

Rosenson, Valerie

From: Casolo, Louis
Sent: Wednesday, December 29, 2021 12:29 PM
To: Rosenson, Valerie
Cc: Miller, Lindsey; DiCostanzo, Monica; Romano, Anthony; Dellaselva, Chris; Quiñones, Matt
Subject: FW: F31.017 - Boccuzzi Park
Attachments: boccuzzi master plan graphic 2017.jpg; phase one rendering 3 26 21.jpg; reduced phase 1.pdf; Soundwaters-Stamford Lease at Boccuzzi Park (Fully Executed with Exhibit....pdf; BOR Minutes Sept. 3, 2019.pdf; Sec._9_7.3. ___Procedure_for_other_acquisition_of_real_property_by_the_ci....pdf; Sec._C3_10_12. ___Execution_of_Deeds_and_Contracts..pdf; 1st Amendment to Temp Construction & Access Easement Agreement (Recorded....pdf; project costs and funds 12 27 20.pdf

Valerie:

Please see the responses to your 12/28 email and Representative Miller's 12/28 email **in red** below. Attachments to support the responses are also included in this email.

This email also includes all of the attachments sent to you in a separate email by attorney Dellaselva on 12/28 (attachments 4,5,6,7, and 8).

Regards,

Lou Casolo

From: Rosenson, Valerie <VRosenson@StamfordCT.gov>
Sent: Tuesday, December 28, 2021 9:14 AM
To: Casolo, Louis <LCasolo@StamfordCT.gov>; Romano, Anthony <ARomano@StamfordCT.gov>; Dellaselva, Chris <CDellaselva@StamfordCT.gov>; Isidro, Judith <JIsidro@StamfordCT.gov>; Cooper, Vikki <VCooper@StamfordCT.gov>
Cc: Miller, Lindsey <LMiller1@StamfordCT.gov>; DiCostanzo, Monica <MDiCostanzo@StamfordCT.gov>
Subject: Fw: F31.017 - Boccuzzi Park
Importance: High

Please see the requests below from last night's Fiscal Committee meeting. Please get this information to the Board office as soon as possible so that the Board is able to review it prior to Monday's Board meeting.

Also, Lou, please send me all of the items you shared last night.

From: Casolo, Louis
Sent: Tuesday, December 28, 2021 12:53 PM
To: Rosenson, Valerie; Romano, Anthony; Dellaselva, Chris; Isidro, Judith; Cooper, Vikki
Cc: Miller, Lindsey; DiCostanzo, Monica
Subject: RE: F31.017 - Boccuzzi Park

Valerie:

Please find the attachments I shared with the BOR fiscal committee last night in connection with item 14.

I will send a response to the questions in a separate email.

Lou

Feel free to call me if you have any questions,

Valerie

From: Miller, Lindsey
Sent: Tuesday, December 28, 2021 7:18 AM
To: Rosenson, Valerie
Cc: DiCostanzo, Monica
Subject: F31.017 - Boccuzzi Park

Valerie -

We will need at least the following from last night's meeting.

1 - Where did the authorization come from to enter into the \$400 K agreement and the 75% / 25% split since it is not part of the original agreement? (Corp CounseslO

From: Casolo, Louis
Sent: Tuesday, December 28, 2021 2:48 PM
To: Dellaselva, Chris
Cc: Rosenson, Valerie; Cooper, Vikki; McKenna, Erin
Subject: RE: F31.017 - Boccuzzi Park

Chris:

As discussed at last night's BOR fiscal committee meeting, a request for a \$2,400,000 appropriation to complete phase 1 of the project was requested as item number 18 at a joint BOF/Planning Board meeting held on October 12, 2021. The Planning Board meeting minutes indicated that item 18 was passed unanimously with eligible members present voting 5-0-0. The BOF made a motion to table that item.

Following the October 12th meeting, the project had incurred unforeseen work in an estimated amount of \$400k on the current construction project and on Thursday December 9, 2021, the BOF took up item "A" under suspension of rules a request for approval of an amendment to the \$2.4MM appropriation request in the amount of \$400k which passed 5-0-1.

As discussed at last night's meeting, the \$2.4MM request to complete phase 1 of the project will be included in a FY 22/23 capital project budget request.

