as well as an Independent Review and Assessment of the Project Critical Path Method (CPM) - \$15,186 fee; and
- Phase Two to provide Claims Analyst services concerning future claim analysis - \$78,650

Under this new DCS proposal (PRB #20-012), DCS is now seeking approval of an additional \$33,908 in fees for the following services:

Detailed Analysis and Presentation of Findings

- Review and analysis of the Claimant’s (LBI) emails with subcontractors (appx 1,674 emails)
- Prepare a written supplemental expert report as requested by the Office of Attorney General.

Mediation/Arbitration/Litigation Support

- Prepare for arbitration, including DAS witness preparation, with the Office of the Attorney General
- Attend arbitration sessions on February 25, 2020 through February 28, 2020
- Provide expert testimony as requested and authorized
- Any other services that the Office of Attorney General assigns to the Consultant to support the claims analysis

SUMMARY OF FEE’S

|  | <u>FEES (\$)</u> | <u>PRB FILE NUMBER</u> | <u>CUMULATIVE FEE</u> |
|--|------------------|------------------------|-----------------------|
| TL #2 – AUS Claims Analysis – Joyner Hall @ NWCC– (DCS-ANLY-0021)  | \$93,836         | Informal               | \$93,836              |
| TL #2A – AUS Claims Analysis – Joyner Hall @ NWCC– (DCS-ANLY-0021) | \$33,908         | #20-012                | \$127,774             |

RECOMMENDATION: It is recommended that SPRB approve Task Letter #2A

- DCS confirmed \$33,908 is available for the Task Letter.

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- The AUS fee is based on the hourly rates stipulated in its On-Call Contract at the time TL#2 was issued (2017 rates).
  - The Board approved the current On-Call Contract for a maximum fee of \$1,000,000 and a term that expired on 7/30/2019. (PRB #17-049). Following the subject Task Letter, the On-Call Contract will have an uncommitted value of \$658,053.
  - The submittal is accompanied by a Gift & Campaign Contribution Certification notarized on 12/13/11.
- 
- In April 2012 the Board approved the contract (PRB #12-102) for Northeast Collaborative Architects (NCA) to provide Architect Consultant Design Team Services from preliminary design until the completion of construction. The compensation rate for basic services was \$1,607,500 plus an additional \$285,000 for special service sub-consultants. The overall project budget and construction budget were \$26,990,105 and \$17,619,930 respectively. DCS intended to bid this contract as a traditional Design-Bid-Build Project.
  - In January 2014 the Board approved Commission Letter #1 (PRB #14-016) in the amount of \$7,260 to allow for the completion of a DEEP General Permit and Registration for a Storm Water Pollution Control Plan (SWPCP).
  - In July 2015, the Board approved Contract Amendment #1 (PRB #15-082) in the amount of \$131,800. This contract amendment compensated NCA and its sub-consultants for removal of the second floor fit-out, vegetative roof, photovoltaic system and landscape plantings from the base bid. These items were to be redesigned and reformatted into the bid documents as supplemental bid items. This contract amendment increased the overall project budget and construction budget to \$28,675,598 and \$20,176,352 respectively.
  - In March 2016 the Board approved Contract Amendment #2 (PRB #16-052) in the amount of \$105,980. This contract amendment compensated NCA and its sub-consultants for special inspection services required for steel, masonry, concrete and pile foundation construction. The scope of work for the special inspections included mill certificate review, field inspections, site visit reports and the preparation of the final statement of special inspection.
  - In March 2017 the Board approved Contract Amendment #3 (#17-067) This contract amendment compensated NCA and its sub-consultants \$18,733 for additional design services required for the analysis of foundation elements out of tolerance, review of survey results for defects and an analysis of the pile plan As-Built Location, cut off elevation and centroid. This contract amendment shall also compensate NCA for the design and installation of new water filtration system inclusive of all required MEP services. All of this work is considered a special service under the base contract.
  - In March 2013 the Board approved this CA Contract for Downes Construction Company ("DCC") under PRB #13-037. The compensation rate for this basic service is \$880,773 plus an additional \$71,400 for special service and/or sub-consultants. As such the total proposed contract was approved for \$952,173.
  - In October 2013, the Board approved Commission Letter #1 (PRB #13-214) in the amount of \$19,950 to provide additional commissioning services from Sustainable Engineering Solutions, LLC to ensure that the work is completed consistent with Connecticut High Performance Building Guidelines.
  - In April 2015, the Board approved Contract Amendment #1 (PRB #15-084) which provided for value engineering reviews, project cost estimates and rebidding services.
  - In May 2016 the Board approved Contract Amendment #2 (PRB #16-089) which compensated DCC for contract escalation, increased staffing and remote web camera monitoring of construction progress.
  - In September 2017 the Board approved Contract Amendment #3 (PRB #17-249) which compensated DCC for providing additional site supervision services due to the extension of the project completion date from July 2017 to mid-October 2017. This extension amounted to an additional 12-weeks of construction administration services. The total fee request for these

additional services is \$66,492. As part of this submittal the overall project budget and construction budget will remain at \$26,990,106 and \$20,176,361 respectively.

