

# STATE PROPERTIES REVIEW BOARD

## Minutes of Meeting Held On February 23, 2012 State Office Building, Hartford, Connecticut

The State Properties Review Board held its regularly scheduled meeting on February 23, 2012 in the State Office Building.

**Members Present:** Edwin S. Greenberg, Chairman  
Bruce Josephy, Secretary  
Mark A. Norman  
Pasquale A. Pepe  
John P. Valengavich

**Members Absent:** Bennett Millstein, Vice-Chairman

**Staff Present:** Brian A. Dillon, Director  
Mary Goodhouse, Real Estate Examiner

Chairman Greenberg called the meeting to order.

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

### OPEN SESSION

**ACCEPTANCE OF MINUTES OF FEBRUARY 16, 2012.** Mr. Norman moved and Mr. Valengavich seconded a motion to approve the minutes of February 16, 2012. The motion passed unanimously.

### COMMUNICATIONS

**Auditors of Public Accounts.** The Chairman received a letter dated February 10, 2012 from John C. Geragosian and Robert M. Ward, the Auditors of Public Accounts, notifying the Board that an audit will be conducted of the fiscal years ended June 30, 2008, 2009, 2010 and 2011.

### REAL ESTATE- UNFINISHED BUSINESS

### REAL ESTATE- NEW BUSINESS

Mr. Josephy moved and Mr. Valengavich seconded a motion to go out of Open Session into Executive Session. The motion passed unanimously.

### EXECUTIVE SESSION

**PRB #** 12-062      **Transaction/Contract Type:** RE / New License Agreement  
**Origin/Client:** DAS/DAS  
**Statutory Disclosure Exemptions:** 4b-23(e); 1-200(6) & 1-210(b)(7)

The Board commenced discussion of the proposal at 9:40 a.m. Mr. Shane Mallory, DAS Leasing Administrator, joined the meeting at 9:50 a.m., and left the meeting at 10:08 a.m. The Board concluded its discussion of the proposed License Agreement at 10:12 a.m.

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting, February 23, 2012

Page 2

Mr. Josephy moved and Mr. Valengavich seconded a motion to go out of Executive Session into Open Session. The motion passed unanimously.

**OPEN SESSION**

At the request of Chairman Greenberg, Mr. Norman moved and Mr. Valengavich seconded a motion to discuss “Item 7. Other Business.” The motion passed unanimously.

**OTHER BUSINESS**

Joining the meeting at 10:14 a.m. were Mr. Howard Russ, Independent Fee Appraiser; and DOT personnel Mr. James Mason, Attorney Dan Walsh, and Mr. Tom Meltzen for a discussion of the following item which had previously been suspended by the Board:

**PRB #** 12-028 **Transaction/Contract Type:** RE / Admin. Settlement  
**Origin/Client:** DOT / DOT  
**Project Number:** 171-305-148  
**Grantor:** The Hartford Courant Company  
**Property:** 285 Broad Street, 8 Flower Street and 15 Flower Street, Hartford, CT

**Project Purpose:** New Britain – Hartford Busway Project  
**Item Purpose:** Acquisition of approximately 2,916 SF of defined easement area for transportation purposes, 201 SF easement for lighting and a 7,566 SF temporary work easement together with various rights.

Mr. Mason introduced Appraiser Russ who at the Chairman’s request discussed his analysis of the Income Approach to value that he developed on behalf of DOT, valuing the rights and easements described above.

As part of his appraisal, he valued the damages resulting from the permanent loss of the equivalent of 18 parking spaces. Receiving no information from the Grantor regarding lease payments for parking license agreements, Mr. Russ collected data and incorporated into his Income Approach a “net” rental rate of \$112.00/space/month. He acknowledged that this is at the high end of the data he compiled, but justified it because of the superior location on site of the 18 parking spaces affected. The compensation he recommended for the lost parking was \$261,766 which is \$14,542/space.

In negotiations, the Grantor sought temporary damages for the loss of additional leased parking, made unavailable to the Grantor when Amtrak cancelled a lease for 33 spaces. The Board discussed with DOT personnel the length of time it would take the Grantor and Amtrak to re-instate the lease for these spaces. Mr. Mason said that DOT agreed to compensate the Grantor an additional lump sum of \$15,000. The summary of the allocation of damages is as follows:

**Table 1: Summary of Allocation of Damages**

<b>Item</b>	<b>Valuation</b>	<b>Damages</b>
Easement for transportation	2,916 SF @ \$10.00/SF x 99%	\$28,868
Easement for lighting	201 SF @ \$10.00/SF x 99%	\$1,990
Site Improvements	Contributory value as determined by cost manual	\$7,376
Impact loss of 18 parking spaces	Determined through income approach	\$261,766
Temporary Work Area	7,566 SF @ \$10.00/SF x 8% x 4 years = \$24,211, say	\$25,000
Temporary Loss of Parking	Lump sum for 33 spaces lost for indeterminate time period	\$15,000

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting, February 23, 2012

Page 3

Total:		<b>\$325,000</b>
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The Chairman thanked Messrs. Russ, Mason, Walsh and Meltzen, who left the meeting at 10:32 a.m.

