



Approved
Town of Ridgefield
Water Pollution Control Authority
WPCA Special Meeting Via ZOOM
December 14, 2023, 7:00 p.m.
66 Prospect Street
Ridgefield, Connecticut 06877

WPCA: Maureen Kozlark, Gary Zawacki, Amy Siebert, Corrine Ketchum
AECOM: Jon Pearson, Matt Formica, Gisele Trivino
Veolia: Jeff Pennell, Ryan Richmond, Jason O'Brien

These are not verbatim minutes of the proceedings, but identification of general items and specific actions undertaken.

WPCA Regular Meeting was called to order by Ms. Siebert at 7:00 p.m.

1) New Business

a) Approval of Minutes

Motion to approve November 16, 2023 minutes by Ms. Kozlark seconded by Ms. Ketchum, passing 4-0.

Ms. Siebert stated that in 2024 our WPCA meetings will be at 7 :00 in zoom hybrid.

2) Old Business

a) Purchase of New Vector Truck

i) Mr. Pennell stated that there has not been any further conversations regarding the purchase of the Vector Truck.

b) Route 7 Sewer Allocation

i) The WPCA will review Route 7 sewer allocation.

c) Sale of Route 7 Treatment Plant Property.

i) Ms. Kozlark suggested the WPCA request to be on the agenda with the Board of Selectmen at a future meeting to discuss the sale of the property.

3) AECOM

a) Route 7 Pump Station, Force Main, and WWTF Decommissioning Construction

i) Mr. Formica noted that the monthly construction progress meeting was not held today but is scheduled for 12/21/23. This month, M&O Construction completed work

on Ligi's Way including completion of all force main leak testing and pulling of the fiber optic cable from Ligi's Way into the South St WWTF Operations Building. Additional trenched force main and fiber optic conduit was installed on Route 7 approaching the pump station from the south, leaving only about 35 feet left to connect to the new pump station when available. Curb to crown final paving/trench repairs along Farmingville Road were completed in conjunction with the highway department prior to the paving plants closing for the winter. No further work is planned for Ligi's Way this year and it will receive its final paving next calendar year.

- ii) Mr. Formica note that through the end of November , 13,555 feet of the force main has been installed which is 99.7% of the total length, and 94% has been successfully pressure tested. 84% of the fiber optic cable has been installed.
- iii) Mr. Formica noted that activity at the pump station site this month continued, with M&O advancing the temporary manhole tie in work for to the pump station bypass to allow for the pump station construction. The latest update from M&O shows the temporary bypass pumping system at the pump station being activated at the beginning of January
- iv) Mr. Formica noted that M&O submitted a summary schedule update yesterday which still shows the pump station schedule no longer being affected by delays in obtaining key components but now being controlled by start of the pump station bypass and the related outstanding submittals. M&O has pushed the schedule out another 2-3 weeks. The schedule shows completion of the force main installation and testing in late December, the startup of the new pump station in early May, and final project completion in early July 2024.
- v) Mr. Formica discussed that last month, M&O Construction had submitted a request for a time extension with some supporting information, requesting that the current contract final completion date of August 11, 2023 be revised to June 11, 2024 in light of the delays experienced in obtaining the pump station components. AECOM reviewed the information submitted and provided a response requesting additional supporting information to justify the requested time extension. AECOM does not believe that all of the additional time requested will be justified but needs additional information from M&O before making a recommendation to the WPCA on responding to the request for additional time. No response has been received from M&O to date.
- vi) Mr. Formica discussed that Progress Payment No. 22 for the Route 7 project for September was submitted in the amount of \$381,158.41 for M&O Construction. AECOM has reviewed it and recommends that it be approved for payment. The hard copies of the payment estimate have been submitted to Ms. Van Ness for execution. Mr. Formica discussed that since both the contractual date for substantial completion (1-11-23) of the force main and pump station, and for final project completion (8-11-23) have now passed, the progress payment form includes the caveat that since the contract completion dates have passed that the WPCA reserves the right to assess liquidated damages if a time extension is not justified and executed in a change order.

Mr. Formica summarized that through the end of November, 65% of the construction cost has been expended, and 118% of the contract time has passed.

