

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On August 10, 2023

– solely by means of electronic equipment - via telephone conference –

Pursuant to CGS §1-225a, the State Properties Review Board conducted its Regular Meeting at 9:30AM on August 10, 2023. Pursuant to the statute, this Meeting was held solely by means of electronic equipment, with Participants connecting via telephone conference at (860)-840-2075 and used passcode 284890492#.

The Notice provided designated this Regular Meeting as open to the public. Call in instruction were provided as: Dial toll free (860)-840-2075 and use passcode 284890492#. If you have any questions or need assistance to attend these Meetings, you can contact SPRB Director Dimple Desai at dimple.desai@ct.gov to make appropriate arrangements.

Members Present – solely by means of electronic equipment:

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

Members Absent:

Staff Present – solely by means of electronic equipment:

Dimple Desai
Thomas Jerram

Guests Present – solely by means of electronic equipment:

Mark Raymond – DAS-BITS
Shane Mallory – DAS Leasing
John Walshaw – DAS-BITS
Brian Dillon - JUD
Jennifer Vigneault – DAS-CS
Nacho Casal – DAS-CS
Alex Curry - DEEP

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 August 7, 2023 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

PRB #	23-123
Origin/Client:	DAS/DEEP
Transaction/Contract Type:	AE / Amendment
Project Number:	BI-T-611
Contract:	BI-T-611-ENG
Consultant:	HDR Engineering, Inc.
Property:	Plainfield, Trout Hatchery Rd (141)
Project purpose:	Energy and Water Supply System Operating Improvements
Item Purpose:	Amendment #3 to compensate consultant for additional project scope

Ms. Vigneault and Mr. Casal of DAS-CS and Mr. Curry of DEEP joined the Meeting to participate in the Board's discussion of this Proposal.

PROPOSED AMOUNT: \$6,260

On December 7, 2015, the Board approved under PRB #15-265, the Consultant's Contract (BI-T-611-ENG) to provide Design and CA Phase Services for the Project - Energy and Water Supply System Operating Improvements - at Quinebaug Valley Fish Hatchery in Plainfield, CT. The Consultant's fee was \$296,563.

In September 2016, the Board approved Amendment #1 (PRB #16-226) for \$76,802 increase in the overall compensation rate (\$373,365 total) for the expanded scope of work.

And in May 2021, the Board approved Amendment #2 (PRB #21-067) for \$76,615 increase in the overall compensation rate (\$449,980 total) for the following expanded scope of work:

- Removal of the design components for a water recirculation system and 1,300 GSF building from the project as these two items are no longer eligible for funding;
- Design for rehabilitation of the existing production wells to improve well production flow rates to include:
 - Removal of pumps and motors in 9 wells to permit an injection of liquid carbon dioxide into each well and mechanically remove newly developed particulates from the well and formation using the surge/air lift method;
 - Design a well modification to accommodate liquid carbon dioxide injection into wells without removal of the pumps and motors; and
- Design for the replacement of unit heaters, exhaust fans, thermostats and LED lighting in all well houses; and
- Expand the construction period by four (4) months to a 14-month construction period.

DAS informs the Board that the Project is approximately 84% complete (as of 3/2023) and this Amendment is required to revise the scope of work to include an extension to the driveway and addition of a discharge line to the effluent pond.

Under this proposal (PRB #23-123), DAS is now seeking Board approval of Amendment #3 to the ENG Consultant Contract to compensate the ENG an additional \$6,260 for additional ENG Design and CA Services, including:

- 1) Prepare a proposal request for additions to the site for a driveway, gate, and culvert extension. Coordinate with the Construction Administrator, the General Contractor, and the State. Evaluate the Change Order Proposal and prepare a recommendation to proceed.
- 2) Review the plan to add a drain, gates and stoplog structures to the second effluent pond submitted by the Client Agency. Review the submittals and RFI and coordinate with the Construction Administrator, the General Contractor, and the State. Prepare a proposal request. Evaluate the Change Order Proposal and prepare a recommendation to proceed. Review the construction process.

The overall construction and total project budget have now been established at **\$5,245,000** and **\$6,727,500** respectively.