- Construction Administration Fees totaled \$1,449,735, of which Architect CA Fees were \$482,250 and the Construction Administrator Fee was \$967,485.
- In March 2014, DAS Procurement solicited bids for the Joyner Hall project with a cost estimate range of \$16,738,934 - \$17,619,930, and a construction duration of 565 days.
- DAS Procurement re-bid the Joyner Hall project in April 2015 with a cost estimate range of \$19,167,533 - \$20,176,351, and a construction duration of 565 days.
- In November 2015, Lawrence Brunoli, Inc. (LBI) was awarded the Contract for construction of the Joyner Hall project with a total fee of \$19,747,000

**20-013**

DCS/DCS

AE / Task Letter #1

BI-2B-457

OC-DCS-ENGY-0026

Colliers Project Leaders USA NE, LLC

Statewide -- 13 state-owned facilities

Level 2 Commercial Energy Audits

Task Letter #1

PROPOSED AMOUNT: \$181,591

On December 19, 2019, under PRB File #19-182, the Board approved Colliers Project Leaders USA NE, LLC as a Consultant to provide energy consulting services under on-call contract OC-DCS-ENGY-0026. The on-call contract has a \$300,000 maximum fee and November 30, 2021 expiration date.

The ANSI/ASHRAE/ACCA Standard 211-2018 for Commercial Building Energy Audits establishes consistent practices for conducting and reporting energy audits for commercial buildings. It also defines the procedures required to perform ASHRAE Level 1, 2, and 3 energy audits, provides a common scope of work for those audit levels for use by building owners and others, and establishes standardized industry practices and minimum reporting requirements for results. The standard defines a "qualified energy auditor" including any person that holds a certification from a credentialing program approved by the U.S. Department of Energy Better Buildings Workforce Guidelines (BBWG) for Building Energy Auditors or Energy Managers.

The Association of Energy Engineers (AEE) Certified Energy Manager (CEM) and Certified Energy Auditor (CEA) certifications meet this criteria and are therefore qualified to do energy auditing work under the ASHRAE 211-2018 standard.

The Certified Energy Manager is an individual who optimizes the energy performance of a facility, building or industrial plant. The CEM® is a systems integrator for electrical, mechanical, process and building infrastructure, analyzing the optimum solutions to reduce energy consumption in a cost effective approach.

The Certified Energy Auditor is an individual who evaluates and analyzes how energy is being used in a facility, identifies energy conservation opportunities and makes recommendations where consumption can be reduced or optimized.

Under this proposed **TASK LETTER #1** with Colliers Project Leaders USA NE, LLC (CPL), the fee is intended to compensate the Consultant for the following project scope:

Minutes of January 30, 2020 Meeting

- The consultant shall perform Level 2 Commercial Energy Audits of the facilities listed below in compliance with ASHRAE Standard 211 requirements.
- Separate audit reports shall be submitted for each facility.
- Reports shall include a description of the condition of energy and water conserving systems and equipment; an analysis of energy and water cost trends and usage patterns; EUI benchmarking and associated coordination regarding the State's EnergyCAP database; a determination of the potential for energy and water savings; and if applicable, investigate and report on the installation feasibility of renewable energy systems on the audited property. Audit reports will be used as stand-alone documents to provide information about a facility's energy/water usage, and as a basis for planning energy cost reduction projects.
- The facilities to be audited are as follows:

| Facility/Structure Name                      | Address          | Town          | Consultant Fee-Draft Report | Consultant Fee-Final Report |
|--|------------------|---------------|-----------------------------|-----------------------------|
| Rentschler Field Stadium                     | 615 Silver Ln    | East Hartford | \$30,740                    | \$3,420                     |
| 18-20 Trinity Street                         | 18-20 Trinity St | Hartford      | \$8,380                     | \$930                       |
| 30 Trinity Street                            | 30 Trinity St    | Hartford      | \$7,590                     | \$843                       |
| 450 Capitol Avenue                           | 450 Capitol Ave  | Hartford      | \$12,880                    | \$1,431                     |
| 460 Capitol Avenue                           | 460 Capitol Ave  | Hartford      | \$5,960                     | \$661                       |
| 505 Hudson Street                            | 505 Hudson St    | Hartford      | \$13,940                    | \$1,544                     |
| Capitol Region Mental Health Center          | 500 Vine St      | Hartford      | \$8,850                     | \$980                       |
| Vinal Regional Vocational Tech               | 60 Daniels St    | Middletown    | \$16,140                    | \$1,797                     |
| Whiting Forensic Institute                   | Holmes Dr        | Middletown    | \$11,410                    | \$1,263                     |
| CT Mental Health Center                      | 34 Park St       | New Haven     | \$19,870                    | \$2,210                     |
| Uncas - Campbell Building (Medical Building) | 401 W. Thames St | Norwich       | \$10,440                    | \$1,160                     |
| Uncas - Southeastern Mental Health Authority | 401 W. Thames St | Norwich       | \$8,950                     | \$998                       |
| Roselle School                               | Nutmeg Ave       | Southbury     | \$8,280                     | \$924                       |
|  |                  | Fee           | \$163,430                   | \$18,161                    |
|  |                  | Total Fee     | \$181,591                   |                             |

CPL has been selected for the following task(s) under this series:

- Task Letter #1 . Statewide Energy Audit-13 Facilities \$181,591 (20-013)

DCS has confirmed funding is in place for this Task Letter #1.

CPL staff include two Senior Project Managers (\$165/hour) with the Certified Energy Manager designation and one Staff with both the Certified Energy Manager. And the AEE Certified Demand Side Manager (CDSM) designation - for those who have demonstrated a high level of competence for demand-side disciplines highly utilized by those working in the utility industry.

Staff have the following questions based on the review of the proposal.

- In the proposal DCS states there were eight (8) consultants providing proposals for this program of providing energy audits for 35 buildings, with proposals ranging from \$0.10 to \$0.48/sf.
  - Please provide the proposals of the six firms responding to DCS, but not selected for this project, and the corresponding calculations converting the proposals to dollars-per-square-foot.
  - Please clarify how DCS sought proposals from 8 firms when this current series has four approved firms and the prior series expired in April 2019.
  - Please clarify why DCS negotiated with the six most expensive firms but did not elect to negotiate with the two less expensive firms.

DCS Response: DAS Technical Services is undergoing a series of Energy Audits at 35 separate state facilities. These audits are following ASHRAE Level II specifications which are highly prescriptive in terms of content and deliverables. DAS Technical Services initially divided up the 35 projects into 8 roughly equal packages and distributed those to 8 qualified consulting firms on pending on-call contracts for development of proposals. The on-call series used included the ENGY series, the MEP series and the Cx series. Upon receipt of the initial proposals from all the consultants we had a wide variance of pricing from \$ 0.10 psf to \$ 0.48 psf. Technical Services first negotiated with the 6 of the eight firms with the higher values, all of whom reduced their costs significantly but not to the levels of the less expensive firms. The less expensive firms, WSP and Colliers both have robust Energy Auditing groups and their proposals fully met our specifications, without qualifications so there was no reason to accept significantly higher costs. As a result, 3 of the 6 firms backed out of the audits with the other three reducing their costs to roughly \$ 0.13 per square foot. The work from the 3 firms which were dropped was distributed to the remaining firms with the bulk of the work assigned to WSP and Colliers given their experience and capacity. The result of the negotiations is an average of \$0.12 per square foot and a savings to the state of \$600,000, half of the original totals proposed by the original 8 consulting firms.

Only 2 of the consultants have work in excess of \$100,000.00, WSP and Colliers. We are submitting both packages to SPRB in advance of the AG review of the on-call contracts. We are requesting the reviews occur in parallel rather than sequentially so we do not lose any time. This work is being requested by the Office of Policy and Management to address the Governor's EOI to reduce the energy footprint of state facilities.

