



**Approved
Town of Ridgefield
Water Pollution Control Authority**

**WPCA Meeting Via ZOOM
October 24, 2024 7:00 p.m.
66 Prospect Street
Ridgefield, Connecticut 06877**

WPCA: Amy Siebert, Gary Zawacki, Corrine Ketchum, Maureen Kozlark, Russell Fink
(arrived at approx. 7:15 pm)
AECOM: Jon Pearson, Matt Formica, Gisele Trivino
Veolia: Ryan Richmond, Jeff Pennell
Guests: Steve Sullivan, Thomas Montanari, Martin Handshy, Annie F.

**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) Approval of Minutes. Ms. Ketchum made a motion to approve the September 26, 2024 minutes, seconded by Mr. Zawacki, passing 3-0, Ms. Kozlark abstained.**
- 2) New Business**
 - a) 62 East Ridge and 58 Prospect Ridge adding four new single family dwellings.
 - b) Mr. Steve Sullivan presented the proposed 4 new single family homes and 1 existing home which presently is on a septic system. The proposed 5 units would tie into the Prospect Ridge sewer line. Mr. Montanari stated that the previously proposed plan to tie into the Veterans Park ball field was not preferred because of the ongoing use of the field for sporting events and disruption of the field irrigation system.
 - c) The applicant suggested repairing the laterals between manholes 74B and 74. Ms. Siebert stated that making repairs to these private laterals would more than offset the flow added. The applicant will discuss and report back to the WPCA.
- 3) Old Business**
 - a) **Sale of Route 7 Treatment Plant Property.**
 - i) It was noted that there was no update on the sale of the plant property.

4) AECOM Report

1. Route 7 PS, FM, and WWTF Decommissioning

Mr. Formica reviewed the significant work this month by M&O Construction included:

- Addressed some of the items of the incomplete items list at the pump station.
- Completed the hazardous materials abatement with the exception of final disposal
- Salvaged and turned over the generator and fuel tank to the Town.
- Completed the concrete demolition at the WWTF

Mr. Formica noted that on 8/12/24 M&O formally requested substantial completion on the Pump Station and Force Main. AECOM reviewed the outstanding items for the force main and the pump station and has developed an incomplete items list (approx. 200 item) for these areas and recommended that these areas be granted substantial completion on 9/18/24. As such the substantial completion certificate form has been provided to M&O with the incomplete items list for their execution. This has not yet been returned signed by M&O.

Mr. Formica discussed that this will allow for the 1-year Contractor warranty on these areas to begin and for the responsibility for operation and maintenance of the pump station and force main to be turned over to the Town and Veolia. AECOM also recommends maintaining the retainage for these areas remain at 5% in accordance with the Contract Documents

Mr. Formica reviewed that M&O's latest informal schedule provided 10/23/24 indicates that they will have the WWTF Demolition complete by 11/1/24 and will have the project completed by 12/19/24 which is 6 days later than their schedule from their previous schedule. AECOM continues to be concerned with the slow progress of M&O's work and their limited office and field resources being applied to the project. Submittals for the pump station and WWTF remain outstanding, as well as the incomplete items list for pump station.

Mr. Formica reviewed that in response to AECOM's schedule concerns letter issued in June, M&O submitted a 583 day time extension request on 10-3-24. AECOM has reviewed the document, do not believe that all of the time is justified, and has provided a response indicating that M&O needs to complete the project so that the financial impact of the extended construction schedule on the Town can be fully understood. AECOM has also indicated that the Town would be willing to meet with M&O to discuss an overall resolution of the outstanding issues on the project including the amount of liquidated damages.

Mr. Formica reviewed the signed M&O Pay Estimate No. 32 submitted for the WPCA's review and execution for work through 9/30/24. He noted that it is a marked-up version of the pay estimate prepared by M&O Construction which was revised to continue to hold 5% retainage on all completed work. M&O continues to request that the retainage on the completed portions of the force main and traffic controls be reduced to 2%. Given the repeated concerns with project progress and continued schedule slippage, well past the contractual date for substantial completion and final completion, AECOM has requested M&O maintain the retainage at 5% with the exception of any items/work areas that are substantially complete and have valued punch lists (there are none to date). Similar to the last several months they have refused to address this request. As a result a hand markup of Pay Estimate No. 32 has been provided to maintain the 5% retainage. The marked up version of progress payment Estimate No. 32 for

Route 7 Project for September is in the amount of \$99,598.65. Mr. Formica confirmed that AECOM has reviewed it and recommended that it be approved for payment. The progress payment form includes the caveat that since the contract's pump station and force main substantial completion date (1/11/23), the WWTF demolition contract substantial completion date (6/30/23) and the project final completion date (8/11/23) have all 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 September, 88% of the construction cost has been expended, and 164% of the contract time has passed.

