



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

**WPCA Meeting Via ZOOM
January 30, 2025 7:00 p.m.
66 Prospect Street
Ridgefield, Connecticut 06877**

WPCA: Amy Siebert, Gary Zawacki, Corrine Ketchum,
Absent: Russell Fink, Maureen Kozlark
AECOM: Matt Formica, Jon Pearson, Gisele Trivino
Veolia: Jeff Pennell, Ryan Richmond

**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. Mr. Zawacki made a motion to approve the December 19, 2024 minutes, seconded by Ms. Ketchum, passing 3-0.

2) New Business

a) Date for possible tour of South Street

i) The WPCA will submit possible dates for meeting at the South Street facility.

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

a. Construction Update. Mr. Formica reviewed that M&O Construction addressed some of the items on the incomplete items (punch) list at the pump station and WWTF during this month with the WWTF items completed.

Mr. Formica noted that M&O had achieved substantial completion on the entire project as of October 25, 2024 and that there are approximately 65 items that remain on the incomplete

items (punch) lists for the Pump Station. As discussed before AECOM has not generated a valued punch list as the retainage for these areas will remain at 5% in accordance with the Contract Documents due to:

- Repeated concerns with rate of project progress and continued schedule slippage.
- 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.

b. **Schedule Update.** Mr. Formica noted that M&O has not formally provided a schedule update in some time, but they indicated during December's progress meeting that they anticipate final completion of their contract by the end of January

c. **M&O WPCA Meeting.** Mr. Formica noted that there was no regular project progress meeting with M&O in January. However, given that the work is nearing completion Maureen, Amy, himself Jon and Diana, met with three representatives from M&O's to discuss the completion of the project. The items discussed included:

- Contract Completion Dates and Actual Completion Dates
- Review of remaining work and schedule (M&O indicated they believe that they could finish in mid-February)
- Review of outstanding change orders and potential change orders (that have been with M&O for some time) including the \$416K draft balancing CO that was provided to M&O last month.
- The financial and other town impacts that have resulted from the delayed completion
- M&O's current potential exposure to liquidated damages.
- M&O's 583- Day Time Extension Request
- Other planned M&O claims

It was agreed by all parties that a follow up meeting with the same parties would be scheduled for the end of February to further completion of the project including a financial resolution (liquidated damages or other).

Mr. Formica noted that 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 and there has infrequent work onsite to address the incomplete items at the Pump Station.

d. **Change Orders and Pay Estimate.** There was no change order to discuss this month. Also, M&O had not provided a pay estimate since the last one which was for work through the end of November.

2. South Street WWTF Upgrade Construction

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

- Spectraserv continued to work on the incomplete items list to the extent that they can self-perform and with some activity from their subcontractors. Spectraserv has reduced the number of incomplete items from 200 last month to about 100 items.
- Have continued their demobilization efforts.
- They are responding to warranty items for elements that have been granted substantial completion

Mr. Formica noted that for all areas that have been recommend for substantial completion retainage has remained at 5% in accordance with the Contract Documents due to:

- The quantity of incomplete items.
- Concerns with the project roof warranties
- The Owner's right to assess liquidates damages in accordance with the Contract Documents if a time extension is not justified and executed in a Change Order.

- b. **Change Orders and Pay Estimate Pay Estimate.** Mr. Formica noted that there is no Change Order this month. Mr. Formica noted that there is yet to be a finalized progress payment estimate this month as Spectraserv was late in providing their initial draft. The draft has all of work items paid out, although many remain outstanding, Spectraserv has indicated that the entire project is substantially complete, and they recommended that the documentation confirming substantial completion has been achieved be developed AECOM will provide comments on the work that is incomplete and will return the pay estimate with comments to Spectraserv shortly.

The pay estimate once finalized will include the caveat again 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 and that we will continue to hold 5% contract retainage on completed work due to the continues schedule slippage.

Through the end of December, Spectraserv has expended approximately 98.8% of the contact value (no pay estimate available), while 170% of the contract time has passed.

- c. **Schedule Update.** Mr. Formica discussed that Spectraserv's last formal schedule was provided on 11/25/24 indicating that all physical work and documentation would be complete by 12/13/24. At the December project progress meeting and again at last week's progress meeting Spectraserv were non-committal on identifying a final completion date noting that that have not received all information from their suppliers/subcontractors to support a firm date. AECOM requested that upon receipt of this information that they provided summary email to indicate when they will be complete. An update has not yet been provided. There are still about 100 items to be addressed on the incomplete items list.

Spectraserv has advanced some documents and work in the field, but several significant items remain including completion of roof repairs to address previously identified leaks from 2023, HVAC system testing and balancing, and electrical system testing and plant water system items.

