

STATE PROPERTIES REVIEW BOARD

Minutes of Meeting Held On December 2, 2013 State Office Building, Hartford, Connecticut

The State Properties Review Board held a regular meeting on December 2, 2013 in the State Office Building.

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

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

Chairman Greenberg called the meeting to order.

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

OPEN SESSION

ACCEPTANCE OF MINUTES OF NOVEMBER 25, 2013. Mr. Norman moved and Mr. Millstein seconded a motion to approve the minutes of November 25, 2013. The motion passed unanimously, except for Mr. Valengavich who abstained from voting.

COMMUNICATIONS

REAL ESTATE- UNFINISHED BUSINESS

REAL ESTATE- NEW BUSINESS

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

EXECUTIVE SESSION

PRB # 13-237 **Transaction/Contract Type:** New Lease
Origin/Client: DAS/ DPDS

Statutory Disclosure Exemptions: 4b-23(e), 1-200(6) & 1-210(b)(24)

The Board commenced discussion of the proposed lease at 9:32 a.m. and concluded at 9:47 a.m.

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

OPEN SESSION

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PRB # 13-244 **Transaction/Contract Type:** RE / Voucher
Origin/Client: DOT / DOT
Project Number: 105-208-003
Grantor: District of Fenwood
Property: Various areas along Maple Avenue seawall Route 154, Old Saybrook
Project Purpose: Seawall Revetment Rehabilitation on CT Route 154 (Maple Ave.) Project
Item Purpose: Acquisition of a 2,244± SF slope easement, 549± SF drainage right of way and a 15,324± SF temporary construction easement all for highway purposes.

Staff reported that this project concerns the repair and reconstruction of a masonry seawall along Route 154, as a result of storm damage. Following Hurricane Irene, on 9/23/2011 DOT Commissioner Redeker issued a Declaration of Emergency Condition and authorized repairs to the seawall. DEEP gave emergency authorization for the repairs. Storm Sandy occurred on October 29, 2012 creating another emergency condition. The tidal surge and wave action resulted in severe erosion affecting the roadway embankment along Route 154. There was significant cracking in the sloped wall and the storm created large voids behind the wall. Slope protection failures occurred. Immediate repairs were completed. The State estimated \$185,000 needed for rights of way acquisition in connection with the project, of which 80% is federally funded.

The subject property is owned by the District of Fenwood. It is 1.82± acres of residentially zoned land located on the north side of Long Island Sound and south side of Route 154 (Maple Avenue). There are 1,310 linear feet of road frontage; and a similar length along the mean high water of Long Island Sound. The average depth of the property is 60 feet. The property is used as a beach for the District of Fenwood. The property is subject to an easement for slope paving in favor of the State; and an easement for a seawall in favor of Debra G. Fischman.

This voucher will compensate the Grantor for a drainage right of way, a temporary work area (6 months) and for a slope easement. DOT Appraiser Michael J. Corazelli based his valuation on three sales at Cosey Beach in East Haven. Sale 1 occurred after Storm Sandy. Sale 2 occurred between the storms. Sale 3 occurred days before Storm Irene. All three were sales of small (0.14 acre to 0.21 acre) vacant building lots that ranged from \$39.63/SF to \$57.39/SF. The appraiser adjusted the value downward because the subject area cannot accommodate residential use, but has a highest and best use as beach and recreational use for properties located on the opposite side of Route 154. After adjustment, the sales indicated a value between \$15.83/SF - \$22.99/SF. He concluded a value of \$20.00/SF for the subject; the proposed compensation for drainage rights of way, slope easement and temporary construction easement totals \$43,250.

Staff recommended Board approval of the item. DOT has the authority under CGS §13b-26(f) to undertake emergency repairs, in any manner, with such assistance as he may require to restore the highway system to a condition which will provide safe travel or to correct the emergency condition so declared by the commissioner. DEEP issued an emergency authorization to work in the coastal area pursuant to CGS §22a-363d, which permit is in place until December 25, 2013. The damages of \$43,250 are supported by the appraisal report by Michael J. Corazelli, dated 6/21/2013.

ARCHITECT-ENGINEER - UNFINISHED BUSINESS

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PRB#	13-055	Transaction/Contract Type: AE / Amendment
Project Number:	BI-CTC-409	Origin/Client: DCS/CTC
Contract:	BI-CTC-409-Arc	
Consultant:	Perkins + Will Architects, P.C.	
Property:	Gateway Community College, New Haven	
Project Purpose:	Construction of Downtown Gateway Community College	
Item Purpose:	Contract Amendment #5 to compensate the Architect for additional construction related design services.	

Mr. Dillon reported that this project involved the relocation and consolidation of Gateway Community College (GCC) from its two existing campuses to a 3.21-acre site located at Church Street, New Haven, where a new 358,500± GSF building, 600 space parking garage and 25± surface parking spaces was constructed. The college was designed to realize LEED Gold certification. The project was considered substantially complete as of December 2012. As of February 2013 construction and total project budgets are \$147,063,293 and \$196,251,693 respectively.

In September 2005, the Board approved the selection of Perkins & Will Architects P.C. (“PWA”) as the Architect of Record for a fee not-to-exceed \$8,750,210 based on a \$94,851,050 construction budget (PRB #05-242). Since that time SPRB has approved four (4) contract amendments and two (2) commission letters for this project.

This item, Contract Amendment #5 will modify PWA’s contract to allow the architect to be compensated for over fifty (50) design revisions that were required during the course of construction. PWA has identified these revisions as either “DCS owner requested”, “college requirements”, or as general design revisions. As originally proposed, Amendment #5 was a total net increase to the contract based on the additional scope of \$676,280 and would have increased PWA’s total compensation for the project from \$13,381,071 to \$14,057,351.

The Board’s review of Amendment #5 was previously suspended by the Board on April 1, 2013 due to concerns related to the fee and associated costs related to services that may have already been included in the contract. The request for additional funding related to this work was primarily being requested as part of the consultant’s CA services provision. SPRB Staff identified and the Board agreed that portions of the amendment related to “additional services requested by DCS” and “program changes requested by the client agency and approved by DCS” should be approved for compensation as they were clearly identified as additional services. Based on this criterion DCS has identified over \$350,000 in additional services requested by the consultant as well as over \$120,000 in program changes. The revised submittal from DCS to the Board has reduced the fee from \$676,280 to \$515,280. This reduction can be primarily attributed to the elimination of a significant portion of the additional construction administration services requested by the consultant. Furthermore, this reduction is consistent with the questions and concerns identified by the Board as part of the suspension of this file. This revised contract amendment reduces the cost of this submission by \$161,000 and should be considered a savings to the State of Connecticut. Staff recommended approval of the revised Contract Amendment #5 whereas the basic service fee of \$11,800,354 amounts to 8.02% of the construction budget.

ARCHITECT-ENGINEER – NEW BUSINESS

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OTHER BUSINESS

The Board took the following votes in Open Session:

PRB FILE #13-055 – Mr. Norman moved and Mr. Valengavich seconded a motion to approve PRB File #13-055. The motion passed unanimously.

PRB FILE #13-237 – Mr. Valengavich moved and Mr. Norman seconded a motion to approve PRB File #13-237. The motion passed unanimously.

PRB FILE #13-244 – Mr. Millstein moved and Mr. Pepe seconded a motion to approve PRB File #13-244. The motion passed unanimously.

The meeting adjourned.

APPROVED: _____ **Date:** _____
Bruce Josephy, Secretary