HDR Fee for Basic Services (PRB 15-265)	<u>COST (\$)</u> <u>(BASIC)</u>	<u>COST (\$)</u> <u>(SPECIAL)</u>	<u>TOTAL</u> <u>COST</u>	<u>C. Budget (\$)</u>	<u>(%) Budget</u>
Schematic Design Phase	\$54,985				
Design & Construction Document Phases	\$106,473				
Bidding and Review Phase	\$8,497				
Construction Administration Phase	<u>\$77,006</u>				
TOTAL BASIC SERVICE FEE (#15-265) (A)	\$246,961			\$1,810,000	13.64%
<u>SPECIAL SERVICES:</u>					
Biological Design Criteria		\$9,106			
Component Start-Up		\$14,855			
System Testing		\$22,185			
Wastewater Sampling Plan		<u>\$3,456</u>			
TOTAL SPECIAL SERVICES (#15-265) (B)		\$49,602			
Total Fee PRB #15-265			<u>\$296,563</u>	\$1,810,000	16.00%
AMENDMENT#1 PRB FILE #16-226 – Additional Design Services (A1)	<u>\$76,802</u>				
Total Fee PRB #16-226 (A1)			\$373,365	\$2,810,000	13.00%
AMENDMENT#2 PRB FILE #21-067 – Basic Services					
Additional Design & Re-Bid Services	\$60,794				
CA Escalation Costs to 2022	<u>\$15,821</u>				
TOTAL BASIC SERVICES #21-067 (A2)	\$76,615				
AMENDMENT#3 PRB FILE #23-123 – Basic Services					
Additional Desin Services	<u>\$6,260</u>				
TOTAL BASIC SERVICES #21-067 (A2)	\$6,260				
TOTAL BASIC SERVICES (A + A1 + A2 + A3)	\$406,638			\$5,245,000	7.75%
TOTAL FEE (PRB #21-067) (A + A1 + A2 + A3) + (B)			\$456,240	\$5,245,000	8.70%

Staff asked following questions for clarification:

1. Provide revised 1105 that identifies latest project costs for various line items/funding sources/etc.

DAS Response: The last revised 1105 from 3/4/2021 identifies on item 8.0 of the project budget \$473,365.00 for the A/E fee. The total cost of the original contract and the three amendments is \$456,240.00, which is below the estimated cost. Revised 1105 is attached to the email.

Staff Response: The Construction Budget - \$4,284,000 – as identified in the Form 1105 (pg 26 of agency submission) is below:

3.0	Total Construction (including Overhead & Profit)	\$	4,284,000	\$	-	\$	4,284,000
	1.) New Construction						
	2.) Renovation						
	3.) Major Sitework						
	4.) Off-site Improvements						
	5.) Green Architecture (Const. cost impact)						

In this Amendment #3 presented to the SPRB (pg 3 of agency submission) the Construction Budget - \$5,245,000 – is as follows:

3.0	Total Construction (including Overhead & Profit)	\$	2,810,000	\$	5,245,000
	1.) New Construction	\$	2,810,000	\$	5,245,000
	2.) Renovation				
	3.) Major Sitework				
	4.) Off-site Improvements				
	5.) Green Architecture (Const. cost impact)				

If the Construction Budget is correctly stated in this Amendment #3 then the Form 1105 should be updated.

DAS provided an updated Form 1105 on 8-7-23 with the correct Construction Budget. OK

2. What are the reasons to add these services now?

DAS Response: During the design phase, the footprint of the new building did not fully account for the turning requirements of delivery trucks. In order to provide access to the trucks, the driveway had to be extended and the culvert had to be widened to cover the new width of the driveway.

As far as the new discharge line, it was overlooked during the design phase that the new system will create a lot more waste for the hatchery. The hatchery supervisors determined that the existing discharge line to Pond number 1 needed to be split into Pond number 2 as well to maintain the level of operation of the facility. This was made possible using gates and a stop log structure, which allows for the diversion of waste into either pond at the discretion of the staff. This helps to absorb the new demand and allows the hatchery staff to drain and dredge Pond number 1 while waste is being discharged to Pond number 2. Due to the increase in wastewater being discharged with the new system, Pond number 1 is filling up with sediments.

Staff Response: OK

3. Are these critical services and why were these services not identified before in previous amendments?

DAS Response: Yes, these are critical services because they impact directly in the operation of the facility. It was necessary the input from the hatchery staff during construction to realize the importance of these unforeseen issues.