2. South Street WWTF Upgrade Construction

Mr. Formica reviewed that construction has continued this month including the following significant items:

- Spectraserv continues to work on the incomplete items list to the extent that they can self-perform outstanding items.
- Completed the fire alarm training.
- Began the removal and reinstallation of the fiber cement siding with the correct fasteners on the Influent and Operations Buildings.

Mr. Formica noted that on 8/2/24 Spectraserv formally requested substantial completion on the Project. AECOM reviewed the outstanding items the project and developed an incomplete items list (consisting of approx. 2,500 items). In coordination with the Town's counsel AECOM recommended that the following areas be granted substantial completion:

- Influent Pump Stations
- Odor Control Systems
- Waste Sludge Storage Tank
- Thickened Sludge Storage Tank
- Flow Meter Vault
- Final Setting Tank Mixing Vault.

Mr. Formica noted that the substantial completion certificates have been provided to Spectraserv with the incomplete items lists for these areas for their execution which were returned yesterday with some mark ups from Spectraserv. AECOM will review and provide to the WPCA for signature. This will allow for the 1-year Contractor warranty on these areas to begin and the responsibility for the operation and maintenance of items in these areas to be turned over to the Town.

Mr. Formica reviewed that AECOM recommends that the retainage for these areas remain at 5% in accordance with the Contract Documents due to:

- The quantity of incomplete items.
- Concerns with the project roof warranties.

- Concerns with the fiber cement board siding unacceptable fasteners.
- The Owner's right to assess liquidated damages in accordance with the Contract Documents if a time extension is not justified and executed in a Change Order.

Mr. Formica received a letter this week from Spectraserv requesting partial utilization on several process systems that have been in operation for some time (up to 2 years) that were not previously requested per the contract requirements. In addition, they provided an updated substantial completion date for the entire project. AECOM is reviewing this request and will provide a formal response. AECOM continues to review the work completed in all areas as requested by Spectraserv.

Change Order and PCOs. Mr. Formica noted that there is no change order for review this month.

Wetlands Discussion. Mr. Formica discussed that project is tentatively scheduled to be on the 11/14/24 Inland Wetland Board agenda to request that the wetlands enhancement plan, that was part of the requirements from the Inland Wetlands Board Adopted Resolution of Approval for the project, be removed as a requirement. AECOM will attend and will report back next month.

Pay Estimate. Mr. Formica reviewed that AECOM had forwarded in advance of this meeting Progress Payment Estimate No. 61 for the South St. project for September in the amount of **\$104,583.10** for Spectraserv. AECOM has reviewed it and recommended that it be approved for payment. The progress payment form includes the caveat that since the contract substantial (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. Similar to M&O Construction the payment estimate maintains the 5% contract retainage on completed work. Mr. Formica reviewed that through the end of September, Spectraserv has expended approximately 98.5% of the project cost, while 162% of the contract time has passed.

Latest schedule. Mr. Formica discussed that Spectraserv's last formal schedule was provided on 9/6/24 with a projected contract completion date of 10/21/24. Spectraserv has not provided the monthly contract required schedule this month. However, Spectraserv provided a verbal update at today's progress meeting indicating that they believe that they will be continuously onsite to address item until the end of November and that they will return in December to complete the remaining work which is dependent upon them and their subs receiving long lead items. All parties at the progress meeting expressed their disappointment with the schedule.

Mr. Formica reviewed that AECOM is not confident that Spectraserv can meet this schedule given their repeated inability to have their subcontractors return to the site. Examples include Horton Electrical was on site 50% of the time last month generally with one employee, F&F Mechanical (HVAC & Plumbing) and AMI (Masonry) were not on site at all this month, Decco Painting was on site one day this month and Tactical (roofing/siding) returned to the site this week to replace the unacceptable fasteners and reinstall the fiber cement siding.

