

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On July 6, 2021 – remotely via telephone conference –

Pursuant to Governor Lamont's Executive Order No. 7B regarding suspension of In-Person Open Meeting requirements, the State Properties Review Board conducted its Regular Meeting at 9:30AM on July 6, 2021 remotely via telephone conference at (866)-692-4541, passcode 85607781.

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

Gene Burk, Esquire – DAS Director of Procurement

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 July 1, 2021 Meeting. The motion passed unanimously.

2. COMMUNICATIONS

Director Desai introduced Gene Burk, DAS Director of Procurement to Board Members. Mr. Burk was present for the duration of the meeting.

3. REAL ESTATE- UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

<i>PRB #</i>	21-095
<i>Transaction/Contract Type:</i>	RE – Voucher
<i>Origin/Client:</i>	DOT/DOT
<i>DOT Project #:</i>	040-144-004
<i>Grantee/Grantor:</i>	Maus & Son, Inc.
<i>Property:</i>	East Haddam, Town St (628)
<i>Project Purpose:</i>	Replacement of Bridge No. 06887, Route 155 over Shady Brook
<i>Item Purpose:</i>	Voucher

DAMAGES: \$22,000

DOT PROJECT: The purpose of the project is to replace the existing 84-inch and 72-inch diameter culverts with a 12-foot by 8-foot precast concrete box culvert with a depressed invert to accommodate a

natural stream channel bottom through the structure. The existing structure needs to be replaced as the corrugated metal pipe is deteriorated and is showing areas of complete section loss.

It is anticipated the culvert replacement will require Route 151 to be closed to vehicular traffic for approximately two weeks. During this time vehicles will be detoured via Route 149 to Route 82 to Route 151.

There are right-of-way impacts associated with the proposed improvements. It is anticipated that three partial takes and three temporary construction easements will be required.

Construction is anticipated to begin in spring 2021 based on the availability of funding. The estimated construction cost for this project is approximately \$2.2 million. This project is anticipated to be undertaken with 80 percent Federal Funds and 20 percent State funds.



SITE DESCRIPTION: The subject property consists of an irregularly-shaped 1.90± acre (82,602± SF) lot with 65 feet of frontage on Town Street in the town of East Haddam. The appraiser estimated that approximately 33% of the subject is impacted by inland wetland soils. These wetland soils are adjacent to Shady Brook and toward the rear of the lot. The site topography slopes gently upward from street grade toward its rear (southeastern) corner. The property is located within an R 1/2 zone (Residential).

The site is improved with three commercial buildings: a 1938-built office/warehouse structure containing 1,800 square feet of which 720 square feet is office space; a 1970-built garage/warehouse containing 2,400 square feet; and a 1995-built garage/warehouse containing 3,600 square feet. Collectively, the improvements contain 7,800 square feet.

Site improvements include a gravel driveway and parking area. There is a business sign located along the western (front) perimeter line of the subject property. Although there are no delineated parking spaces, it appears that there is sufficient parking space to meet the General Parking Requirements for the R 1/2 zone of the East Haddam zoning regulations for warehouse with office use.

The appraiser concludes the highest and best use of the subject property is for continuation of the current commercial use.

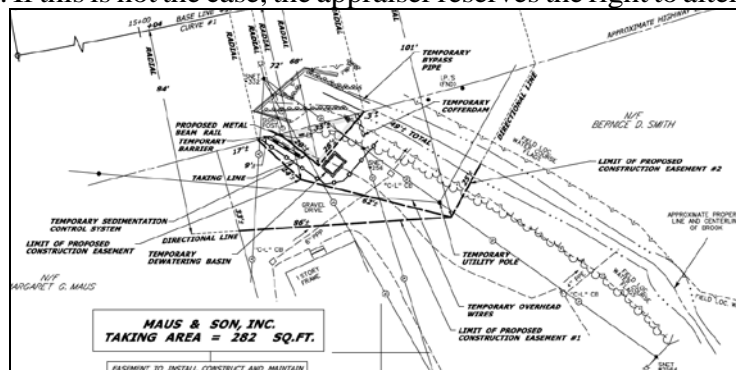


The Taking: DOT will acquire the following:

- Partial taking area of 282± SF
- An easement to install, construct and maintain metal beam rail acquired over an area of 3, ± LF
- A construction easement (#1) for the purpose of installing temporary over-head wires and access during bridge replacement Bridge No. 06887 Route 151 over shady Brook acquired over an area of 1,476± SF
- A construction easement (#2) for the purpose of installing temporary utility pole and over-head wires, bypass pipe, dewatering basin and sedimentation control system, staging and access during bridge replacement Bridge No. 06887 Route 151 over shady Brook acquired over an area of 1,882± SF

Effects of the taking include the following: After the acquisition, the subject's lot size will reduce by 282± square feet to 82,320± square feet. The lot frontage will increase from 65± linear feet to 77± linear feet. Temporary construction easement #1 will impact ingress and egress to/from the subject lot and to the subject's rear yard for the duration of the DOT's estimated one construction year period. Temporary construction easement #1 will also impact parking directly in front of the office/warehouse improvement during the same period. Post-project, there will be no permanent impact to either ingress/egress to the subject or to its existing parking.

This report makes the extraordinary assumption that ingress/egress to/from the subject property, access to the front building and access to the rear yard shall be available at all times during the construction period. If this is not the case, the appraiser reserves the right to alter the appraisal.



VALUATION: The DOT appraisal was completed February 5, 2021 by DOT Staff Appraiser James P. Mansfield.

Land Valuation: Based on the sales comparison approach, the Appraiser considered three sales of commercially-zoned land in East Haddam (2019-2020) with similar highest and best use, that sold in the range of \$0.57/sf to \$1.36/sf and concluded that the fair market value of the subject land was \$57,800, or \$0.70/sf (82,602 sf x \$0.70/sf = \$57,821).

The town assessment records indicate the value of the land is \$65,650 (100% value) based on a 2017 town-wide revaluation.

Before - Building Valuation:

Based on the sales comparison approach, the Appraiser considered three sales of similar commercial properties in nearby Middletown, Deep River and Haddam (2020) that sold in the range of \$508,700 to \$800,000 and concluded that the fair market value of the subject buildings was \$430,000 (\$55/sf x 7,800 sf = \$429,000).

The town assessment records indicate the value of the property is \$258,450 (100% value) based on a 2017 town-wide revaluation.

After Valuation:

The “After” valuation of the subject property is subject to the following Extraordinary Assumptions and Hypothetical Conditions:

Extraordinary assumptions necessary for the assignment - The appraiser assumes that ingress/egress will be available to the subject property at all times and that the subject property is not contaminated with any hazardous materials. In addition, a pole sign advertising the subject’s plumbing, heating and fuel oil distribution facility is located within close proximity to the property line. This pole sign is assumed to be relocated by the State DOT to a suitable location on the subject property.

Hypothetical conditions necessary to arrive at a value - The methodology used in this report is in the form of a State Partial Take (Before and After) 29 Point Narrative Appraisal Report valuation format used for eminent domain purposes. The appraisal considers that there is a willing seller in an acquisition by eminent domain and has disregarded any effect on the market value brought on by the States project. The appraisal report was based on the hypothetical condition that the proposed road project will be completed as currently proposed, in the Department of Transportation construction plans, on the day after the “as of” date. No other conditions were necessary to arrive at a value.

Land Valuation: Based on the sales comparison approach, the appraiser analyzed the same three sales of land in the Before and concluded that the fair market value of the subject land was \$0.70/square foot, or

Item	Calculation	Value
Fee Simple	82,320 sf x \$0.70/sf	\$57,624
Metal Beam Rail	3LF – Lump Sum	-\$100
	Total	\$57,524
	Rounded	\$57,500

After - Building Valuation:

Based on the sales comparison approach, the Appraiser considered the same three sales and concluded that the fair market value of the subject buildings was \$429,700 (\$430,000 less \$300 permanent damages = \$429,700).

Calculation of Permanent Damages

Item	Value
Before Valuation	\$430,000
After Valuation	\$429,700
Permanent Damages	\$300

Calculation of Temporary Damages

Construction Easement Area #1	1,476 sf x \$0.70/sf x 8% x 1 year	\$83
Construction Easement Area #2	1,882 sf x \$0.70/sf x 8% x 1 year	\$105
	Total	188

Calculation of Temporary Severance

From the Appraisal:

Temporary severance issues caused by the construction easements will result in a temporary loss of the subject's effective road frontage for access purposes, temporary loss of five of the subject's six unmarked parking spaces in front of the office/storage building, a temporary loss/restriction of access to the subject's rear yard, and a temporary nuisance in terms of an active construction site. The appraiser has estimated severance for this loss of utility as if permanent at 40% of the subject's Fair Market Value. A typical holding period for a commercial property such as the subject is 7 years-to-20 years. The appraiser has estimated a holding period of 8 years. The projected constructed period is based on 1 construction season which is equivalent to 1 year as shown below.