Staff Response: OK

4. What is the basis for the hourly rates?

DAS Response: The hourly rates proposed by the consultant are below the last hourly rate approved for amendment 2 plus the inflation cost during the time elapsed. The inflation cost between March 2021 and March 2023 is 14% according to the Bureau of Labor Statistics (BLS).

Classification	2021 Billable Rate per amendment 2 2021 proposal	2023 Billable Rate per amendment 3 proposal	2023 Billable Rate per BLS (14% increase)	Difference
Project Manager Engineer	\$241.08	\$275.54	\$274.83	\$ 0.71
Mechanical Engineer	\$233.64	\$229.73	\$266.35	\$(36.62)
CADD Technician General 3	\$129.40			
BIM Specialist		\$139.07	\$147.52	\$ (8.45)
Clerical	\$68.04	\$71.39	\$77.57	\$ (6.18)

Staff Response: OK

RECOMMENDATION: Staff recommend approval of Amendment #3 in the amount of \$6,260 to provide expanded ENG Services for the Project until responses are received from DCS.

- DAS has confirmed for that funding is available for this Amendment.
- The submittal is accompanied by a Campaign Contribution Affidavit notarized on 7/10/23.

From PRB #21-067

PROPOSED AMOUNT: \$101,615 \$76,615

On October 18, 2018, under PRB File #18-184, the Board suspended a proposal to amend (#2) the Contract in the amount of \$67,640 for the Consultant to provide design and construction administration services for the following reasons:

- The budget in SPRB memo reflects total revised budget of \$3,834,865 instead of \$3,902,505. This error might be because the A/E Fee is listed as \$373,365 instead of \$441,005. Unless some other line items are adjusted.
- Accordingly pl submit a revised Form 1105 to reflect the addition to the A/E services by this Amendment #2.
- In April 10, 2018 letter from HDR, under Item 3, Schedule – it says the construction period will be greater than the 12 months as originally planned. On page 3 of the same document, it says HDR estimates the construction duration to be 14 months. And it also says that the fee proposal does not include additional time on-site for fisheries specialist to observe progress throughout the construction phase. Has this arrangement been approved by DEEP? Or DCS contemplates that there will be additional compensation later on. Pl clarify.
- Please clarify how many wells are in operation. DEEP website states 16 total wells of which four idled due to high iron content. Amendment #1 made improvements to 13 wells and Amendment #2 includes design improvements to 9 wells. Why reduction in wells?
- Please clarify how the rehabilitation of the wells qualifies as energy savings with the enabling legislation (PA 07-242) and subsequent bond funding (In light that the scope had to be changed because of insufficient energy savings).
- Please clarify why Amendment #2 includes compensation to the consultant for the replacement of unit heaters and exhaust fans when it appears the consultant had been compensated for the same services in Amendment #1.

UPDATED PROJECT BACKGROUND

The project involves water system control and electrical equipment upgrades to the agency’s fish hatchery that will reduce water and electrical consumption and result in operating

efficiencies, as well as cost savings for DEEP. The project has been stalled since the construction bids were received in 2017 as the bids were all over budget. DEEP has requested to re-start the project and re-bid as soon as possible. This amendment is required to have the Engineer update the documents for re-bidding, provide bid phase services for a second time, and increase their construction phase service fee to reflect inflation escalation.

Under this proposal (PRB #21-067), DAS/DCS is seeking Board approval to Amendment #2 to the Contract to expend \$101,516 for the following scope of work:

Additional Services (\$60,794)

1. The Engineer shall provide the following additional services for re-starting the project:
 - a) Conduct meetings and confirm with DAS and DEEP all work, indicated in the previous bid documents, that has been addressed or completed by DEEP since the previous bidding period. Update documents for re-bidding incorporating all previous addenda information.
 - b) Perform an additional code review to address any required changes since some codes, i.e. State Building and Fire Safety Codes, have been updated since bid documents were prepared. Update documents for re-bidding to be in compliance with all applicable current codes.
 - c) Review currently specified equipment and materials to address any changes in availability, manufacturers, products and basis of design. Incorporate all changes to documents for re-bidding.
 - d) Prepare and submit permit applications as required for any permits that have expired.
 - e) Submit updated documents for review by CT DAS Technical Review, CT Office of the State Building Inspector, CT Office of the State Fire Marshal and DEEP. Address all review comments.
 - f) Update the opinion of probable construction cost to reflect document changes and cost escalation.
 - g) Submit updated documents for re-bidding.
 - h) Perform bid phase services a second time since the project is to be re-bid. Bid phase services are described in the contract.

