

## STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On February 20, 2024

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

Pursuant to CGS §1-225a, the State Properties Review Board conducted a Regular Meeting at 9:30AM on February 20, 2024. 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 Conference ID 917724280#.

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 Conference ID 917724280#. If you have any questions or need assistance to attend these Meetings, or for some reason the Call-In Numbers do not work, please contact SPRB Director Thomas Jerram, immediately, at [thomas.jerram@ct.gov](mailto:thomas.jerram@ct.gov) to make appropriate arrangements.

### **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:**

Jenna Padula, DAS-RECS

Mr. Valengavich moved and Mr. Halpert seconded a motion to enter into Open Session. The motion passed unanimously.

## **OPEN SESSION**

### **1. ACCEPTANCE OF MINUTES**

Mr. Valengavich moved and Mr. Berger seconded a motion to approve the minutes of the February 15, 2024 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 File #:** 24-012  
**Origin/Client:** DAS/DAS-FM  
**Transaction/Contract Type:** AE / Amendment  
**Project Number:** BI-2B-474  
**Contract:** BI-2B-474-ARC  
**Consultant:** Newman Architects, P.C.  
**Property:** Hartford, Hudson Street (505)  
**Project purpose:** Elevator Modernization Project  
**Item Purpose:** Amendment #1

PROPOSED AMOUNT: \$113,040

At the July 1, 2021 SPRB Meeting, the Board approved under PRB #21-106, the Consultant’s Contract (BI-2B-474-ARC) Elevator Modernization Project at 505 Hudson Street in Hartford, CT. The overall compensation rate approved for this basic service was \$102,290. The Consultant was retained to provide complete “Pre-construction Phase services” including Schematic Design/Design Development Phase, Contract Documents Phase and Bid Phase services. At the time, the overall construction and total project budget were \$1,000,000 and \$1,325,000, respectively.

Construction Administration support services, Commissioning Agent witnessing services and Project Closeout services were not included in the ARC Contract at that time.

In the 2021 Proposal, DAS-CS noted the following:

Since 2017, there have been approximately one hundred fifty eight (158) call-ins for repairs and twelve (12) entrapments in these elevators, which numbers are far in excess of elevators in comparable state buildings.

On May 24, 2021, the Department of Administrative Services Facilities Management completed DAS/DCS Form 1109 – Request for Declaration of Emergency Status – and submitted to DAS/DCS for its consideration with respect to waiving the competitive process in selecting consultants for pre-construction phase services only.

DAS Commissioner Geballe declared and emergency existed on June 24, 2021.

The Department of Administrative Services, pursuant to CGS Section 4b-52(c), issued an Emergency Declaration due to the condition of the elevator adverse impact on public safety and the essential operations of state government. These four (4) elevators also require modernization to the current codes.

The ARC Consultant’s Project Manual is dated February 10, 2023. Within the Project Manual it identifies 485-day construction phase and 90-day close out. The Cost Estimate Range was from \$2,496,630 to \$2,740,593.

On March 27, 2023, DAS-CS retained WSP USA, Inc. under Task Letter #1 (Informal) to their On-Call Contract OC-DCS-CA-0043 to provide Pre-Construction and CA Services for this Project. The Consultant's Fee was \$95,520. The Consultant's CA Services were based on a \$2,447,800 Project Budget and Construction Duration of 180 days plus 90 days Close Out.

The Project was bid on May 2, 2023, with responses due by June 5, 2023. Two Firms responded:

- J.A. Rosa Construction LLC (\$1,561,068); and
- JLY Enterprises, LLC (\$1,807,400).

The Construction Contract was awarded to JLY Enterprises, LLC and approved by the AG on October 10, 2023.

The following are the salient points within the JLY Contract/Bid:

- 485 construction days
- 90-day close out
- \$936/day – Liquidated Damages beyond Substantial Completion
- \$936/day – Liquidated Damages beyond 90 days after Substantial Completion

Under this Proposal (PRB #24-012) DAS-CS is seeking approval of Amendment #1 to BI-2B-474-ARC to compensate the Consultant for Construction Administration Services for this Project, as this phase was not included in the original Contract. The Consultant's fee is \$113,040 for the following scope of work:

**C. RE: Exhibit A of said contract – Add the following Section: Construction Administration Services**

**The Architect shall provide the following additional services:**

**Construction Administration Services**

1. Attend six (6) Virtual Monthly Project Meetings during elevator fabrication period.
2. Attend two (2) On-Site Meetings while Contractor is mobilizing on site.
3. Attend eight (8) Bi-Weekly Project Meetings (4 virtual and 4 on-site) for the Elevator Replacement, Phase 1.
4. Attend eight (8) Bi-Weekly Project Meetings (4 virtual and 4 on-site) for the Elevator Replacement, Phase 2.
5. Prepare Monthly Field Reports during Construction.
6. Review and Approve all Shop Drawings and Submittals.
7. Review and Respond to all Requests for Information (RFIs).
8. Review, comment on as required, and sign all Contractor Payment Applications.
9. Prepare Proposal Requests (PRs) and Supplemental Instructions (SIs) as required to document all changes in the work.
10. Perform Punch List Inspections at the completion of both elevator replacement phases and generate Punch List Reports (2 phases, one punch list inspection visit per phase).
11. Attend three (3) Project Closeout Meetings (1 virtual and 2 on-site).
12. All Construction Administration shall be performed in accordance with Section 3.5.5 ("Construction Phase") of the DAS Consultant's Procedure Manual.

