

STATE OF CONNECTICUT



STATE PROPERTIES REVIEW BOARD

450 Columbus Boulevard, Suite 202
Hartford, Connecticut 06103

Pursuant to CGS §1-225a, the State Properties Review Board conducted a Regular Meeting beginning at 9:30AM. Pursuant to the statute, this Meeting was held solely by means of electronic equipment – via Microsoft TEAMS or Call-In Conference.

Microsoft Teams Meeting Join on your computer, mobile app or room device. Click here to join the meeting Meeting ID: 273 299 692 323 Passcode: uLQBFw Download Teams Join on the web	Or call in (audio only) +1 860-840-2075, 917724280# United States, Hartford Phone Conference ID: 917 724 280#
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Members Present – solely by means of electronic equipment:

Bruce R. Josephy, Chairman
Jeffrey Berger, Vice Chairman
Mark A. Shiffrin, Secretary
Eric Coleman
Russell Morin

Staff Present – solely by means of electronic equipment:

Thomas Jerram
Jyoshna Rath

Members Absent:

Jack Halpert

Guest Present – solely by means of electronic equipment:

Minutes of Meeting Held: April 10, 2025

OPEN SESSION

1. ACCEPTANCE OF MINUTES

Mr. Coleman moved and Mr. Berger seconded a motion to approve the minutes of the April 3, 2025. The motion passed unanimously.

2. COMMUNICATIONS

Staff and Members were updated on PRB #23-099, and the Friar Architects as the ARC of record under Project BI-2B-483-ARC, and under Amendment #1 (PRB #24-034), the SPRB approved \$36,750 for an Expanded Pre-Design Study. RECS issued an Informal Task Letter #3 (OC-DCS-ARC-0073) to Friar to prepare another Study for the same Project Number and why this was not presented to the SPRB for their review and action?

RECS informed the SPRB that the purpose is to determine if the state can save significant \$ by adding to the existing OCME while allowing the OCME to stay in operation during the entire construction of the expansion and renovation. The aforementioned amendment #1 to 2B-483 provided survey and wetlands mapping. The results of that mapping results in the possibility to consider other options with the purpose of reducing state costs and speeding up the delivery of a new or renovated and enlarged facility. This standalone study is required to further validate costs and schedule before the state can make a final decision regarding supporting capital expenditures.

Staff also informed Members that research continues with OPM regarding prior Grants issued pursuant to CGS §4-66 that included real estate acquisitions.

Vice Chairman Berger updated Members on the Legislative Session and the status of proposed Legislation that may impact the SPRB's oversight function.

3. REAL ESTATE - UNFINISHED BUSINESS

4. REAL ESTATE – NEW BUSINESS

5. ARCHITECT ENGINEER – OLD BUSINESS

Minutes of Meeting Held: April 10, 2025



State Properties Review Board



Cheshire Complex Heating & Cooling Upgrades

<i>PRB #</i>	25-049
<i>Transaction/Contract Type:</i>	AE/ CA Contract
<i>Origin/Client:</i>	DAS/DOC
<i>Project Number:</i>	BI-JA-496
<i>Contract</i>	BI-JA-496-CA
<i>Consultant</i>	Downes Construction Company, LLC
<i>Property</i>	Cheshire, Jarvis Street(42)
<i>Project Purpose:</i>	Cheshire Complex heating and Cooling Upgrades
<i>Item Purpose:</i>	CA Consultant Contract
<i>DAS-RECS Staff Assigned</i>	Anthony DeNapoli, PM
<i>Date:</i>	April 09, 2025

PROPOSED AMOUNT:

Negotiated Construction Administrator Fee: \$ **2,211,154.00**

PROJECT DESCRIPTION

The project involves the installation of three new hot water and chilled water central plants. These new plants will replace the single larger plant at the Powerhouse on campus that presently serves the entire campus with chilled water and high-temperature hot water.

