

**PAST PERFORMANCE REFERENCE CHECK**  
**TAMPA DISTRICT OFFICE- U.S. CITIZENSHIP AND IMMIGRATION SERVICES**

- I. You are being contacted for a REFERENCE regarding the performance of the following individual(s). If you are a reference for multiple individuals listed below, please answer the following questions for each of the individuals indicated in the question:

OFFEROR: BIRCHWOOD PROPERTIES, CORP.

OFFEROR'S PRINCIPAL IN CHARGE (PIC): CHARLES PRATHER

ARCHITECTURAL & ENGINEERING FIRM: THE ARCUS GROUP, INC.

A & E FIRM'S LEAD DESIGNER: DAVE MADDUX, PRINCIPAL

GENERAL CONTRACTOR (GC):

GC'S SENIOR PROJECT MANAGER (SPM):

LEED PROFESSIONAL:

- II. **Reference Firm Contacted:** U. S. Citizenship and Immigration Services, Facilities Project Management Branch  
**Name and Title of Individual Contacted:** Jennifer P. Killeen, Project Manager  
**Company** U. S. Citizenship and Immigration Services, Facilities Project Management Branch  
**Phone Number:** 802-872-4163  
**E-mail Address:** [Jennifer.killeen@dhs.gov](mailto:Jennifer.killeen@dhs.gov)  
**Current Address:** Facilities Project Management Branch, 70 Kimball Ave., South Burlington, VT 05403-6813

1. When and where did this firm / person perform services for you?  
2007 – 2009: Detroit, MI: Detroit District Office  
2008- 2009: South Burlington, VT: Office of Security & Integrity, Personnel Security
2. What was the actual work contracted for (new building, alterations, etc.)?  
Detroit: Build-to-Suit, 55,966 RSF, 53,754 USF  
OSI: Build-to-Suit, 26,609 RSF, 25,475 USF
3. What was your role in the project?  
US CIS Project Manager (client agency)
4. Please describe the type of services the firm / person provided:  
Birchwood Properties, Chuck Prather: Developer for new facilities

III. **QUALITY OF BUILDING AND SERVICES**

**BUILDING (Complete for all references except LEED):**

**Were you pleased with the:**

**a. Workmanship?**

Yes- excellent workmanship on all Developer-related construction.

**b. Quality of materials used?**

Yes- excellent, high quality materials used. Many times the Developer would upgrade the base building materials to a higher-quality material in order to ensure durability and ease of maintenance.

**c. Overall appearance (attractive, aesthetically pleasing, etc.)?**

Yes- both buildings have been very well-received within the agency and surrounding community.

**d. Building exterior?**

Detroit, in particular, has an excellent aesthetic and contextually appropriate for a downtown location. Excellent building materials that incorporate colors and materials that present a very professional, attractive public-use building. OSI, as well, is very attractive and contextually appropriate for the suburban development in VT.

**e. Interior spaces?**

Detroit- very attractive, durable, high-quality materials utilized in the shell spaces of the building: terrazzo tile, millwork, veneer-paneling, Developer-provided art related to Immigration, many amenities.

OSI- very attractive, durable, high quality materials utilized in the shell spaces of the building: slate flooring, wooden benches, millwork.

**SERVICES (Complete for all references except LEED):**

**1. Did you feel that this firm / person was committed to maintaining the quality of materials and workmanship? Explain.**

Detroit- YES: great effort was extended by all members of the building owner, construction & design team to ensure that all workmanship was completed in a high-quality manner and materials used were of exceptional quality. All team members identified to work on the project had extensive experience in the building trade and provided a great end-product.

OSI- YES: great effort was extended by all members of the building owner, construction & design team to ensure that all workmanship was completed in a high-quality manner and materials used were excellent.

**2. Were you satisfied that the key people assigned to this project had the necessary experience, training and education to successfully oversee completion of the project? Explain.**

Detroit- YES: All of the team members identified had extensive experience- some of the members (building owner, Architects & Engineers) had worked on other US CIS buildings nationwide. Other team members had extensive experience in constructing commercial office buildings of similar complexity & size.

OSI- YES: Team members identified had extensive experience in constructing commercial office buildings of similar complexity & size.

**3. Did the finished project meet the needs and expectations of your technical criteria? Your company?**

Detroit & OSI- YES: both of these buildings have become benchmarks for the US CIS agency and have been very well-received as “Model” office types. The finished project met all of the needs and expectations of the technical criteria and often exceeded those criteria.

**4. Did this firm / person comply full with the contract requirements? Explain.**

Detroit & OSI- YES: all contract requirements have been or will be (LEED) met.

**5. Were required reports filed by this firm / person accurate and timely? Explain.**

Detroit & OSI- YES: all required reports were filed accurately and timely.