Lou

From: Dellaselva, Chris
Sent: Tuesday, December 28, 2021 1:50 PM
To: Casolo, Louis
Cc: Rosenson, Valerie; Cooper, Vikki; McKenna, Erin
Subject: FW: F31.017 - Boccuzzi Park
Importance: High

Good afternoon Lou,

1 - Where did the authorization come from to enter into the \$400 K agreement and the 75% / 25% split since it is not part of the original agreement? (Corp Counsel)

I am not familiar with a "\$400K agreement"? It's my understanding that this is just the amount of your additional appropriation request for this project. The 75%/25% split is not an additional cost to the City. It's a cost reduction. The City is responsible for 100% of the utility site/trench work per the lease. Soundwaters agreed, at a later date, to pay 25% of any cost overruns related that work.

The October 10th 2019 Amended and Restated Lease and Assignment of Rights of a Portion of the Premises Known as John J. Boccuzzi Park a/k/a Southfield Beach Park a/k/a Boccuzzi Park (the "Lease") was approved by the BOR on Sept. 3, 2019. Copy of fully executed Lease and BOR minutes attached.

Per Section 3 of the Lease, the City is obligated to pay 100% of the cost to bring/connect utilities to the new Soundwaters building and to provide the necessary easements over its property for the installation and maintenance of those utility services. The electricity to the Soundwaters building will enter the park through a neighbor's (TGM) property. TGM will need to grant an easement to the City for this. That easement is in process.

The Mayor has the power to execute easements on behalf of the City per City Charter Sec. C3-10-12. Copy attached. Easements do not require Board approvals per Sec. 9-7.3 of the City's Code of Ordinances. Copy attached.

Soundwaters needed to use a portion of the City's park land for construction activities on a temporary basis, so the City granted a Temporary Construction and Access Easement Agreement to Soundwaters for that purpose. The City then bid out the work of running all the necessary utilities to the park and the new building. No bids were received. The City then came to terms with Soundwaters to have Soundwaters' contractor perform the City's utility work on a cost-plus basis, not to exceed \$2,019,684.00. The City and Soundwaters then amended the Temporary Construction Easement to include those terms (copy attached), including Soundwaters' newly agreed-to obligation to pay 25% of cost overruns of the City's work, if any (Sec. 4 of the Temp Const Easement).

Chris Dellaselva
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**2 - All materials provided to the BOF or the current versions since some may have been modified. (Casolo)
Refer to most current spreadsheet of project expenses attached (refer to the 9th attachment).**

3 - What could we have done better to know the true cost of the project? (Casolo)

The City publically bid the project and obtained no responses on the due date of May 26, 2021. Feedback from two of the bidders indicated that they had issues getting prices from their subcontractors and the timing of the project did not fit into their current backlog. The City could have re-bid the phase one project, however, that would have delayed utility connections to the SoundWaters Harbor Center building project which had already started construction and the SoundWaters contractor schedule required utility connections by October 2021. Based on above, the City sought pricing from the SoundWaters contractor that was on site.

The project design engineers estimate was not validated by competitive bids and based on pricing may not be reflective of the impact of the pandemic.

The project design engineers estimate did not include costs for impacted material handling and disposal. Cost allowances and unit pricing for such materials and handling could have been included in the bid documents.

4 - What will be the final cost to finish the project to the original plan? (Casolo)

The original plan for phase 1 work is defined by the attached rendering entitled phase one rendering. Based on a cost proposal provided by the SoundWaters contractor in the summer of 2021, the balance of phase 1 which includes the construction of the relocated entrance, the cul-de-sac, the building parking lot, the removal of the exiting lower parking lot, dune scape and waterfront enhancements has been estimated to cost \$2.4MM over that of the reduced phase 1 contracted cost in the amount of \$2,019,684. That estimate does not reflect any costs associated with the handling and removal of impacted soils which will be an added cost, undetermined for the balance of phase 1 project at this time. Please note that the \$2.4MM amount was a figure provided by the SoundWaters estimator during a project meeting which has not been confirmed with an independent professional engineers estimate or public bid.

To complete the balance of the master plan, aka Phase 2, which is only a concept plan and is based on a preliminary cost estimate of \$3.8MM. Please note that this cost does not reflect the inclusion of impacted soils handling and removal which is still to be determined. The City has applied for federal funding to support 50% of the project costs. There is also a FY22/23 capital budget request in the amount of \$1.9MM.

5 - Why can't the current balance of \$2.6 million be used to pay for the current clean up? (Romano)

From: Romano, Anthony
Sent: Tuesday, December 28, 2021 10:49 AM
To: Casolo, Louis
Subject: RE: F31.017 - Boccuzzi Park

5 - Why can't the current balance of \$2.6 million be used to pay for the current clean up? (Romano)

2.3M has been expended or encumbered. The balance of 300k is a grant earmarked for Dune restoration work at Boccuzzi Park

Tony

Monica, please add you thoughts.

Regards, Lindsey

Lindsey C. Miller
7th District
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