The three new plant equipment installation will be located locally at each of the three major areas that comprise the Cheshire Complex:

Cheshire Correctional - 900 Highland Ave, Cheshire, CT (in a New Plant Building)

Webster – 111 Jarvis Street, Cheshire, CT (in Existing mechanical space within Webster)

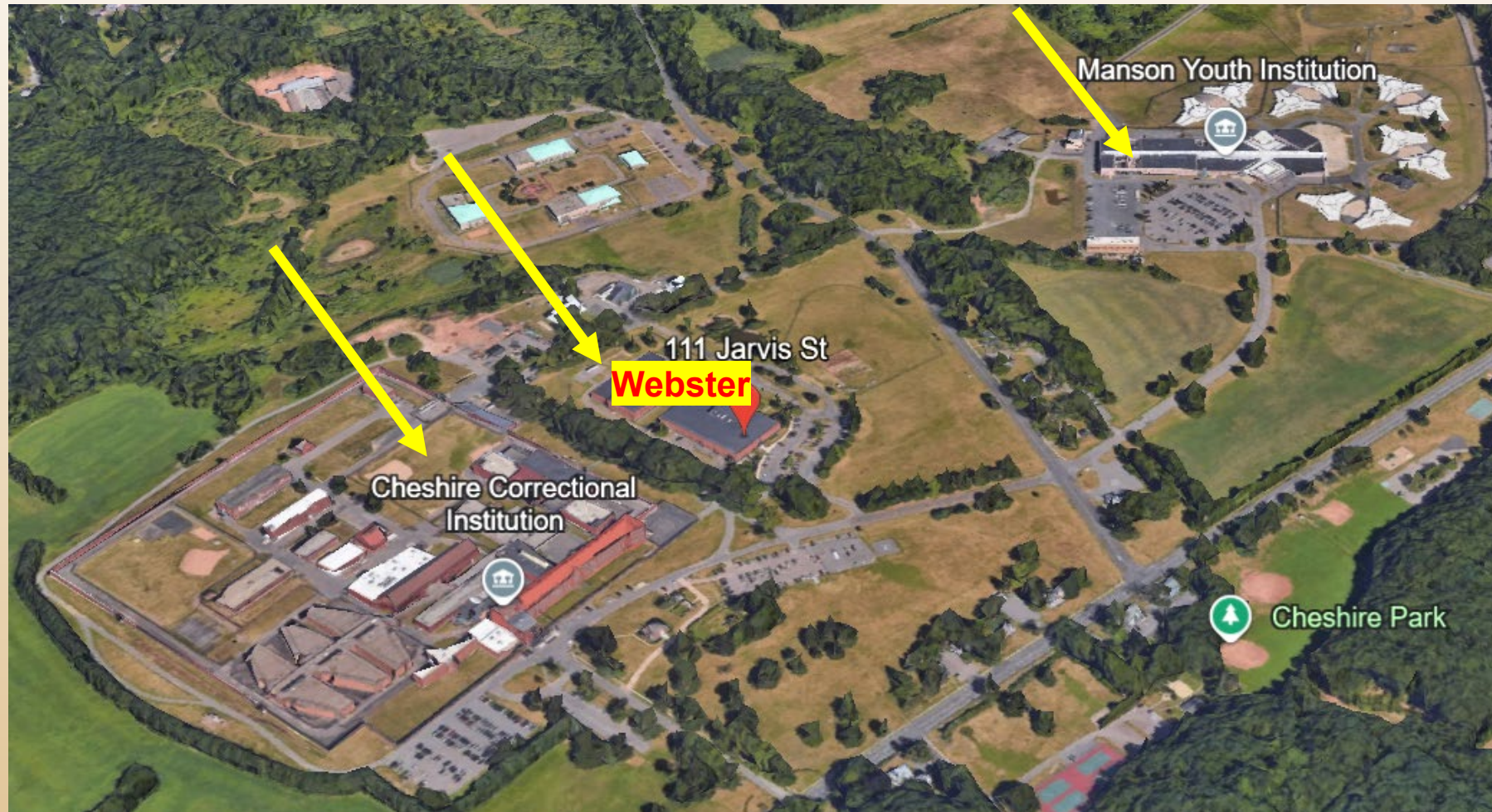
Manson Youth Institute - 42 Jarvis Street, Cheshire, CT (in Existing nearby Powerhouse)

New hot water and chilled water piping will be provided from the three new plants to each mechanical room at each facility, to back feed local hot water and chilled water distribution within each building.

The project will include a new head-end BMS system for the entire complex. The system will control and monitor the new plant equipment and tie into existing DDC control systems at each building that currently has DDC systems.

The new BMS system will include energy monitoring to each of the local mechanical rooms fed by the three new central plants for energy monitoring.