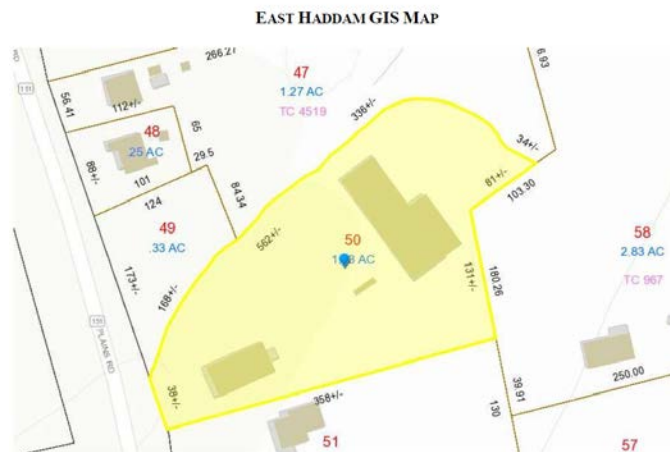
The DOT Appraiser calculated temporary severance as follows:

- Severance if permanent: \$430,000 (total property value) x 40% = \$172,000
- Encumbrance will exist for 1 year of typical 8 year holding period
- Temporary Severance: \$172,000 x 12.5% (1/8) = \$21,500

Total damages are then Permanent Damages plus Temporary Damages plus Temporary Severance Damages, \$300 + \$188 + \$21,500 = \$21,988, rounded to \$22,000.

RECOMMENDATION: Board **APPROVAL** of damages in the amount of \$22,000 is recommended for the following reasons:

1. The acquisition complies with Section 13a-73(c) of the CGS which governs the acquisition of property by the commissioner of transportation required for highway purposes.
2. The acquisition value, as negotiated, is within the range of value of the DOT appraisal report.



5. ARCHITECT-ENGINEER – UNFINISHED BUSINESS

6. ARCHITECT-ENGINEER – NEW BUSINESS

PRB #	21-107
Origin/Client:	DCS/DOE
Transaction/Contract Type	AE / Amendment
Project Number:	BI-RT-878
Contract:	BI-RT-878-ARC
Consultant:	Drummeey Rosane Anderson, Inc.
Property	Milford, Orange Hill Rd (600) – Platt Technical HS
Project purpose:	Additions & Renovations Project
Item Purpose	Amendment #4 for Extended ARC Services

CONSULTANT FEE: \$10,100

At the May 20, 2021 SPRB Meeting, the Board approved, under PRB #21-069, Amendment #3 to the Consultant's Contract (BI-RT-878-ARC) to prepare revised design documents based on the revised space needs information that was requested by the DOE. The changes were for Area E, 2nd floor to change the Electrical Engineering Lab space to become Sustainable Architecture Program.

DCS notes the project is currently 45% into construction.

Under this proposal (PRB #21-107), DCS is now seeking Board approval of Amendment #4 to the Consultant Contract to expend an additional \$10,100 for expanded ARC services at the request of the client agency as follows:

The Architect shall provide the following additional services:

Prepare revised design documents based on the revised equipment needs that were requested by the State Department of Education / Connecticut Technical Education & Careers System (SDE/CTECS). The changes are for the Carpentry Shop based on revised Drawing EQ-2.6, revision date 3/2/2021.

Revise Contract Documents:

1. Delete Edge Bander CP-28.
2. Add saw stop CP-25
3. CNC router change from 1500 cfm to 650 cfm
4. Door machine change from 840 cfm to 185 cfm
5. Door machine to be moved across the room
6. Relocate three (3) Band Saws

The Architect will perform additional coordination as necessary to implement design revisions outlined above to include but not limited to required changes to duct collection exhaust ductwork layouts and sizes, changes to sprinkler systems related to ductwork changes, changes to plumbing systems related to compressed air drops, and changes to electrical power requirements and layouts.