b) South Street WWTF Upgrade Construction

- i) Mr. Formica noted that the monthly construction progress meeting was not held today but is scheduled for 12/21/23. Mr. Formica reviewed the major activities completed since the November WPCA meeting that include:
 - (a) The thickened sludge storage tank concrete work was completed which represents that last significant concrete work on the site.
 - (b) Final Settling Tank No. 2 was taken out of service, leveling of the mechanism and touch up painting were completed, and the tank was put back into service.
 - (c) Spectraserv submitted a request for Substantial Completion for Aeration Tank No. 2. AECOM has inspected the work, agrees that the tank is substantially complete and developed a preliminary punch list of items to be completed. Spectraserv had some comments on our preliminary punch list and AECOM is working with them to resolve. Once resolved AECOM will circulate a Substantial Completion Certificate that will formally confirm that substantial completion of this tank has been achieved, together with the valued punch list. This certificate will be executed by AECOM, the WPCA as the Owner, and Spectraserv. As noted before the significance of this document is that it starts the one-year warranty on this item, the operation and maintenance of this of this item becomes the responsibility of the Town, and the contract retainage on this item is reduced to the punch list value.
- ii) Mr. Formica reviewed that Progress Payment No. 51 for Spectraserv that covers the month of November in the amount of \$267,231.03 has been submitted and AECOM recommends it be approved. The progress payment form includes the caveat that since the contract substantial completion (5-23-22) and final completion (8-21-22) dates have passed that the WPCA reserves the right to assess liquidated damages if a time extension is not justified and executed in a change order. Mr. Formica reviewed that through the end of November Spectraserv has expended 94% of the project cost, while 136% of the contract time has passed. Mr. Formica noted that that Spectraserv's monthly expenditures are not keeping up with their cash flow projection provided on 10-28-23 and we continue to be concerned about their ability to achieve the schedule.
- iii) Mr. Formica presented Change Order No. 16 for approval which includes the following:
 - (1) Thickening Room Window Replacement for \$8,135.07
 - (2) Operations Building Fire Extinguishers for \$2,505.27
 - (3) TSL, SC, CEN, and BFP Pump Discharge Pressure Instruments for \$16,149.93
 - (4) Remote Pump Station Fiber Optic Conduit Fittings for \$2,827.35
 - (5) Aeration Tank No. 2 Slide Gate Handwheel Stem Extensions for \$1,435.80
 - (6) Additional Water Usage Contractor Reimbursement for a credit of (\$26,832.25)
 - (a) **Motion to approve Change order No. 16 for \$4,221.17 by Ms. Kozlark, seconded by Ms. Ketchum, passing 4-0.**

- iv) Mr. Formica noted that after the Town and AECOM's initial 11/9/23 schedule concerns meeting with Spectraserv, their attorney, and their bonding company Liberty Mutual, with Amy, Maureen, Jake Muller, Monte Frank, and Jon and Matt attending, That Spectraserv submitted an abbreviated completion schedule update on 11/18/23. AECOM subsequently provided comments to Spectraserv on the schedule on 11/29/23. These comments were reviewed at a subsequent 11/30/23 virtual meeting with the same attendees. Spectraserv promised an updated resource loaded schedule incorporating these comments. This updated schedule was received on 12/12/23 and is currently under review. AECOM noted that they will coordinate the responses and the next steps in this effort with Town counsel Monte Frank. Mr. Formica however, wanted to make the WPCA aware that the latest schedule again pushes out the substantial completion and final completion date another 2 weeks to 2/2/24 and 5/2/24 respectively. As noted previously Spectraserv is not meeting their own cash flow projections. Spectraserv's average monthly expenditure rate for the last 6 months was \$356,000. In order to meet the 5/2/24 final completion date, going forward, Spectraserv would need to expend \$480,000 per month (not including retainage). AECOM projected completion date based on the historical expenditure rate is the middle of June 2024.

- v) Mr. Formica indicated that as was discussed/requested last month AECOM drafted two letters on behalf of the WPCA to address some construction related concerns. The first was a letter from the WPCA and Rudy Marconi to the DEEP to proactively advise the DEEP that Town was not confident in Spectraserv's ability to meeting the twice postponed Administrative Order Date of 4/1/24 for compliance with the new total phosphorus effluent limits. The second letter was from the WCPA to the DEEP to provide a summary of how the plant's effluent flow meter was malfunctioning in July 2023 and has caused the WWTF to exceed 180 day, 90% plant design flow om October and requesting confirmation that no further action is required by the Town. Ms. Kozlark indicate that she would coordinate with the first selectmen on the first letter. Veolia noted that the November flows will also exceed the 90% design flow and requested that the letter be updated to cover both months. AECOM noted they would update the second letter and provide a draft to the WPCA.

- vi) Mr. Formica noted that as previously discussed, the scheduled completion dates for construction for both projects have been pushed out. For Route 7 M&O is projecting that they will be completed in early July 2024 and that based on Spectraserv's historical expenditure rate, it is projected that Spectraserv will complete their efforts in June 2024. Mr. Formica noted that the last AECOM contract amendment was executed in May 2023 and included a budget adjustment to provide services through the projected construction completion for both contracts at that time which was through January 2024. With the extended construction schedule for both the Route 7 project and the South Street project, AECOM will be providing engineering during construction for a longer period than the current budget was planned to cover. AECOM is reviewing the project budget status in light of the extended construction durations and will be prepared to discuss a budget adjustment at the next WPCA meeting.

c) Quail Ridge Pump Station Relocation

- i) Mr. Formica discussed that AECOM has re-started work the design of the pump station and have reached out to Jake Muller and others for information needed to coordinate the pump station design with the planned Police/Fire facility as well as details on the potential rail trail extension along the sewer easement proposed between Prospect Street and Old Quarry Road. AECOM has also begun the process of executing agreements with our subcontractors with the intention of getting their work started in the near future.

4) Veolia

- a) Mr. Pennell indicated that both Facilities met their NPDES permit requirements for the month of November with the exception the zinc at the South Street WWTF Mr. Pennell stated that both the daily and monthly limit for zinc was exceeded which was attributed to the plant water system not being operational and Spectraserv using potable city water for plant water service which includes some new equipment. It was noted that there was an increase of 3.5 million gallons from October's usage. It was noted that Spectraserv is being back charged for this potable water use. Veolia also tested the tap water for zinc concentration, and it had a concentration of 0.19 mg/l for the two samples taken. Veolia indicated that they will continue to monitor the zinc in light of the expectation that the new plant water system will be brought on line in the near future.

5) Adjournment

Motion to adjourn the meeting at 7:41 p.m. by Ms. Kozlark, seconded by Ms. Ketchum, motion passed 4-0.

Submitted by Diana Van Ness