Mr. Formica indicated that AECOM again have with Spectraserv's ability to have their subcontractors and suppliers to return to the site. Spectraserv has have indicated that they are pushing their subcontractors and suppliers as much as possible. AECOM has reiterated our request to provide any letters that Spectraserv's attorney has provided to their subcontractors and suppliers to support their statements and none have been provided to date.

- d. **Eversource Energy Incentive Update.** Mr. Formica was pleased to inform the WPCA that the second of the Eversource Energy Incentive checks was received by the WPCA office in the amount of \$72,031.01 for the HVAC and lighter elements. AECOM has had some recent correspondence with Eversource to clarify their understanding of some equipment operation and expect the final payment to be provided shortly.
- e. **Wastewater Facilities Upgrade, Engineering During Construction Amendment No. 5.**
 - a. Mr. Formica reviewed AECOM last contract amendment for engineering services was approved by the WPCA in July 2024 and included a budget adjustment to provide services through the projected construction completion date at that time for both contracts which was through November 2024. Mr. Formica noted that AECOM had reviewed the project budget status in light of the extended construction durations and the budgets for each project task and have submitted a summary letter and draft contract amendment for these services which was provided to the WPCA for review in advance of this meeting. The letter outlines the current schedule and budget status and provides details of the basis for the projected costs. Our projected engineering service costs are based on the estimated contract completion date of February 28th for the South Street and January 31st for the Route 7 project. With the extended construction schedule for both the Route 7 project and the South Street project, AECOM will be providing engineering services for a longer period than the current budget was planned to cover. In addition, it is unclear at his time what services AECOM would provide to support any negotiations, resolution discussions, or possible litigation to close out the two projects.
 - b. Mr. Formica noted that AECMO is estimating that the additional engineering cost for the current extended construction period is \$318,3000 for the South Street project and an increase of \$13,800 for the Route 7 Project. It was noted that the amendment also includes \$16,000 allowance to provide services to support any negotiations and resolution discussions, or possible litigation to close out for the Route7 project and a \$40,000 allowance for the same service for the South Street project. The total of these two budget increases is \$332,100.
 - c. Mr. Formica noted that AECOM's agreement basis for services on this project is on a cost plus fixed fee basis which means AECOM can only invoice for actual costs as they are incurred, and a fee (profit) percentage of the costs. During construction, AECOM are in a purely reactive mode and do not control the contractors schedule, or the timing or quality of shop drawings, proposed change orders, and other documents or actions each contractor may take. If things go better than expected and the work finishes quicker, or with less required effort, AECOM does not get paid the full amount of our budget, including this amendment.

- d. Mr. Formica reviewed that AECOM understands the financial impact that the extended construction period and the associated engineering cost has on the WPCA and the town. In light of this, and the excellent working relationship we have had over the years with the WPCA, in preparing our Amendment request, we have elected similar to previous amendments to request this Amendment to request our costs only to again share the financial stress the addition costs without any increase in the fixed fee. This has reduced the amount of the requested budget increase for Amendment No. 5 by about \$33K.
- e. Mr. Formica noted that if the draft Amendment is acceptable, the Draft Amendment will need to be submitted to DEEP for review and approval prior to the WPCA.

Motion to approve Amendment No. 5 by Ms. Ketchum, seconded by Mr. Zawacki, pending approval by the DEEP, passing 3-0.

3. South Street WWTF Current Flows and Capacity

- a. Mr. Pearson indicated that with the recent questions raised about the remaining treatment capacity at the South Street plant, AECOM wanted to update the WPCA on the current flows and remaining capacity. In the past, AECOM had been asked to periodically track the new connections to the sewer system since the 2015 Facilities Plan was prepared and the estimated current flow at the plant and compare it to the Facilities Plan projections to assess if the growth in the system was consistent with the projected flows.
- b. At the time the 2015 Facilities Plan was prepared, the average daily flow at South Street was 850,000 gpd, and the average daily flow at the now former Route 7 plant was 54,000 gpd for a total flow of 904,000 gallons per day. Since the Route 7 plant has been decommissioned, to look at current flows, flows from both sewer districts need to be considered. Mr. Pearson noted that Ms. VanNess reviewed the WCPA records and provided information to AECOM on any new connections to the system in both sewer districts or on a change in sewer use units for existing connections through the end of 2024. Using the flow projection methodology from the Facilities Plan, the new or modified connections have added an estimated 37,000 gpd to the sewer system since 2015. Therefore, the current estimated average daily flow is approximately 941,000 gpd out of the 1,120,000 gpd plant capacity. This leaves approximately 180,000 gpd in capacity available.