The Architect will discuss the design revisions with the Construction Manager.

All of the above services shall be completed within three weeks of approval of this Amendment #4.

OPM, not DCS, has confirmed for SPRB that funding is available for this contract. As part of this recommendation, the construction budget and total project budget have been revised to **\$98,752,693 (from \$93,000,000)** and **\$123,459,532 (from \$124,566,000)** respectively.

This Amendment # 4 is seeking an increase in Architect's fee by \$10,100 bringing the Total Fee to \$7,745,931 while Basic Fee to \$7,366,701.

DRA Fee for Basic Services (PRB 15-267)	<u>COST (\$)</u> <u>(BASIC)</u>	<u>COST (\$)</u> <u>(SPECIAL)</u>	<u>Total Fee</u>	<u>C. Budget</u> <u>(\$)</u>	<u>(%)</u> <u>Budget</u>
Schematic Design Phase (Starting Allowance)	\$150,000				
Design Development Phase	\$TBD				
Construction Document Phase	\$TBD				
Bidding and Review Phase	\$TBD				
Construction Administration Phase	\$TBD				
TOTAL BASIC SERVICE FEE (#15-267) (A)	\$150,000			\$77,939,000	0.19%
<u>SPECIAL SERVICES:</u>					
Pre-Design Study		\$165,000			
Survey and Engineering (Fuss & O'Neill)		\$73,700			
Wetlands Mapping & Environmental Testing (Fuss & O'Neill)		\$8,690			
Traffic Engineering (Fuss & O'Neill)		\$4,950			
Geotechnical Engineering (Welti)		<u>\$17,050</u>	-		
TOTAL SPECIAL SERVICES(B)		\$269,390		\$77,939,000	0.35%
PRB File #17-034 – Project Design Phase – Option #3 – Stand Alone School					
Schematic Design Phase	\$936,784				
Design Development Phase	\$1,449,045				
Construction Document Phase	\$2,173,568				
Bidding and Review Phase	\$724,523				
Construction Administration Phase	<u>\$1,811,306</u>				
TOTAL BASIC SERVICES(A1)	\$7,095,226			\$93,000,000	7.63%
Additional Special Services for Geotech Engineering, Permitting, OSTA Design, Flood Management Certification and Special Inspections		\$84,840			
DRA Design Contingency		<u>\$25,000</u>	-		
TOTAL SPECIAL SERVICES(B1)		\$379,230			
TOTAL FEE (PRB #17-034) (A1) + (B1)			\$7,624,456	\$93,000,000	8.20%
PRB File # 18-097 – Project Design Phase					
Schematic Design Phase	<u>\$92,255</u>				
TOTAL BASIC SERVICES (A2)	\$7,337,481			\$93,000,000	7.89%
TOTAL FEE (PRB #18-097) (A1) + (A2) + (B1)			\$7,716,711	\$93,000,000	8.30%
PRB File # 21-069 Expanded Scope (A3)					
Design Change Elec. Eng. to Architecture	\$19,120				

RECOMMENDATION: Staff recommends **APPROVE** of the Amendment #4 in the amount of \$10,100. The overall basic services fee percentage of 7.5% is well within the guideline rate of 8.5% for ARC services for this Group B Renovation Project.

FROM PRB #21-069

CONSULTANT FEE: \$19,120

At the June 18, 2018 SPRB Meeting, the Board approved, under PRB #18-097, Amendment #2 to the Consultant's Contract (BI-RT-878-ARC) to provide revised schematic design documents based on a revised space needs program (10/24/17) developed by the Office of School Construction Grants & Review (OSCGR) and confirmed by the State Department of Education (SDE) for the Platt Technical High School in Milford, CT.

Under this proposal (PRB #21-069), DCS is now seeking Board approval of Amendment #3 to the Consultant Contract to expend an additional \$19,120 for expanded ARC services at the request of the client agency as follows:

The Architect shall provide the following additional services:

Prepare revised design documents based on the revised space needs information that was requested by the DOE. The changes are for Area E, 2nd floor to change the Electrical Engineering Lab space to become Sustainable Architecture Program space.