The Engineer shall submit the updated deliverables for re-bidding within one hundred forty (140) calendar days from DAS' notice to proceed.

Design, Bidding and Construction Phase Contingency (\$25,000)

This paragraph establishes a design and construction phase contingency. This contingency is established to facilitate the timely resolution of issues impacting the project during the design, bidding and/or construction phases. It shall be used to supplement the effort of the Engineer and if applicable, its subconsultants, if:

- 3) the service needed is determined by the DAS Project Manager to be clearly beyond the contract's scope of services;
- 4) the DAS has determined in its sole discretion that the Engineer has been performing at a level that meets or exceeds DAS requirements; and
- 5) a Design and Construction Phase Contingency allowance of Twenty-Five Thousand Dollars (\$25,000.00) shall be established. This allowance shall be used at the discretion of, and only upon the prior written approval of, the DAS Project Manager and his/her Assistant Director of Project Management. Such written approval shall also be provided to the State Properties Review Board.

Construction Administration Services Escalation (\$15,281)

The fee increase addresses the inflation escalation that has occurred between the 2016 contract and 2022 using the Consumer Price Index (CPI) Inflation Calculator provided by U.S. Bureau of Labor Statistics.

Note: Escalation was calculated using the US Bureau of Labor CPI inflation calculator. Calculation used October of 2016 to January of 2021. This resulted in a 2.05% increase per year. An additional 2.05% will be added to reflect construction administration work occurring in 2022.

HDR Fee for Basic Services (PRB 15-265)	<u>COST (\$)</u> <u>(BASIC)</u>	<u>COST (\$)</u> <u>(SPECIAL)</u>	<u>TOTAL COST</u>	<u>C. Budget (\$)</u>	<u>(%) Budget</u>
Schematic Design Phase	\$54,985				
Design & Construction Document Phases	\$106,473				
Bidding and Review Phase	\$8,497				
Construction Administration Phase	<u>\$77,006</u>				
TOTAL BASIC SERVICE FEE (#15-265) (A)	\$246,961			\$1,810,000	13.64%
SPECIAL SERVICES:					
Biological Design Criteria		\$9,106			
Component Start-Up		\$14,855			
System Testing		\$22,185			
Wastewater Sampling Plan		<u>\$3,456</u>			
TOTAL SPECIAL SERVICES (#15-265)		\$49,602			
Total Fee PRB #15-265			<u>\$296,563</u>	\$1,810,000	16.0%
AMENDMENT#1 PRB FILE #16-226 – Additional Design Services (A1)					
	<u>\$76,802</u>				
Total Fee PRB #16-226 (A1)			\$373,365	\$2,810,000	13.0%
AMENDMENT#2 PRB FILE #21-067 – Basic Services					
Additional Design & Re-Bid Services	\$60,794				
CA Escalation Costs to 2022	<u>\$15,821</u>				
TOTAL BASIC SERVICES #21-067 (A2)	\$76,615				
TOTAL BASIC SERVICES (A + A1 + A2)	\$400,378			\$4,284,000	9.00%
AMENDMENT#2 PRB FILE #21-067 – Special Services					
Design Contingency (B2)		<u>\$25,000</u>			
TOTAL SPECIAL SERVICES(B)+(B1)		\$74,602			
TOTAL FEE (PRB #21-067) (A + A1 + A2) + (B1 + B2)			\$474,980	\$4,284,000	11.0%

Staff inquired with DCS to clarify following:

1. Please provide answers to the questions raised when the project was suspended.
 - a. The budget in SPRB memo reflects total revised budget of \$3,834,865 instead of \$3,902,505. This error might be because the AIE Fee is listed as \$373,365 instead of \$441,005. Unless some other line items are adjusted.

DCS Response: All DAS responses are specific to the present amendment. The prior 2018 amendment has been superseded and is no longer relevant. The total revised budget shown in the 4/19/21 SPRB memo indicates \$5,685,365 – not \$3,834,865. The 4/19/21 SPRB memo that was sent to SPRB includes the budget with two columns: one column listing the original budget amount totaling \$3,834,865 and the other column listing the revised budget amount.