PROPOSED LOCATION OF 3 PLANTS



PROJECT BACKGROUND

Under PRB #23-122 SPRB approved a new Contract– BI-JA-496-ARC –to CES to expend \$1,496,000 for design and construction administration services to support the Project - Cheshire Complex Heating and Cooling System .

Under PRB #24-155 SPRB approved Amendment#1 to CES for Design and Construction Administration of additional services those were not included in the original Project Scope (PRB #23-122). Amendment #1 services “shall be completed by February 27, 2025, due date for 100 Percent Contract Documents.”

In support of this project DAS advertised for BI-JA-496-CMR on May 24, 2023 (canceled) and again on November 21, 2023, with responses due by December 20, 2023, awarded to **PDS Engineering** on August 15, 2024. In this advertisement, the CMR Project had a construction budget estimated at \$20,477,757.

Under this proposal (PRB #25-049)

DAS is seeking approval of contract for Downes Construction Company, LLC as CA for project BI-JA-496, Contract BI-JA-496-CA, Cheshire Complex Heating and Cooling Upgrades.

Construction Administrator (CA) and Commissioning Agent (CxA) consultants:

are selected to assist the Architect/Engineer Team consultants with developing design and construction documents in cooperation with a CMR for a Major Capital Project. The CMR shall publicly bid the project elements to subcontractors and enter into a Guaranteed Maximum Price (GMP) amendment to the CMR contract that was signed with the State to build the Project. After consultation with and approval by the Commissioner, the CMR shall award subcontracts to responsible, qualified subcontractors, submitting lowest bid for the public project.

RFQ and Responses

DAS advertised Request for qualification for BI-JA-496-CA on July 3, 2024 with responses due by July 31, 2024 for CA Consultant selection and elicited 6 responses

3 firms were shortlisted to provide Fee Proposal and Downes Construction was ranked 1st by all 5 members from the panel. (4 members from DAS and 1 member from DOC)

- The third ranked firm, Atane Engineers, had the lowest fee but the highest cost per quality point at \$93,714.75.
- The second ranked firm, AI Engineers, had the second lowest fee and the second highest cost per quality point at \$91,455.00.
- The top ranked firm, Downes Construction Company, had the highest fee but the lowest cost per quality point at \$89,977.36.

Downes' fee is higher than the other two firms. However, they have prior experience on the York Correctional Project, which was of a similar size and scope. Downes is familiar with DOC check-in and security requirements, and they have done more DAS CMR Projects than the other two firms. Based on these factors and their cost per quality point, this firm offers the best value for CA Services on this project. The Agency has also expressed their desire to work with Downes on this project.

AI Engineers have past experience on DAS projects, but the Connecticut DOC jobs they have done have been outside the gates of the correctional facilities. Also, on the Enfield Water Tank Project, DOC reported that AI Engineers lacked knowledge of the project, didn't know water system regulations, and asked for DOC input where they should have known the rules and regulations. Also worth noting is that other than Berkshire Hall, most of AI's experience is with Design Bid Build jobs, not CMR.

Atane Engineers has also done smaller DOC jobs that were outside the gates, but nothing comparable to the size and scope of the Cheshire Heating and Cooling Project.

Based on the Letter of Recommendation from the Negotiation Committee, Deputy Commissioner approved the contract to Downes Construction on 12/2/2024 as representing the best value for the State with an inclusive Fee amount \$2, 249,434.

DAS negotiated the fee and the Consultant submitted a revised proposal on 03/28/2025 for a fee of **\$2,211,154**

DOWNES CONSTRUCTION

Established in 1934, located in New Britain with 90 staff including 26 Project Managers.

Projects Completed by the Consultant in last 5 years

Project- 1- CM- Gaylord Specialty Healthcare, Burgess Building, Wallingford, CT- Completed Nov. 2023

Project- 2- CM- Bristol City Hall, Bristol, CT, -Completed October 2023

Project- 3- CM- Hawley Elementary School, Newtown, CT, -Completed August 2023

Project- 4- CM- Bridgeport Public Library, Bridgeport, CT, -Completed October 2022

Project- 5- CM- Bristol Arts & Innovation Magnet School, CT -Completed June 2022

Most Recent Contract awarded to Consultant by DAS in last 5 years

1. 410, 450, and 460 Capitol Ave HVAC Energy Upgrades - \$ 315,680
2. Farmington Ave Projects CA Contract - \$ 99,780

Chubb Insurance Company reported that the Consultant has no assessed damages or penalties for any project for last 10 years.