Additional Requirements

The Architect shall update and revise the building plan layout to include space requirements revisions. The design revisions drawings included are, but may not be limited to:

- Plan Revisions – A1-1-2E
- Reflective Ceiling Plan Revisions – A8-1-2E
- Finish Plan Revisions – AF1-1-2E
- Wall Finishes Plan Revisions – AF1-2-2E
- Door Schedules Revisions
- Frame Type Revisions
- Interior Elevations Revisions
- Equipment Plans and Schedules Revisions

The Architect's Engineering Consultant shall update and revise the Fire Protection, Mechanical, Plumbing, and Electrical drawings and equipment design as required to accommodate the revisions to the spaces size and lay-outs.

The Architect shall perform additional coordination as necessary to implement design revisions outlined above and shall present and discuss the design revisions with the appropriate Platt Tech High School staff, CTECS, the DAS PM, the Construction Administrator, and the Construction Manager. The Architect shall continue to prepare proposal requests as needed and continue to review, comment, and approve change orders as a result of the design revisions.

All of the above services shall be completed by May 1, 2021.

OPM, not DCS, has confirmed for SPRB that funding is available for this contract. As part of this recommendation, the construction budget and total project budget have been revised to **\$98,752,693 (from \$93,000,000)** and **\$123,459,532 (from \$124,566,000)** respectively.

This Amendment # 3 is seeking an increase in Architect's fee by \$19,120 bringing the Total Fee to \$7,735,831 while Basic Fee to \$7,356,601.

DRA Fee for Basic Services (PRB 15-267)	<u>COST (\$)</u> <u>(BASIC)</u>	<u>COST (\$)</u> <u>(SPECIAL)</u>	<u>Total</u> <u>Fee</u>	<u>C. Budget</u> <u>(\$)</u>	<u>(%)</u> <u>Budget</u>
Schematic Design Phase (Starting Allowance)	\$150,000				
Design Development Phase	\$TBD				
Construction Document Phase	\$TBD				
Bidding and Review Phase	\$TBD				
Construction Administration Phase	\$TBD				
TOTAL BASIC SERVICE FEE (#15-267) (A)	\$150,000			\$77,939,000	0.19%
<u>SPECIAL SERVICES:</u>					
Pre-Design Study		\$165,000			
Survey and Engineering (Fuss & O'Neill)		\$73,700			
Wetlands Mapping & Environmental Testing (Fuss & O'Neill)		\$8,690			
Traffic Engineering (Fuss & O'Neill)		\$4,950			
Geotechnical Engineering (Wolti)		<u>\$17,050</u>	-		
TOTAL SPECIAL SERVICES(B)		\$269,390		\$77,939,000	0.35%
PRB File #17-034 – Project Design Phase – Option #3 – Stand Alone School					
Schematic Design Phase	\$936,784				
Design Development Phase	\$1,449,045				
Construction Document Phase	\$2,173,568				
Bidding and Review Phase	\$724,523				
Construction Administration Phase	<u>\$1,811,306</u>				
TOTAL BASIC SERVICES(A1)	\$7,095,226			\$93,000,000	7.63%

Additional Special Services for Geotech Engineering, Permitting, OSTA Design, Flood Management Certification and Special Inspections		\$84,840			
DRA Design Contingency		<u>\$25,000</u>	-		
TOTAL SPECIAL SERVICES(B1)		\$379,230			
TOTAL FEE (PRB #17-034) (A1) + (B1)			\$7,624,456	\$93,000,000	8.20%
PRB File # 18-097 – Project Design Phase					
Schematic Design Phase	<u>\$92,255</u>				
TOTAL BASIC SERVICES (A2)	\$7,337,481			\$93,000,000	7.89%
TOTAL FEE (PRB #18-097) (A1) + (A2) + (B1)			\$7,716,711	\$93,000,000	8.30%

PRB File # 21-069 Expanded Scope (A3)				
Design Change Elec. Eng. to Architecture	\$19,120			
TOTAL BASIC FEE (PRB #21-069) (A1) + (A2) + (A3)	\$7,356,601		\$98,752,693	7.45%
TOTAL FEE (PRB#21-069) (A1)+(A2)+(A3)+(B1)		\$7,735,831	\$98,752,693	7.83%

Staff requested clarification on the following issues with this proposal:

1. In light of the timing of this submission to the SPRB on 4-21-2021 and Amendment #3 stating the Consultant's work must be completed by May 1, 2021, should Amendment #3 be extended beyond May 1? **DCS Response: See below.**
2. Are the services being requested to be approved already underway?
 - a. If yes, what is the status of these services?
 - b. If yes, why was the Architect authorized before securing all the approvals?