**(QUESTIONS 6-8 FOR PROJECT ARCHITECT ONLY):**

**6. Was the Project Architect involved in the project from the design phase through the space delivery?**

Detroit- YES: The Arcus Group, Inc & PIC: Dave Maddux were involved in the project from the design phase throughout the space delivery & punch list resolution.

OSI- YES: Richard Henry Behr & PIC: Mark Behr were involved in the project from the design phase throughout the space delivery & most of the punch list resolution.

**7. Did you feel the Project Architect designed a building that balanced your budget requirements, schedule requirements and aesthetics?**

Detroit- YES: While the building size grew a bit due to the agency's desire to locate all public functions on the 1<sup>st</sup> floor, the design met the budget requirements and where cost-savings were identified- value-engineering was implemented. Project came in on schedule. Excellent aesthetics.

OSI- YES: Building came in within budget requirements, schedule requirements & aesthetically well-received.

**8. Did any problems arise due to design problems? If yes, describe the causes, how they were identified and how they were resolved.**

Detroit- No major problems related to design affected project budget or schedule; minor issues that arose were dealt with expeditiously and with a cost-sensitive awareness.

OSI- No major problems that affected project budget or schedule occurred due to design; minor issues that arose were dealt with expeditiously and with a cost-sensitive awareness.

**IV. COST CONTROL (Complete for all references except LEED):**

**1. Did you feel that this firm / person was committed to the project budget/costs?**

Detroit- YES: many various efforts were made to keep the project budget within the Shell & TI allowance and the agency's lump sum budget- this included value-engineering the Mechanical System, Electrical plan and "Green" aspects. Timely reporting of the construction budget and monthly meetings helped to keep everyone up-to-date on the budget and project costs.

OSI- YES: the original design, for the most part, came in on budget. The Agency (CIS) identified additional Security requirements early on in the project and that did increase the shell cost considerably, the Developer absorbed this additional cost and remained committed to building out a first class office.

**Was the project delivered at or below budget?**

Detroit: Above budget due to Union Labor fees, to date this cost has not been paid by the agency.

OSI: At budget.

**Were cost efficiencies and / or value engineering used? Explain.**

YES- see notes above.

**2. If the project exceed the cost estimate/ budget, did the firm / person negotiate cost changes to meet the program requirements? Explain.**

Detroit: Project costs exceeded the budget. Extensive time and energy was expended by the developer in attempts to control the union labor costs that were causing the cost overruns. The political climate of Detroit did not allow for negotiation and in the end, the cost remained. However, the project was brought in on schedule.

**3. Were there any change requests?**

If so, were they initiated by the client or the developer or his team?

Detroit & OSI: YES- change requests most often identified during construction or due to agency requirement updates.

If there were change requests, did the person submit reasonably priced change proposals? Explain.

Detroit & OSI: YES, change requests were reasonably priced or negotiated.

**4. Did the firm / person submit current, accurate and complete invoices in a timely manner? Explain.**

Detroit & OSI: YES

**5. Were any claims filed on the project, and if so, describe the claims and their basis.**

Detroit: another bidder for the parcel of land submitted a claim against the developer, but the agency, nor GSA was not involved in this matter.

**V. TIMELINESS (Complete for all references except LEED):**

**1. Did the firm / person cause any delays on the project?**

Detroit & OSI: No- in fact many efforts were made to keep the projects on or ahead of schedule.

**2. If there were any delays, regardless of cause did the firm / person offer suggestions to mitigate the effect of the delays?**

No delays occurred.

**3. Were the contract administration requirements completed in a timely manner? Explain.**

Yes- project schedules, change order requests, back up documentation, etc. were provided routinely to ensure that all parties were in agreement.

## VI. BUSINESS RELATIONS (Complete for all references except LEED):

### 1. Describe the working relationship between:

#### a. This firm/ person and your company?

Chuck Prather, Birchwood Properties, is a pleasure to work with. He is professional, goes out of his way to make the end-users happy, affable and amenable to all hurdles that are faced during construction. Building tenants are very satisfied having him as a Lessor – he is proactive and positive.

#### b. This firm / person and contractors & subcontractors?

Chuck Prather, Birchwood Properties, maintains a good working relationship with his contractors and sub-contractors. Very willing to work with all parties involved to resolve any issues that arise. All project meetings were cordial and professional, if there were concerns that arose I never heard about them. He kept meetings positive and moving-forward. A very easy person to work with- especially significant in this often high-stress work environment (difficult economy, the government and time schedules).

### 2. Did the firm / person provide:

#### a. Effective management of their portion of the project? Explain.

Yes, Chuck Prather maintains close contact with his contractors and sub-contractors- he stays on top of the construction progress and issues that arise. Chuck maintains constant communication during the project which allows for real-time solutions to occur. This open communication enables the project schedule to be maintained.