Final Setting Tank Torque Module Replacement. Mr. Formica discussed a warranty repair item that has been unresolved for some time due to the inability of Spectraserv to obtain information/commitment from their supplier Kusters/Sumitomo for the final settling tanks (FSTs). Prior to substantial completion of the two FSTs in Fall 2022 it was noted that the gauges

were damaged on the torque limiting modules however their functionality is not impacted by this (they will still detect a fault under high torque conditions). AECOM had requested that these gauges/and torque limiting modules be replaced under Spectraserv's warranty and recently received the following feedback from Spectraserv/Kusters/Sumitomo. In order to replace the gauges/torque limiting module, the gear reducer and torque limiting module for each tank would need to be removed and shipped to Sumitomo's factory so that the new torque limiting module can be calibrated on the gear reducer. The torque limiting module cannot be calibrated in the field on the gear reducer and this work needs to be done in the shop/factory. Mr. Formica reviewed that the timeline for that type of work would be:

- 23 week lead time to get the new torque modules to the Sumitomo factory (both clarifiers would still be running during this time).
- Gear reducer and torque module for one clarifier would need to be removed and shipped to Sumitomo factory (Virginia). The clarifier would be down.
- New torque module would be calibrated on the existing gear reducer that was shipped to the factory (3-4 weeks).
- New calibrated torque module assembly and gear reducer would be shipped back to the WWTF.
- Total time the clarifier would be offline is estimated at 5-7 weeks.
- The 5-7 week shutdown process would need to be repeated for the second clarifier after the first one is returned to service.

Mr. Formica noted that to address this issue there are the following options:

1. Option 1: Have the existing torque limiting modules replaced (work is at no cost to the Owner under warranty). The earliest this work could begin is early April 2025 and each clarifier would be down for about 7 weeks.
2. Option 2: AECOM requested a proposal from Kusters/Sumitomo for a spare gear reducer (approx. \$25,000). The spare gear reducer could be shipped to the Sumitomo factory so that each clarifier is not down for approximately 7 weeks but would be down for a shorter period of time (the time it takes to remove the existing gear reducer/torque limiting module assembly from the FST and install the new assembly). This work would still not begin until beginning of April 2025. The replacement work for the assembly and new torque limiting modules is still at no cost to the Owner.
3. Option 3: Leave the existing torque limiting modules in place with the damaged gauges as they do not impact the operation of the torque limiting module. The gauges themselves cannot be removed and replaced without the whole torque limiting module being replaced.

These options were discussed, and in response to questions, AECOM noted that this issue has been unaddressed by Spectraserv for an extended period despite numerous requests, and that if a spare gear reducer were purchased, it would be a useful replacement part in the future. **Motion was made to purchase a spare gear reducer for the final clarifiers by Ms. Ketchum, seconded by Mr. Zawacki, passing 5-0.**

Eversource Energy Efficiency Program. Mr. Formica reviewed that AECOM recently coordinated with Ms. Van Ness related to completing the documentation required for Eversource's Energy Incentive program for the WWTF upgrades. The incentives offered by Eversource are in the process of being finalized for both the HVAC/Lighting incentives and the Process Efficiency incentives. Eversource has noted that the payments should be provided to the WPCA by the end of the year and will be on the order of approximately \$70,000 for the HVAC/Lighting element and approximately \$300,000 for the process efficiency elements.

Clean Water Fund – Permanent Loan Obligation. As noted last month, Mr. Formica indicated that he has contacted Kevin Redmond to discuss the option of permanently financing the amended Clean Water Fund loan cost incurred to date to reduce the amount of short-term interest to be accrued in the future but has not yet reached him. AECOM will follow up on this and update the WPCA on the outcome of the discussion.

3. Quail Ridge Pump Station Relocation Design

- a. Mr. Formica discussed that AECOM continued to update the 90% design documents to provide the update needed to the force main and the pump station. AECOM provided a marked up set of the drawings to Veolia for their review and input with the most significant changes noted (fiber optic communication, requested manual transfer switch for connection of a temporary backup generator if needed) and will coordinate with them on any questions or edits that they might have.
- b. In addition, Mr. Formica noted that the traffic management plan concept for the work on Old Quarry Road has been advanced.

4. Veolia Report

- a. Craig Motasky from CT DEEP came to inspect the South Street facility upgrade since he hadn't been at the plant due to ongoing construction.
- b. Veolia staff involved in the development of the computerized maintenance management system (CMMS) for the upgraded WWTF were onsite at the WWTF.
- c. The clay pipe sewer on New Street that had been damaged by installation of a utility pole has been repaired.

5. Possible Executive Session

- a. **Motion to go into Executive Session regarding possible litigation, inviting AECOM, Veolia, and Ms. Van Ness by Ms. Kozlark, seconded by Ms. Ketchum, passing 5-0.**
- b. **Motion to go out of Executive Session by Ms. Kozlark, seconded by Ms. Ketchum, passing 5-0. There were no votes or motions during Executive Session.**

6. Adjournment

Motion to adjourn the meeting at 8:31 p.m. by Ms. Kozlark seconded by Ms. Ketchum, passing 5-0.

Submitted by Diana Van Ness