**All of the above services shall be completed by April 23, 2025.**

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

- VDA Elevator & Escalator Consulting, Boston, MA – to provide consulting services for a total fee of \$50,100; and
- Consulting Engineering Services Inc (CES), Middletown, CT – to provide engineering services for a total fee of \$13,800.

The overall construction and total project budget have been increased to \$1,807,400 and \$3,335,000 from the originally established budgets \$1,000,000 and \$1,325,000, respectively.

NAP Basic Services Fee (#21-106)	Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic/Design Development Phase	\$44,630				
Contract Documents Phase	\$37,070				
Bidding Phase	\$20,590				
Construction Administration	\$0				
<b>TOTAL BASIC SERVICE FEE (#21-106) (A)</b>	<b>\$102,290</b>			<b>\$1,000,000</b>	<b>10.23%</b>
NAP Basic Service Fee (24-012) (A1)					
Construction Phase Services (485 days + 90 days close out	\$113,040				
<b>TOTAL BASIC SERVICE FEE (#24-012) (A1)</b>	<b>\$113,040</b>			<b>\$1,807,400</b>	<b>6.25%</b>
<b>TOTAL FEE (#24-012) (A) + (A1)</b>		<b>\$215,330</b>		<b>\$1,807,400</b>	<b>11.91%</b>

Staff have requested clarification of the following issues:

- DAS declared an emergency (CGS §4b-52c) to waive the competitive process in selecting the Consultant, and the Contract BI-2B-474-ARC was approved by the AG on July 30, 2021. Contract deliverables included 62 days from NTP to complete SD/DD phase services and 14 days from NTP for CD phase. If this was declared an emergency, please clarify what caused the delay in receiving the Contract Documents, dated February 10, 2023, 1.5 years after the Contract was approved.

**DAS Response:** DAS/RECS Response: The original DAS RECS project manager retired in 2022 at a time when the department was short staffed due to a significant number of state employee retirements. To compensate, DAS Facilities Management made provisions for additional maintenance and 24-hour emergency service to ensure the elevators remained operational until the elevator replacement could take place. The project was assigned to another project manager before it was reassigned to the current project manager in September of 2023. To summarize, it appears that the delay in receiving the Bid Documents was due to the above referenced staffing issues and the fact that additional maintenance measures were taken to deal with any urgent elevator-related issues.

**Staff Response:** OK
- Has NTP been provided to JLY to commence construction, and, if yes, please provide a copy of the NTP.

**DAS Response:** DAS/RECS Response: Yes, the Notice to Proceed (NTP) was issued on November 6, 2023. DAS/RECS has uploaded the NTP to the SPRB SharePoint site.

**Staff Response:** Based on the NTP, the Project will achieve Substantial Completion by March 12, 2025, and Project Close Out on June 10, 2025. OK
- The Construction Contract awarded to JLY Enterprises, LLC was approved by the AG on October 10, 2023. DAS retained WSP in March 2023 to provide CA Services. And, the ARC of record received CA Proposals from both Sub-Consultants in August 2022. Please clarify what caused the delay in this submission to the SPRB for ARC-CA Phase Services and has the ARC already started providing these CA Phase services?

**DAS Response:** DAS/RECS Response: When the current project manager took over in September of 2023, the AE Amendment for CA Services had not been written. The AE needed to revise their proposal to align with the current schedule and phasing for construction. The current proposal from Newman Architects is dated December 8, 2023.

Staff Response: In light of staffing challenges referenced in Item #1 above, OK.

4. What is the status of the CA Consultant - WSP USA, Inc. – and their Task Letter #1 (Informal) to their On-Call Contract OC-DCS-CA-0043 in light of the Construction Duration of 180 days plus 90 days Close Out now increased to 485 days plus 90 days Close Out.

DAS Response: DAS/RECS Response: WSP is currently providing Construction Administration Services. They plan to submit a proposal for extended services due to the longer schedule duration.

Staff Response: The Informal Task Letter to WSP stated Construction Duration was 180 days plus 90 days for Close Out. OK

5. What is the impact, if any, on this Project and the Contract Documents, dated February 10, 2023, due to changes to the 2022 State Building Code.

DAS Response: DAS/RECS Response: The Building Permit, which DAS/RECS has uploaded to the SPRB SharePoint site, references the 2018 Connecticut State Building Code. That is the Code to which this Project will be built.

Staff Response: OK

**RECOMMENDATION:** Staff recommend approval of Amendment #1 in the amount of \$113,040 to provide ARC-CA Phase Services for the Project, not included in the original ARC Contract.