#### b. Cooperation with you and /or other designated representatives from your firm? Explain.

Chuck Prather maintains good relations with all of the individuals at US CIS. Our agency has worked with him on a number of projects- he is very respected in the agency as both a good Developer and Building Owner. He has a very pleasant affect that makes him approachable and easy to get along with all individuals working on the project.

#### c. Proactive attitude? Explain.

One of his most positive strengths is Chuck Prather's proactive, positive attitude. In lieu of getting frustrated with construction-related issues, Chuck brings the team together to solve problems quickly and cost-effectively. He often absorbs project costs that could hold up a project's progress. He is very hands-on and is often seen working on his building: prepping a site for a ribbon cutting, cleaning interior spaces, installing equipment, etc. there are very few developers who take care of their buildings like Chuck does.

#### d. Flexibility? Explain.

Chuck Prather is flexible. He is able to adjust quickly to any hurdles that come up. Our agency has a history of changing requirements within the process of construction, Chuck is always willing to work expeditiously with us to ensure that our updates are incorporated. At the project conclusion, Chuck is more than responsive to punch list items or addressing "new concerns" that are noticed once the building is in operation.

He corrects problems without complaints and often addresses these problems without attempting to collect additional costs from the agency.

**e. Responsiveness to inquiries? Explain.**

Chuck Prather is very responsive to all inquiries that are submitted- whether its for clarification, cost estimates or general inquiries. He typically responds within a couple of hours of request for information- either to inform the agency that he is working on it or with the information that has been requested.

**f. Good problem resolution skills? Explain.**

Absolutely, Chuck Prather is proactive and has a positive attitude that allows everyone engaged to work through problems with minimal agitation. He has a calming presence that generally allows problems to be resolved without issue. When larger problems are faced, Chuck maintains this presence and remains professional. I have witnessed him in incredibly stressful circumstances and am in awe of his capacity to remain calm and collected.

**g. A commitment to customer satisfaction? Explain.**

Yes- almost to a fault. He is dedicated to making his client happy – he addresses every issue that is brought up even if it’s a minor issue. Sometimes, this could cost him additional money- installing something that the local office has requested that has not been approved as a change order. But this is Chuck Prather’s commitment to customer satisfaction.

**VII. OWNERSHIP QUALITIES (Complete for Offeror, Offeror’s PIC):**

**1. Were punch list items:**

**a. More serious than the usual paint touch-ups, hang window blind, etc. types of items?**

Typically, no. Most all issues identified by CIS and the Architect were typical punch list items. GSA’s evaluation in Detroit was more extensive, but that may have had more to do with the evaluator than the actual building failing to meet requirements.

**b. Adversely impacting your move and/ or ability to function well?**

Never- all items are addressing punctually in order to maintain the move-in schedule.

**c. Corrected in a timely manner?**

Yes- always corrected in a timely manner.

**VIII. LEED ACHIEVEMENTS:**

**1. What was the original LEED goal for this project? Was it attained?**

Detroit: Silver, TBD (should have final certification by the end of this calendar year).

OSI: Silver, TBD

**2. Do you feel the LEED accredited professional added value to the project and are you pleased with the overall LEED rating achieved?**

It’s unclear how much value the LEED accredited professional added value to the project- very little communication from that individual / group. LEED updates came through the Architects, not through the LEED-AP.

**GENERAL COMMENTS:**

1. **Does the Developer still own the property?** Detroit- pending sale, property is on the market and may be sold in the near future. OSI- no indication that this property is for sale or on the market.

**If not, approximately how long did the developer retain ownership before selling?**  
Detroit's Office of CIS was put on the market for sale near the end of the project (12/08, but I am not aware of that being sold to date.

**If there were still outstanding punch list items or other unresolved issues, did the new owner resolve them satisfactorily in a timely manner?** All issues are resolved in a timely manner.

**2. How would you rate their overall performance?**

Offeror:  **Excellent**  Very Good  Acceptable  Marginal  Unacceptable  
Offeror's PIC:  **Excellent**  Very Good  Acceptable  Marginal  Unacceptable  
A & E Firm:  **Excellent**  Very Good  Acceptable  Marginal  Unacceptable  
Lead Designer:  **Excellent**  Very Good  Acceptable  Marginal  Unacceptable  
GC:  Excellent  **Very Good**  Acceptable  Marginal  Unacceptable  
SPM:  **Excellent**  Very Good  Acceptable  Marginal  Unacceptable  
LEED:  Excellent  **Very Good**  Acceptable  Marginal  Unacceptable

- 3. Would you contract with them again? (YES) or NO (Circle).** If NO, indicate why.

**4. General Comments:**

I would highly recommend Birchwood Properties, Chuck Prather, for a Lessor. He is an exceptional Developer and Building Owner. It is always a pleasure to work with Chuck. US CIS tenants that occupy his buildings are all very complimentary about having Chuck as a Lessor- he is responsive, professional and affable.