**REAL ESTATE- NEW BUSINESS**

**PRB #** 12-037 **Transaction/Contract Type:** RE / Sale  
**Origin/Client:** DOT / DOT  
**Project Number:** 17-86-8A  
**Grantee:** John Senese  
**Property:** Easterly side of Emmett Street at its intersection with CT Route 72, Bristol

**Project Purpose:** DOT sale of excess property  
**Item Purpose:** DOT sale of approximately 1.19-acres SF of vacant land via a public bid.

Ms. Goodhouse reported that this is a rectangular parcel of wooded land, surplus to DOT's project needs, at the southeasterly corner of Pine Street (Route 72) and Emmett Street. The state will retain access along the Pine Street frontage and a portion of the Emmett Street frontage, as shown on the map provided. There is electricity, gas, water and sewer at the site. The property conforms to the zone, which is currently multi-family residential but the appraiser, after consulting the local zoning official, deemed its highest and best use to be commercial. A zone change is planned to "BHC – Route 72 Corridor Business Zone", and this parcel will conform to the requirements of the new zone.

DOT certified market value based on an appraisal by John P. Kerr who valued the property as of 6/17/2011 using the Sales Comparison Approach and concluded \$3.50/sf for the subject property, or \$181,500.

The property was exposed to the market through the public bid process. After advertising in the Hartford Courant and New Britain Herald, a public bid was held on October 13, 2011. No minimum bid was required, but the appraised value of \$181,500 was advertised. Four (4) bids were received: \$20,000, \$65,500, \$151,000 and the highest bid for appraised value of \$181,500 (Grantee).

Ms. Goodhouse recommended approval of the item. The documentation provided by DOT demonstrated adherence to CGS 13a-80 and other applicable statutes authorizing the commissioner of transportation to sell excess property. The state will retain no-access highway line and a slope easement as delineated on the map; the sale ends the state's requirement to maintain the property and will return the property to the Grand List of the City of Bristol.

**ARCHITECT-ENGINEER - UNFINISHED BUSINESS**

**PRB#** 12-031 **Transaction/Contract Type:** AE / Commission Letter  
**Project Number:** BI-JD-299 **Origin/Client:** DCS/JUD  
**Contract:** BI-JD-299-ARC Commission Letter #1  
**Consultant:** JCJ Architecture, Inc.  
**Property:** New Haven Courthouse GA #23, New Haven

**Project Purpose:** Exterior Restoration to New Haven Courthouse  
**Item Purpose:** Commission Letter #1 to compensate the consultant for additional services related to re-bidding of additional project phases and construction administration services based on the expanded Phase I project scope.

The Board had requested additional information on this proposal concerning restoration work at the New Haven Courthouse. Mr. Dillon reported that he met with DCS Project Manager for this project on February 17<sup>th</sup> to further discuss this file. Based on these discussions and additional information it has been confirmed that the

## STATE PROPERTIES REVIEW BOARD

Minutes of Meeting, February 23, 2012

Page 4

request for additional bidding compensation is due to the fact that the Consultant, JCJ Architecture, Inc. (“JCJ”) has had to negotiate and reevaluate the 2<sup>nd</sup> lowest bidder for the project after the previous bidder had been deemed unresponsive for the project. As such this additional compensation can be considered equivalent to the required scope to re-bid the project. Based on this explanation SPRB staff is now recommending approval of this Commission Letter.

This project incorporates structural renovation Project #BI-JD-281A into Project #BI-JD-299. The incorporation of the former project includes the architect of record Hoffman Architects as a sub-consultant to the current Architect of Record, JCJ. The New Haven Courthouse contains a gross building area of 600,000± SF and was constructed in 1914. The facility is on both the State and National Historic Registers and therefore, all restoration work must comply with the standards of the CT Historical Commission and Secretary of the Interior.

Commission Letter #1 will increase JCJ’s contract by \$46,105 in consulting fees to provide additional bidding services for Phases II and III and expanded construction administration services for Phase I.

### ARCHITECT-ENGINEER – NEW BUSINESS

<b>PRB#</b>	<b>12-038</b>	<b>Transaction/Contract Type:</b>	AE / Task Letter
<b>Project Number:</b>	BI-DF-50	<b>Origin/Client:</b>	DCS/ASD
<b>Contract:</b>	OC-DPW-ARC-0031		Task Letter #3
<b>Consultant:</b>	OakPark Architects, LLC		
<b>Property:</b>	American School For The Deaf, West Hartford		

**Project Purpose:** Athletic Complex Renovations

**Item Purpose:** Task Letter #3 to compensate the consultant for design services related to the replacement of the roof, windows and other various improvements at the athletic complex.

