



September 8, 2025

Mr. Keith Lombardi
Special Investigator
Connecticut Consumer Protection
450 Columbus Blvd, Suite 901, Hartford CT 06103

Re: File 2025-60
The Imperial Company Restoration Inc.
Project: Ellsworth Avenue School Roof Replacement

Dear Mr. Lombardi,

In the Spring of 2025, Silver Petruccelli & Associates (SPA), an Architectural and Engineering firm located in Hamden CT, was retained by the City of Danbury to design a roof replacement for Ellsworth Avenue School. This project involved not only the City of Danbury but was also designed to the standards and requirements of the Connecticut DAS School Construction Grants (SCG) program as the city was seeking State reimbursement. Our Project received grant commitment notification on 4/28/2025. SPA completed the plans & specifications on 03/14/25 and per SCG requirements, 3 roofing manufacturers were specified, all offering “reasonable equal products” for this project. These plans & specifications were reviewed and approved by the Danbury Superintendent of Schools and the Danbury Board of Education on 4/23/25 and the City School Building Committee on 4/23/25. Along with these 3 reviews, the City Building Official, City Fire Marshal, City State Health Code Official & City Federal 504 Officer also reviewed and approved these documents. Following these 7 signatures, a Plan Completion Review (PCR) with a registered Architect at the State of Connecticut SCG performed a 4-hour review including reviewing all drawings & all specifications, including the sections in question. The project was reviewed for compliance and approved on May 1, 2025 (see attached letter). Following this SCG approval, the local Danbury Building Official reviewed and approved the plans & specifications for building permitting purposes.

This project was publicly bid in early May 2025 with 4 contractors submitting their bids on June 3, 2025. During the bidding process, request for information (RFI) was submitted by various contractors. The City issued various addendums to address these minor questions/clarification. One notable addendum response was addendum number 2, issued on May 19, 2025, that extended the list of Manufacturers from 3 to 5, with Tremco & Holcim (Elevate) being added, who are both local manufacturers in Ct. This issued addendum pointedly addressed the request to open up the bidding opportunity to firms who are more local to the project site and went well above the State requirement of 3 equal manufacturers.

The Imperial Company Restoration (ICR) was the highest bidder of the 4 bidders and was not considered to be a viable contractor for this project. Ironically, this complaint is mute, as not only was ICR not considered for the project due to their high bid, but the City of Danbury also rejected all bidders on June 26, 2025, and cancelled this project in its entirety.

In conclusion, SPA takes exception to this claim that the specification was improperly written as we went well above the SCG requirements, specifying not 3, but 5 different manufacturers for the Contractors to choose from. SPA has designed hundreds of Connecticut public school roof replacement projects, all successfully reviewed by the SCG. We are confident that the SCG-3042 requirements have been met for this and all other completed roofs, and it is preposterous to claim that SPA is favoring one manufacturer when we specified 5 to choose from. It should also be noted that form SCG-3042, that is referenced in ICR's claim, is no longer valid and has been replaced with form DAS-3055, which we are also confident its requirements have been fully met. Per DAS-3055: *3. Bidding and Procurement: a. Use of Manufacturer-Specific Bid Specifications Chapter 173 of the Connecticut General Statutes (CGS) does not prohibit bid specifications from identifying a specific manufacturer or requiring experience with the installation of specific brand-name equipment. However, to be eligible for reimbursement, expenses must be procured through contracts or orders that comply with CGS § 10-287(b), as well as any applicable municipal procurement rules or requirements established by the applicant's chartering body. Note: There is no waiver or exemption process for these requirements. Verification of compliance may be requested during the audit process.* SPA takes exception to the comment that we are not compliant by specifying a basis of design as form DAS-3055 clearly allows SPA to specify a specific manufacturer (or in our case, 5 different specific manufacturers)

We have been in touch with ICR regarding this matter but there is no reason or opportunity to resolve this matter amicably. Again, ICR was the highest bidder and never considered for this project and therefore, there is nothing to resolve. Also, as mentioned above, this project was cancelled by the City on June 26, 2025, which is another reason why resolving this matter is irrelevant. We are hopeful that the Department of Consumer Protection will look deeper into this false claim by ICR as we feel our firm is being unfairly targeted. SPA has been practicing Architecture in the State of Connecticut for almost 35 years, and we take pride in our work, carefully reassuring that all State and local requirements are being met on each of our projects.

Lastly, the SCG process has many layers of oversight, as mentioned above, as there were 9 separate entities that reviewed the final plans & specification for conformance. Clearly, if any one of these entities felt that our specifications were incorrectly written or favoring one manufacturer, we would not have achieved final sign off and approval to bid.

Thank you for your time regarding this false claim and please do not hesitate to contact me should you have any questions regarding this matter.

Sincerely,



Dean A. Petruccielli, AIA
President/Project Architect
Silver Petruccielli & Associates

Cc: file