DCS Response: The design work is complete... The Architect and myself know the risk and keep moving forward for the benefit of the project... A \$100 million project cannot afford to be put on hold for 4 months for a low cost design change (hence the request for an ample Design Contingency)... This Amendment was submitted end of January so May 1st should have been ample time to complete the work... Thanks

Staff Response: Thx for the response. For the record, the proposal was submitted to the Board by DCS on 4/21/2021, so DCS will have to figure out what happened from end of January to 4/21/2021.

I believe there was \$25K contingency, correct? I don't believe the Board has seen the usage of this contingency, unless I am mistaken. Can you send me the documentation for the contingency usage?

If the work is completed, then the documentation should reflect the current status and the TL may need to be modified before Board action. Copying Kevin K. Let me know if you want to discuss the above.

Staff Response: Steve, can you clarify the following? It seems that the task was included in the original contract. Thanks

ACD #1:

Provide additional land surveying services in order to prepare an easement plan and legal narrative suitable for recording on land records for City of Milford for storm water run-off from Orange Avenue structures. Detailed proposal attached.

From original Contract:

E. Easements

During the design phase, the Architect shall determine the need for any easements, including, but not limited to, easements in connection with utility services required for the project. If easements are necessary, the Architect shall provide three (3) copies of an easement map, a legal description and a recordable mylar. The Architect shall also provide the first draft of an easement document by electronic transmission (email).

DCS 5-18-21 Response: All easement work was completed in 2016 as part of the pre-design and schematic design as required... ACD# 1 was issued in 2019 as the City of Milford approached us

about their “right to drain agreement” in order to drain run-off from Orange Avenue on the east side across the State property to their catch basin on the west side of the State property... At the request of the Legal Unit handling the agreement, a description and survey of the proposed piping has to be rewritten because the construction will eliminate and re-routes the storm drain piping through the State property... Some of this work is still pending as it was eventually determined that the site work needed to be fully completed before as-builts could be furnished to the engineer in order so he could provide the Legal Unit with the proper narrative and coordinates of the piping... This work was determined by the PM to be above and behind the original scope in accordance with the Consultant Procedure Manual, hence the issuance of ACD#1... Thanks

Staff Response: OK

RECOMMENDATION: Staff recommends **APPROVE** of the Amendment #3 in the amount of \$19,120. The overall basic services fee percentage of 7.45% is well within the guideline rate of 8.5% for ARC services for this Group B Renovation Project.

FROM PRB #18-097

This Amendment # 2 is for additional design fees for the Architect since the Schematic Design document submission had occurred (4/17/17) based on the original space needs program prepared by the State Department of Education (SDE). Following additional services will be required to prepare and submit revised schematic design documents based on a revised space needs program (10/24/17) developed by the Office of School Construction Grants & Review (OSCGR) and confirmed by the State Department of Education (SDE):

- A. Revise Base Bid Documents and Supplemental Bid #1. These revisions are specifically identified in detail in Amendment # 2
- B. Additional Coordination tasks
- C. Additional Project Meetings

The Amendment # 2 is also seeking to add Sixty (**60**) calendar days to the Schematic Design Phase after receipt of written notice to proceed bringing it from One hundred twenty (**120**) to One hundred eighty (**180**) calendar days.

The total budget has been established as \$93,000,000; while the CMR’s most current schematics estimate is \$92,465,016.

This Amendment # 2 is seeking an increase in Architect’s fee by \$92,255.00 bringing the Total Fee to \$7,716,711 while Basic Fee to \$7,337,481.

RECOMMENDATION: It is recommended that SPRB **APPROVE** this contract amendment #2 for Drummey Rosane Anderson, Inc. to prepare and submit revised schematic design documents at the Platt THS Additions and Renovations Project. The revised overall basic service fee of \$7,337,481 amounts to 7.89% of the construction budget and is well within the recommended guideline rate of 8.5% for this Group B Renovation Project.

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILE #21-095 – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #21-095. The motion passed unanimously.

PRB FILE #21-107 – Mr. Valengavich moved and Mr. Halpert seconded a motion to approve PRB FILE #21-107. The motion passed unanimously.

9. NEXT MEETING – Thursday, July 8, 2021.

The meeting adjourned.

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