Staff Response: OK
 - b. Accordingly pl submit a revised Form 1105 to reflect the addition to the A/E services by this Amendment #2.

DCS Response: An updated 1105, signed by Noel Petra on 3/4/21, is already included in the package sent to SPRB 4/19/21. That updated 1105 reflects the proposed additional A/E & CA services along with the anticipated increase in construction cost.

Staff Response: A Form 1105, dated 9-24-2020 was approved by DC Petra 3-4-2021 and accurately reflects the project budget. OK
 - c. In April 10, 2018 letter from HDR, under Item 3, Schedule – it says the construction period will be greater than the 12 months as originally planned. On page 3 of the same document, it says HDR estimates the construction duration to be 14 months. And it also says that the fee proposal does not include additional time on-site for fisheries specialist to observe progress throughout the construction phase. Has this arrangement been approved by DEEP? Or DCS contemplates that there will be additional compensation later on. Pl clarify.

DCS Response: All DAS responses are specific to the present amendment. The prior 2018 amendment has been superseded and is no longer relevant. Our current proposed contract amendment package includes an anticipated 12 month construction duration – not 14 months and the Engineer’s fee does include time for an on-site fisheries specialist to observe construction progress.

Staff Response: OK
 - d. Please clarify how many wells are in operation. DEEP website states 16 total wells of which four idled due to high iron content. Amendment #1 made improvements to 13 wells and Amendment #2 includes design improvements to 9 wells. Why reduction in wells?

DCS Response: The reduction in the number of wells to be included in the work scope is because DEEP has had to repair or replace some wells in the past few years as the project was on hold and such pumps are essential to the hatchery’s operations.

DEEP Response: We have 13 wells. There are 11 wells that run constantly. One well is a backup and one well is in need significant repairs and currently shut down; this is one of the four high in iron but still usable. Three wells are permanently closed due to high iron. We would like improvements made to 13 wells as stated in amendment #1. Amendment #2 was made to reduce cost and try to stay within budget years ago and was never executed.

Staff Response: The proposed Amendment #2 under PRB #21-067 there are no fees for design services relative to the wells and well pumps. OK

- e. Please clarify how the rehabilitation of the wells qualifies as energy savings with the enabling legislation (PA 07-242) and subsequent bond funding (In light that the scope had to be changed because of insufficient energy savings).

DCS Response: I've asked DEEP to respond and will submit their response to you as soon as I receive it.

DEEP Response: With the RAS system and VFDs on all well pump motors we will have the ability to rest wells for extended periods of time. Resting wells is essentially turning them off for multiple weeks or months. With VFD's we will be able to throttle the motor according to the amount of water being pumped. All will realize energy conservation and efficiency benefits. The savings has been projected out, together with significant water conservation/savings, and presented to the DEEP Energy Branch, OPM, DAS and the Technical Advisory Committee (TAC) and has been accepted and approved. The energy and water savings achieved will help towards the goals outlined in Governor Lamont's Executive Order 1.

Staff Response: OK, Recirculation aquaculture systems (RAS) represent a new and unique way to farm fish. Instead of the traditional method of growing fish outdoors in open ponds and raceways, this system rears fish at high densities, in indoor tanks with a "controlled" environment. Recirculating systems filter and clean the water for recycling back through fish culture tanks. New water is added to the tanks only to make up for splash out and evaporation and for that used to flush out waste materials. In contrast, many raceway systems used to grow trout are termed "open" or "flow through" systems because all the water makes only one pass through the tank and then is discarded (<http://fisheries.tamu.edu/files/2013/09/Fish-Farming-in-Recirculating-Aquaculture-Systems-RAS.pdf>)

- f. Please clarify why Amendment #2 includes compensation to the consultant for the replacement of unit heaters and exhaust fans when it appears the consultant had been compensated for the same services in Amendment #1.

DCS Response: I'm not finding where in the Engineer's proposal that the proposed Amendment #2 includes added compensation for the replacement of unit heaters nor exhaust fans. Please clarify the issue.

Staff Response: The proposed Amendment #2 under PRB #21-067 removes all references to unit heaters and exhaust fans. OK

2. The current Form 1105 approved by DC Petra on 3-4-2021 identifies \$25,000,000 in available funding from PA 07-208 (TJ 5-13 - typo should be 07-242), Section 108. Under the previously submitted Amendment #2 (#18-184), the approved 1105 identified \$3,581,496 as available from the Bond Commission. The Construction Budget has now been increased to \$4,284,000 and Total Project Costs are estimated at \$5,212,000.