SCOPE OF WORK

The Construction Administrator (CA) shall work closely with the Owner's (A/E) Design Team and Construction Manager (as applicable) to provide the following **designated services** for this Project:

(1) CA Preconstruction Phase Oversight Services:

The CA scope of services for each portion of each design phase of preconstruction shall include, but not be limited to, some or all of the following tasks:

- Analysis & Review of Master Schedules.
- Participation in all Design Phase Meetings.
- Review & Reporting of Design Documents.
- Review & Reporting of Constructability.
- Preliminary Field Operation Analysis.
- Review & Reporting of Construction Cost Estimate.
- Construction Budget Cost Reconciliation with Owner, Agency, CMR (if applicable) and A/E.
- Commissioning (cXML) Coordination Services.
- Pre-Bid meeting(s) participation.
- Review of Bid Packages.
- Participation in trade contractor Scope Meetings.
- Bid Analysis. Provide recommendations for award.
- **High Performance Building Experience:** The CA shall demonstrate experience with managing projects designed as High-Performance Buildings and designed and constructed in accordance with the LEED Rating System standards. The CA Team shall have an Accredited Professional for LEED. The CA shall participate in all Integrated Design Meetings for High Performance Buildings.
- **Net Zero Energy Experience:** This Project will pursue Net Zero Energy and the CA shall demonstrate how previous project experience will support achieving the goal of this Certification. The CA shall participate in all Integrated Design Meetings for Net Zero Energy.

SCOPE OF WORK CONTINUED

(2) CA Construction Phase Oversight Services:

The CA scope of services responsibilities for the construction phase shall include, but not be limited to, the following tasks:

- Review and comment on and monitor construction schedules.
- Provide expert Primavera “review services” to review and comment on the General Contractor’s (or CMR’s, as applicable) CPM Schedule.
- Run & keep a record of Construction Phase Meetings.
- Review, comment on, and monitor the Safety Plan.
- Review, comment on, and monitor the schedule of values.
- Review and Maintain Project Records and Status via PM Web.
- Monitor and comment on all special inspections and reports.
- Management and coordination of all Commissioning (cXML) tests and reports, including envelope commissioning.
- Review & Reporting for Project documentation records management and associated reporting.
- Monitor and coordinate Requests for Information (RFIs), Construction Change Directives (CCDs), and Change Orders
- Review & Reporting of Applications for Payment.
- Review & Reporting for all Project construction records (RFIs, ASIs, RFPs).
- IgCC compliance
- Document LEED Silver certification (as applicable).
- Building Commissioning (Cx).
- Move Management.
- Monitor and comment on the construction budget.
- Participate in project closeout procedures.
- Manage all claims and disputes.

SCOPE OF WORK CONTINUED

(3) CA Construction Scheduler Services:

- The CA is required to employ or retain the services of a professional Construction Scheduler during the Construction Phase of the Project.
- The **Construction Scheduler** services shall include but not be limited to reviewing, analyzing, and reporting on CPM schedules produced by the General Contractor or Construction Manager (as applicable) and submitted to the CA.
- The Construction Scheduler shall possess demonstrated proficiency in CPM schedule methodology and utilization of the current version of Primavera Project Planner software.
- The Construction Scheduler shall have at least five (5) years of verifiable experience as the person primarily responsible for preparing and maintaining detailed project schedules on projects of the same or similar size and nature as this project. The Construction Scheduler shall attend meetings about scheduling and progress of the work including all progress meetings.

(4) CA Commissioning Agent (CxA) Services (including Envelope Commissioning):

- The CA is required to employ or retain the services of a Commissioning Agent (CxA) during the Preconstruction and Construction Phases of the Project.
- Commissioning (Cx) shall be performed by an independent third-party CxA who an employee of the Construction Manager is and shall not be, an architectural, or engineering firm (as applicable) that implements the Project and shall be hired directly by the Owner through the CA.
- The CxA shall lead, plan, schedule, and coordinate the commissioning team to implement the Commissioning (Cx) Process. The CxA shall be certified as a commissioning agent by the Building Commissioning Association or the Association of Energy Engineers and shall be a Professional Engineer registered in the State of Connecticut.