4. Quail Ridge Pump Station Relocation Design

Mr. Formica discussed that AECOM continued efforts on the design this month as follows:

- a. AECOM continues to advance the 100% design to provide the update needed to the force main and the pump station.
- b. AECOM has been working with Jake Muller to identify the limits of the walking path that the Town has requested be added along the gravity sewer easement between Prospect Street and Old Quarry Road, that effort is ongoing. Mr. Formica noted that AECOM had recently received direction from Jake Muller to identify suggested the limits of the walking path that

the Town has requested be added along the gravity sewer easement between Prospect Street and Old Quarry Road. The Town's request original request at the conclusion of the 90% design in early 2017 was to provide a walking path along the sewer easement. The recent direction requested that the upper end of the walking path deviate from the sewer easement and extend to Prospect Street. AECOM wanted to note a few concerns with the request termination points and the walking path in general.

- i. There are several wetland crossings that would require some sort of elevated structures across them.
- ii. The requested extension of the walking path to Proctor Street is approximately 400 ft from the sewer easement and AECOM does not currently have any wetland flagging or survey information in the area.
- iii. As noted the original request/agreement with the Town was to only provide a walking path along the easement. As such we would suggest that the work outside the easement and any wetland crossings be developed by other Town departments. This would reduce the cost of the project to the WPCA and the rate payers as well as reduce any schedule impacts to provide the path as recently requested to accommodate the new work elements.

AECOM requested direction from the WPCA on how they should proceed.

It was noted that the WPCA will follow up with Mr. Muller (potentially with AECOM) to discuss financial and schedule impacts to the project and intent to provide the walking path along the sewer easement only and provide the path in the areas that do not encroach on the wetlands.

- c. AECOM noted that preliminary traffic management plan for the project has been provided to the applicable Town departments (police, fire, school transportation, public works and the 1st selectperson's office) for their review and comment for inclusion in the 100% documents. To date limited comments have been provided. AECOM will continue to follow up with the departments to identify any concerns. The WPCA suggested that while following up with Mr. Muller on the walking path this topic could be discussed as well.

5. DEEP Clean Water Fund FY26-27 Call for Projects.

- a. Mr. Formica reported as indicated last month, AECOM prepared forms for the Quail Ridge PS Relocation Project and the Ramapoo Road PS Upgrade project on the WPCA's behalf and working with Amy and Diana submitted these to DEEP

6. Board of Finance Meeting Request.

- a. Mr. Formica noted that in separate discussions with Kevin Redmond and Maureen it has been indicated that the Board of Finance would like a budget status update on the two projects in light of some potential inaccuracies related to the project being discussed by Town Constituents. The next two meetings of the BOF are Tuesday 2/18 (I will be on school vacation) and Tuesday 3/18. Please advise if the WPCA would like to target one of these dates or another. The WPCA will follow up with Maureen Kozlark to coordinate the date.

5) Veolia Report

1. Mr. Pennel indicated that the Veolia had Kat's Pump provide preventative maintenance review of the condition of the Pump Station.
2. Mr. Pennel noted the Veolia had addressed a potential sewer back up issue at 57 Main Street last month. Veolia responded to the issues and located a buried manhole in a grassy area in between driveways near the area of concern. The WCPA manhole was not backed up. It was determined that the issue was in the private lateral. This was communicated to the homeowners and Tom from Sunburst Plumbing.
3. Mr. Pennell noted that Veolia also responded to another back up issue at 47 Shadow Lane. Talk to Homeowners and Plumbers. Veolia located the buried manhole that associated with the property that 47 Shadow Lane is conveyed to which is on 59 Shadow Lane property. The manhole was in poor condition, so Veolia had the cover and ring replaced. They also had the top brick reinforced. The work was performed by Carroll Construction. Veolia power washed the manhole and removed the present roots. The back up was determined to be in the homeowner's lateral. This information was convey to the homeowner and the plumbing company they hired.
4. Mr. Pennell stated the Facility as a whole is operating well and within its Permit. Mr. Pennell summarized the data provided in Veolia's month client report previously provided to the WCPA. He noted that the WWTF is doing well on Nitrogen removal and we are continuously trying to fine tune the system to increase our removal percentage through process control.

6) Possible Executive Session

Motion to go into Executive Session regarding pending claims, inviting AECOM, Veolia and Ms. Van Ness by Ms. Ketchum, seconded by Mr. Zawacki, passing 3-0.

The WPCA exited Executive Session at 8:15, no vote or motions were taken.

7) Adjournment

Motion to adjourn the meeting at 8:20 p.m. by Mr. Zawacki seconded by Ms. Ketchum, passing 3-0.

Submitted by Diana Van Ness