DEEP Response: Assuming the PA reference is to PA 07-242, Section 108, as previously referenced

- a. Please confirm what funding has been approved by the Bond Commission. Complete B1105, page 6 with details on funding.

DCS Response: Bond Commission action is not requested until the construction bids are received and total project cost is calculated.

Staff Response: The Form 1105, approved by DEEP Commissioner Klee in April 2016 provided the following funding statement:

6.0	Bond Act & Section: Notes: Allocated at the 9/23/11 meeting of the Bond Commission, Item #15. Legislative reference is PA-07-242, Section 10B.	(Double left click imbedded MS Excel Spreadsheet below to activate, double left click outside imbedded MS Excel Spreadsheet to deactivate.)	
		Description	Amount
		Energy Efficiency projects in State Facilities.	\$3,581,496
Total Bonding		\$ 3,581,496	

DEEP Response: In an effort to restart the project and establish funding to cover the increased cost of construction, escalation and other project fees itemized on the 1105 form, DEEP returned to the TAC and presented the energy and water conservation projections and requested funding to cover the projected \$5.2M total project cost. The TAC approved of the project and has committed additional funding to rebid and construct the project. The DEEP Energy Branch is currently working on the inclusion of this increased funding on the next Bond Commission agenda. The additional funding will come out of various existing bond authorizations managed by the DEEP Energy Branch under the Lead By Example (LBE) program. The specific authorizations and bond commission allocations are still to be determined and in process by DEEP Energy Branch staff, once a bid has been confirmed.

Staff Response: OK

- b. Please clarify the impact on funding in light of the Consultant identifying the following work has already been completed by DCS.

- i. Well #1 New pump installed
- ii. Well #7 New pump installed
- iii. Well #10 New pump installed
- iv. Well #3 New pump, motor, head column and column installed.
- v. Well #6 New pump motor and column installed
- vi. Well #12 New head column and column installed
- vii. Reuse pump house – Three new pumps and motors installed
- viii. Well #8 New head column and column
- ix. Well #11 Installed pump, head column and column
- x. Well #7 New head column and column
- xi. Well #14 new submersible pump, column, and check valve
- xii. Remove all well cleaning. No well cleaning coordination will be required as part of this scope.

DCS Response: Please clarify the issue. I've asked DEEP to respond on the funding impact and will submit their response to you as soon as I receive it.

DEEP Response: This project has been bid once in 2017. Therefore, the design is complete. That being said, there are minor revisions to the bid documents that are necessary simply due to the passage of 4 years since the last bid. The amendments currently under review cover that scope of services and brings the project and the required consultant services from bidding through construction.

Staff Response: OK

3. Under this proposed Amendment #2 DCS is requesting the Consultant to update the project to meet current codes, update Contract and Bid Documents in preparation for re-bidding the Project. Please clarify how the Consultant can proceed with updating the project in light of the following:

- a. Under the original Contract and Amendment #1, design components provided for a water recirculation system and 1,300 GSF building to be included in the project, which were subsequently identified as no longer eligible for funding. This Amendment #2 does not remove those components. What is the status of these two components?

DCS Response: The two components remain in the work scope. I've asked DEEP to respond further yet please clarify & explain what is meant that they were "identified as no longer eligible for funding." Who identified them as such & on what basis?

Staff Response: Under PRB #18-147, the DCS Memo prepared by Thomas Surprenant, Project Manager, he stated there was a change in the scope of work as follows:

Prioritizing and modifying scope was required to qualify for energy funding. The fees for change in scope of services is as follows:

Design Engineering/Contract Documents Submittal-revision to contract documentation and specification \$31,475

And Article D of the Second Amendment under PRB #18-147 stated (See Article D.e):

- D. RE: Section 1 of Exhibit A of said contract – Add the following in Paragraph 1 “Schematic Design Services”:**
- e. Remove Water Treatment Building from design, including drum filters, ultraviolet disinfection, and air delivery systems.**
 - f. Modify project documents to current well design to accommodate liquid carbon dioxide injection into wells without removal of the pumps and motors.**
 - g. Replace all electric unit heaters in each well house, as well as new exhaust fans, thermostats, and LED lighting.**

Why would the Water Treatment Building, including drum filters, ultraviolet disinfection, and air delivery systems be removed from the Schematic Design?