CONSULTANT’S FEE

The overall construction and total project budget have been established at **\$20,477,757** and **\$27,587,815** respectively.

Downes Construction(PRB #25-049)	Basic Fee	Special Services Fee	Total Fee	Construction Budget (\$)	% of Budget
Pre Design and Schematic Design	\$0				
Design Development (35 Days)	\$30,432				
Construction Documents (56 Days)	\$76,080				
Procurement (Trade Bid and GMP)	\$87,696				
Construction Phase (1005 Days) (90 %)	\$1,631,147				
Project close out and Record drawings (90 Days) (5%)	\$90,619				
Final payment (5%)	\$90,619				
Total Basic Fee	\$2,006,594			\$20,477,757	9.80%
Additional Services by Downes Construction		\$43,150			
Additional Services by Downes Construction		\$62,190			
Total Support Services Fee		\$105,340			
Commissioning by Sustainable Engineering solutions					
Design Phase Commissioning Report		\$9,460			
Submission of Commissioning plan		\$1,650			
Construction Phase Commissioning activities		\$62,150			
Pre Occupancy Activity and commissioning report		\$1,320			
Post Occupancy Activity		\$4,070			
Final commissioning report		\$1,100			
Envelope Commissioning		\$19,470			
Total Commissioning Fee		\$99,220			
TOTAL FEE (Basic+Additional Services + Commissioning)			\$2,211,154	\$20,477,757	10.80%

The Consultant is authorized to retain SES to provide Commissioning Services.

QUESTIONS

1. Under Amendment #1 to BI-JA-496-ARC, February 27, 2025, was stated as the due date for 100 Percent Contract Documents. In this CA Contract (submitted 4-4-25), RECS now seeks to compensate the Consultant for Design Development Phase services totaling \$73,582. Please clarify the following:
 - a. Please clarify what specific deliverables or scope are expected under the Design Development phase for which this fee was allocated and should these deliverables be incorporated into in Exhibit A of the CA Contract?
 - b. Please clarify how RECS will utilize those findings identified in this proposed DD Phase review, when the ARC's CD Phase is complete and now preparing for Procurement/Bid Phase.
 - c. If the ARC's CD Phase was completed on 2-27-25, please clarify the rationale of seeking to compensate the Consultant \$73,582 for DD Phase Services that have no impact on the CD Phase that was previously completed.
2. From a procurement perspective, Section 3.5 of the RFP clearly states the three most highly qualified Consultants will submit an initial cost proposal. Yet, Colliers was ranked 3rd and there is no evidence of their submitting an initial cost proposal. Jacobs was ranked 4th, again with no evidence of a cost proposal. However, Atane, ranked 5th, did submit an initial cost proposal. Can you clarify what precipitated the change in the RFP process that permitted the 5th ranked consultant to be eligible to submit the cost proposal? And, if Colliers and Jacobs exceeded contract limits pursuant to Section 2.1 of the RFP, please clarify why both Consultants were interviewed.

Recommendation

It is recommended that SPRB suspend this proposal in the amount of \$2,211,154, pending response from RECS.

- DAS-RECS confirmed funding is available for the Contract BI-JA- 496-CA.
- Staff reviewed QBS submitted by other 2 qualified consultants : AI Engineers and Atane Engineers
- Downes Construction Company LLC requires no license for this type of Contracts (LLCs who practice Architecture Only, Partnerships and Sole Proprietors)
- The submittal is accompanied by a Gift & Campaign Contribution Certification notarized on 04/14/2024.

Voted by Board Members

Approval –

Disapprove -

Suspend-

Mtng. Date : 04/10/2025

7. OTHER BUSINESS

8. VOTES ON PRB FILE:

PRB FILE #25-049 – Mr. Coleman moved and Mr. Berger seconded a motion to approve PRB FILE #25-049, pending response from DAS-RECS. The Board notes this Proposal must be approved/disapproved no later than 30 days of receipt, or in this case, May 3, 2025. The motion passed unanimously.

9. NEXT MEETING

Monday, April 14, 2025 – will be held solely by means of electronic equipment via Microsoft TEAMS and conference call

The meeting adjourned

APPROVED: _____
Mark Shiffrin, Secretary

Minutes of Meeting Held: April 10, 2025