- Please provide a cost matrix for the Consultant's breakdown of fees for the 13 individual buildings.  
DCS Response: DCS provided and provided explanation included above. OK
- Please clarify why DCS seeks to compensate the Consultant a total of \$17,937 to provide an energy audit of Vinal Tech in Middletown when under PRB #17-044 the Board approved \$8,406,000 for design and construction administration services (BI-RT-881-ARC) for the brand new technical high school that required the ARC Consultant to design to "High Performance Building Standard Regulations (\$110,000,000+ construction budget).  
DCS Response: DCS informed the Board that this project was cancelled with no funds expended for the ARC Consultant. OK

- Please clarify why DCS seeks to compensate the Consultant a total of \$15,484 to provide an energy audit of 505 Hudson Street in Middletown when under PRB #18-027 and 1<sup>st</sup> Amendment under #19-131 the Board approved a total of \$835,250 for design and construction administration services for replacement of 10 air handling units (AHU's) replacement of all lighting fixtures, acoustical ceiling tiles and system furniture and the renovation of the lobby, cafeteria and kitchen areas. This was in addition to the initial scope that included painting of all interiors, replacement of carpet throughout and updating bathroom fixtures to meet ADA standards, scope is expanded to include (\$12,000,000 construction budget).

DCS Response: DCS informed the Board that this project 'is not moving forward.' OK

**RECOMMENDATION:** It is recommended that SPRB **approve** Task Letter 1 for Colliers Project Leaders USA NE, LLC to provide energy audits at 13 state-owned facilities.

**20-014**

DCS/DCS

AE / Task Letter #1

BI-2B-456

OC-DCS-ENGY-0027

WSP USA, Inc.

Statewide – 10 state-owned, DOC-controlled, facilities

Level 2 Commercial Energy Audits

Task Letter #1

PROPOSED AMOUNT: \$130,000

On December 19, 2019, under PRB File #19-183, the Board approved WSP USA, Inc as a Consultant to provide energy consulting services under on-call contract OC-DCS-ENGY-0026. The on-call contract has a \$300,000 maximum fee and November 30, 2021 expiration date.

The ANSI/ASHRAE/ACCA Standard 211-2018 for Commercial Building Energy Audits establishes consistent practices for conducting and reporting energy audits for commercial buildings. It also defines the procedures required to perform ASHRAE Level 1, 2, and 3 energy audits, provides a common scope of work for those audit levels for use by building owners and others, and establishes standardized industry practices and minimum reporting requirements for results. The standard defines a "qualified energy auditor" including any person that holds a certification from a credentialing program approved by the U.S. Department of Energy Better Buildings Workforce Guidelines (BBWG) for Building Energy Auditors or Energy Managers.

The Association of Energy Engineers (AEE) Certified Energy Manager (CEM) and Certified Energy Auditor (CEA) certifications meet this criteria and are therefore qualified to do energy auditing work under the ASHRAE 211-2018 standard.

The Certified Energy Manager is an individual who optimizes the energy performance of a facility, building or industrial plant. The CEM® is a systems integrator for electrical, mechanical, process and building infrastructure, analyzing the optimum solutions to reduce energy consumption in a cost effective approach.

The Certified Energy Auditor is an individual who evaluates and analyzes how energy is being used in a facility, identifies energy conservation opportunities and makes recommendations where consumption can be reduced or optimized.

Under this proposed **TASK LETTER #1** with WSP USA, Inc (WSP), the fee is intended to compensate the Consultant for the following project scope:

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- The consultant shall perform Level 2 Commercial Energy Audits of the facilities listed below in compliance with ASHRAE Standard 211 requirements.
- Separate audit reports shall be submitted for each facility.
- Reports shall include a description of the condition of energy and water conserving systems and equipment; an analysis of energy and water cost trends and usage patterns; EUI benchmarking and associated coordination regarding the State's EnergyCAP database; a determination of the potential for energy and water savings; and if applicable, investigate and report on the installation feasibility of renewable energy systems on the audited property. Audit reports will be used as stand-alone documents to provide information about a facility's energy/water usage, and as a basis for planning energy cost reduction projects.
- The facilities to be audited are as follows:

| Facility/Structure Name                  | Address                         | Town       | Consultant Fee-Draft Report | Consultant Fee-Final Report |
|--|---------------------------------|------------|-----------------------------|-----------------------------|
| Memorial Unit                            | 1106 North Avenue               | Bridgeport | \$13,500                    | \$1,500                     |
| New Center                               | 1106 North Avenue               | Bridgeport | \$9,450                     | \$1,050                     |
| 300 Bed Dorm & Support Facility          | Route 6                         | Brooklyn   | \$9,450                     | \$1,050                     |
| Health, Education, and Training Facility | 42 Jarvis Street                | Cheshire   | \$13,500                    | \$1,500                     |
| Webster Building                         | 111 Jarvis Street               | Cheshire   | \$9,450                     | \$1,050                     |
| M Building (School)                      | Shaker Road                     | Enfield    | \$9,450                     | \$1,050                     |
| Willard Correctional Institution         | Shaker Road                     | Enfield    | \$9,450                     | \$1,050                     |
| Hartford Correctional Center             | 177 Weston Street               | Hartford   | \$13,500                    | \$1,500                     |
| R. L. Corrigan Correctional              | 986 Norwich New London Turnpike | Montville  | \$13,500                    | \$1,500                     |
| Garner Correctional Institution          | 50 Nunnawauk Road               | Newtown    | \$15,750                    | \$1,750                     |
|  |                                 | Fee        | \$117,000                   | \$13,000                    |
|  |                                 | Total Fee  | \$130,000                   |                             |