Mr. Dillon reported that this project involves the design and construction administration for the replacement of approximately 28,400 SF of roof area at the American School for the Deaf Athletic Complex. The scope of work also includes replacement of wooden windows, removal of dormers, replacement of gable siding, replacement of skylights, painting of trim and a forensic investigation of ongoing brick veneer deterioration.

In May 2010, SPRB approved OakPark Architects, LLC (“OPA”) as one of four firms under the latest *On-Call Architect Series* of consultant contracts.

The Construction Budget for the project is \$1,605,000 and the Architect’s *total fee* for the project is \$123,900. The overall project budget is \$2,100,000. As detailed in the scope letter from OPA to DCS dated August 29, 2011, Task Letter #3 in the amount of \$123,900 is intended to compensate the Architect for the following project scope:

- Completion of schematic, design development and construction plans and specifications for the project. The contract plans are required to include the replacement of wooden windows, removal of dormers, replacement of gable siding, replacement of skylights, painting of trim and a forensic investigation of ongoing brick veneer deterioration.
- Limited construction administrations services such as attendance at meetings and review of submittals/RFIs for the specified scope.
- Provide consultant support services to conduct forensic investigations of the deteriorating brick veneer.

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting, February 23, 2012

Page 5

- The contract specifically excludes environmental assessments, LEED documentation, special inspections, commissioning, STC requirements, environmental permits & FF&E coordination. The Client Agency has already confirmed that Fuss and O’Neill Inc. has been hired to conduct an ACBM analysis of the roof.
- DCS has confirmed that funding is available for this project.

Mr. Dillon recommended approval of the task letter. The architect’s *base fee* as a percentage of Construction Budget is 7.47% whereas the maximum guideline rate for this Group B renovation construction project is 12.0%, with up to 1% for construction administration for a maximum fee of 13.00%.

**PRB#** 12-039 **Transaction/Contract Type:** AE / Task Letter  
**Project Number:** BI-CTC-413 **Origin/Client:** DCS/CTC  
**Contract:** OC-DPW-ENV-0014 Task Letter #1B  
**Consultant:** TRC Environmental Corporation  
**Property:** Various Sites Statewide

**Project Purpose:** EPA Compliance Program at Various Sites  
**Item Purpose:** Task Letter #1B to compensate the consultant for EPA compliance program services at various Connecticut Community College sites statewide.

Mr. Dillon reported that Task Letter #1B in the amount of \$94,900 is intended to compensate the consultant; TRC Environmental Inc. (“TRC”) for continuing services to maintain compliance with applicable federal and state environmental regulations and laws at all 12 community colleges. The fee is allocated as follows:

Activity at all 12 Colleges	Cost (\$) (2011)	Cost (\$) (2012)
Wastewater Discharge Compliance	14,500	14,500
Spill Prevention Controls & Countermeasures	7,500	8,500
Hazardous & Regulated Waste Compliance	15,400	15,900
Environmental Training	12,500	12,500
Air Compliance Services	18,500	23,500
Compliance Evaluations	15,500	15,500
On demand required Services	2,500	4,500
<b>TOTAL</b>	<b>86,400</b>	<b>94,900</b>

The primary revisions to the contract can be attributed to additional expenses for *Spill Prevention Control, Air Compliance Services* and *On-Demand Monitoring*. The biggest scope increase is for *Air Compliance Services* due to the fact that new EPA regulations may require boiler emissions to be tested as a regulated source. As part of this contract TRC will complete an analysis on the applicability of this new regulation to the client agency. The on-call contract for \$300,000 was issued in 2009 and was extended in August 2011 until March 1, 2012.

Mr. Dillon recommended approval of the item.

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting, February 23, 2012

Page 6

**OTHER BUSINESS**

The Board took the following votes in Open Session:

**PRB FILE #12-031** - Mr. Pepe moved and Mr. Norman seconded a motion to approve PRB File #12- 031. The motion passed unanimously.

**PRB FILE #12-037**- Mr. Pepe moved and Mr. Valengavich seconded a motion to approve PRB File #12- 037. The motion passed unanimously.

**PRB FILE #12-038**- Mr. Valengavich moved and Mr. Norman seconded a motion to approve PRB File #12- 037. The motion passed unanimously.

**PRB FILE #12-039**- Mr. Norman moved and Mr. Valengavich seconded a motion to approve PRB File #12- 037. The motion passed unanimously.

**PRB FILE #12-062** – Mr. Valengavich and Mr. Norman seconded a motion to approve PRB File #12- 062. The motion passed unanimously.

The meeting adjourned.

**APPROVED:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
Bruce Josephy, Secretary