DEEP Response: The water recirculation system and 1,300 GSF building components continue to be a part of this project scope of work. Again, the entire scope of work has been approved by the DEEP Energy Branch, LBE and the TAC as eligible for funding on its energy and water conservation merits.

Staff Response: OK

- b. If the two components remain in the Project, have the two components been redefined to comport with the enabling legislation (PA 07-208, Sec.108)?

DCS Response: See 3a response.

DEEP Response: Again, we are assuming the PA reference is intended for PA 07-242, Sec. 108. These two components are suitable for the enabling legislation because they will contribute to the overall energy savings of the facility. By recirculating water, the RAS system will reduce the amount of water being pumped by the wells, thus reducing the power needed to run the pumps. The overall annual energy consumption is estimated to decrease by 218,401 kWh or 7.9%.

Also, these components will conserve between 632 million and 946 million gallons of groundwater annually. This will contribute to the goal of Executive Order No. 1 for a 10 percent reduction in water consumption by 2030. These conservation figures were presented to LBE, TAC and OPM and gained their acceptance, approval and support for additional funding.

Staff Response: This RAS will significantly reduce the fisheries water consumption and thus demand for electric to pump millions of gallons of water on an annual basis. OK

4. Under this proposed Amendment #2, there are no changes to the estimated construction duration from approved Amendment #1. Please confirm that the Consultants CA Services including monthly meetings plus a fisheries specialist for approximately 8 hours/week for up to 43 weeks, to a total of 350 hours, is excessive for the Project now that the rehabilitation to the 9 wells has been removed from the project.

DCS Response: CA’s proposed time is confirmed. We do not think the proposed CA’s weekly time is excessive or not warranted even with the change in work scope.

Staff Response: OK

5. If the primary purpose of this proposed Amendment #2 is to update documents in preparation to re-bid the project (\$60,794 fee), please clarify why a \$25,000 Design Contingency is

included in this Proposal. Contingency cannot be considered. Please remove it from the Amendment.

DCS Response: The proposed not to exceed \$25,000 contingency is a professional services design & construction phase contingency that is being added to address possible unforeseen conditions that could very well develop as we continue with the Hatchery project. As we have experienced time and time again, unforeseen conditions often come up which are clearly beyond the contract's scope of services that require the engineer's added timely resolution and having the contingency already in place is beneficial for the overall project delivery. Such contingency will save precious time for all those involved and as such, is now standard language in our contracts with professional consultants. This standard contract language was not part of the original engineer's contract. We will certainly only utilize the contingency if we believe any proposed service is beyond the contract's scope of services and the issue is not the result of deficient or delayed work caused by the engineer or its sub-consultants.

Staff Response: Remove contingency. DCS resubmitted a revised Proposal, removing the Contingency. The revised Amendment #2 has a value of \$76,615. OK

RECOMMENDATION: It is recommended that SPRB **APPROVE** Contract Amendment #2 for HDR Engineering, Inc. to provide additional design related services at the Quinebaug Valley Fish Hatchery–Energy & Operating Improvements Project. Contingency in the amount of \$25,000 was removed and the contract resubmitted. The overall basic service rate of 11.52% is within the established guideline rate of 14% for this Group C Renovation Construction Project.

7. OTHER BUSINESS

PRB File #:	23-051
Transaction/Contract Type	RE – Amendment
Origin/Client:	DAS/BITS
Property:	Groton, Eastern Point Rd (445) - Building 230
Lessor:	Pfizer, Inc.
Project Purpose:	DAS/JUD Data Center
Item Purpose:	Update

Mssrs. Raymond and Walshaw of DAS-BITS, Mr. Mallory of DAS-Leasing, all joined the Meeting to provide Board Members a quarterly update with respect to DAS-BITS planning process to eventually vacate from their current leased facility to either a new facility or co-located IT Facility, prior to the 2029 expiration of their Lease. Mr. Dillon of JUD was in attendance for this update.

8. VOTES ON PRB FILE:

PRB FILE #23-123 – Mr. Halpert moved and Mr. Berger seconded a motion to approve PRB FILE #23-123. The motion passed unanimously.

9. NEXT MEETING – Monday, August 14, 2023 – will be held solely by means of electronic equipment.

The meeting adjourned.

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