CPL has been selected for the following task(s) under this series:

- Task Letter #1      Statewide Energy Audit-10 Facilities      \$130,000      (20-014)

DCS has confirmed funding is in place for this Task Letter #1.

WSP staff participating in this project include one Project Manager (\$185/hour) with the Certified Energy Manager designation (<https://portal.aeecenter.org/custom/cpdirectory/index.cfm>). The



Project Executive – Scott Robbins – reports he retains the Certified Energy Manager designation but is not reported within the registry’s website.

Staff have the following questions based on the review of the proposal.

- In the proposal DCS states there were eight (8) consultants providing proposals for this program of providing energy audits for 35 buildings, with proposals ranging from \$0.10 to \$0.48/sf.
  - Please provide the proposals of the six firms responding to DCS, but not selected for this project, and the corresponding calculations converting the proposals to dollars-per-square-foot.
  - Please clarify how DCS sought proposals from 8 firms when this current series has four approved firms and the prior series expired in April 2019.
  - Please clarify why DCS negotiated with the six most expensive firms but did not elect to negotiate with the two less expensive firms.

DCS Response: DAS Technical Services is undergoing a series of Energy Audits at 35 separate state facilities. These audits are following ASHRAE Level II specifications which are highly prescriptive in terms of content and deliverables. DAS Technical Services initially divided up the 35 projects into 8 roughly equal packages and distributed those to 8 qualified consulting firms on pending on-call contracts for development of proposals. The on-call series used included the ENGY series, the MEP series and the Cx series. Upon receipt of the initial proposals from all the consultants we had a wide variance of pricing from \$ 0.10 psf to \$ 0.48 psf. Technical Services first negotiated with the 6 of the eight firms with the higher values, all of whom reduced their costs significantly but not to the levels of the less expensive firms. The less expensive firms, WSP and Colliers both have robust Energy Auditing groups and their proposals fully met our specifications, without qualifications so there was no reason to accept significantly higher costs. As a result, 3 of the 6 firms backed out of the audits with the other three reducing their costs to roughly \$ 0.13 per square foot. The work from the 3 firms which were dropped was distributed to the remaining firms with the bulk of the work assigned to WSP and Colliers given their experience and capacity. The result of the negotiations is an average of \$0.12 per square foot and a savings to the state of \$600,000, half of the original totals proposed by the original 8 consulting firms.

Only 2 of the consultants have work in excess of \$100,000.00, WSP and Colliers. We are submitting both packages to SPRB in advance of the AG review of the on-call contracts. We are requesting the reviews occur in parallel rather than sequentially so we do not lose any time. This work is being requested by the Office of Policy and Management to address the Governor’s EO1 to reduce the energy footprint of state facilities.

- Please provide a cost matrix for the Consultant’s breakdown of fees for the 10 individual buildings.  
DCS Response: DCS provided and provided explanation included above. OK
- Please confirm if Project Executive – Scott Robbins –retains the Certified Energy Manager designation.  
DCS Response: DCS confirmed this and Staff are aware that the Project Manager for this Project retains the CEM designation. OK

**RECOMMENDATION:** It is recommended that SPRB **approve** Task Letter 1 for WSP USA, Inc to provide energy audits at 10 state-owned facilities.

**7. OTHER BUSINESS**

**8. VOTES ON PRB FILE:**

Minutes of January 30, 2020 Meeting

**PRB FILE #20-012** – Mr. Berger moved and Mr. Valengavich seconded a motion to approve PRB FILE #20-012. The motion passed unanimously.

**PRB FILE #20-013** – Mr. Halpert moved and Mr. Berger seconded a motion to approve PRB FILE #20-013. The motion passed unanimously.

**PRB FILE #20-014** – Mr. Valengavich moved and Mr. Berger seconded a motion to approve PRB FILE #20-014. The motion passed unanimously.

**9. NEXT MEETING** – Monday, February 3, 2020.

The meeting adjourned.

**APPROVED:** John Valengavich, Secretary *John Valengavich* **Date:** 2/3/20