- DAS has confirmed for that funding is available for this Amendment.
- The submittal is accompanied by a Campaign Contribution Affidavit notarized on 6/05/23.

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From PRB #21-106

PROPOSED AMOUNT: \$102,290

The existing office building at 505 Hudson Street, Hartford, CT is a (10) ten story building above a parking garage built in 1988. This structure contains 153,000 gross square feet of building area exclusive of the garage. The vehicle garage holds approximately 75 cars on two levels and is connected to the main lobby/office area by elevators and stairways. The (4) four existing elevators (3 passenger, 1 service) are original to the building, at approximately 32 years old and have past the end of their useful life. Parts have become obsolete and difficult to locate. Elevator breakdowns and entrapments occur often. This building houses The State of Connecticut DCF Care Line which is mandated to operate 24/7. The Department of Administrative Services, pursuant to CGS Section 4b-52(c), issued an Emergency Declaration due to the condition of the elevator adverse impact on public safety and the essential operations of state government. These four (4) elevators also require modernization to the current codes.

DCS noted:

Since 2017, there have been approximately one hundred fifty eight (158) call-ins for repairs and twelve (12) entrapments in these elevators, which numbers are far in excess of elevators in comparable state buildings.

On May 24, 2021, the Department of Administrative Services Facilities Management completed DAS/DCS Form 1109 – Request for Declaration of Emergency Status – and submitted to DAS/DCS for its consideration with respect to waiving the competitive process in selecting consultants.

DAS Commissioner Geballe declared an emergency existed on June 24, 2021.

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

- a. Replace the elevators control system with a digital closed-loop microprocessor-based control system;
- b. Upgrade the existing elevators motor drive with a variable voltage frequency regenerative drive;
- c. Installation of a microcomputer-based control system to perform all the functions of the elevator motion and elevator door control;
- d. Installation of elevators new centrifugal speed governor, new rope gripper, new car operation panels, new cab lighting, new hall lanterns, new hall position indicator at the main level;
- e. Complete Connecticut State Building Code and Connecticut State Fire Life Safety Code compliance updates shall include, but is not limited to all elevator machine rooms, Heating, Ventilation and Air Conditioning systems (HVAC) issues, fire protection systems, plumbing system, electrical system, elevator shafts, elevator pits, pit ladders, and related systems for project scope for elevator modernization.
- f. Complete compliance with ADA (Americans With Disabilities Act) requirements for all elevator cabs and adjacent building hall and areas access, the Connecticut State Building Code and Connecticut State Fire Life Safety Code..
- g. A/E design professional to specify all elevator modernization equipment commissioning and testing requirements in contract and specifications documents. The General Contract for construction shall include in the equipment start up and testing costs.
- h. Building requires providing 24/7 tenant's access, plan and include phased shut down/replacement of elevators. Request minimum one elevator operational at all times and address all necessary building occupancy, vertical building access for all loading accommodating providing reasonable occupants building access. At this time, it is unknown when complete 100% building tenant occupancy will occur.

The Connecticut licensed design professional shall provide complete "Pre-construction Phase services" including Schematic Design/Design Development Phase, Contract Documents Phase and Bid Phase services.

*Construction Administration support services, Commissioning Agent witnessing services and Project Closeout services are not being included at this time. After the project is bid and project funding obtained then the Architect's contract may be amended to incorporate those services.*

A breakdown of the Consultant's fee is as follows:

1. Combined Schematic Design/Design Development Phase: \$44,630 (62 days from NTP)
2. Contract Documents Phase: \$37,070 (14 days from NTP)
3. Bid Phase: \$20,590 (28 days from NTP)

The initial construction budget and project budget for Task 2 have been established at \$1,000,000 and \$1,325,000, respectively.

DAS has indicated that BC had approved \$135,000 on 12/18/2020. DAS has stated "This item is pending Bond Commission action as Facilities have 1.2 million pending funding" and the Form 1105 identified that funding is available for this consultant via Public Act 2015, Section 21(e)(2) – up to \$25,000,000.

NAP Basic Services Fee (#21-106)	Base Fees (\$)	Special Services	Total Fee	Construction Budget (\$)	% of Budget
Schematic/Design Development Phase	\$44,630				
Contract Documents Phase	\$37,070				
Bidding Phase	\$20,590				
Construction Administration	\$0				
<b>TOTAL BASIC SERVICE FEE (#21-106) (A)</b>	\$102,290			\$1,000,000	10.2%

**RECOMMENDATION:** It is recommended that the Board **APPROVE** this new contract in the amount of \$102,290.

**7. OTHER BUSINESS:**

**8. VOTES ON PRB FILE:**

**PRB FILE #24-012** – Mr. Halpert moved and Mr. Valengavich seconded a motion to approve PRB FILE #24-012. The motion passed unanimously.

**9. NEXT MEETING** – Thursday, February 22, 2024 – will be held solely by means of electronic equipment.

The meeting adjourned.

**APPROVED:** \_\_\_\_\_ **Date:** \_\_\_\_\_

John Valengavich, Secretary