



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

**WPCA Meeting Via ZOOM
April 24, 2025 7:00 p.m.
66 Prospect Street
Ridgefield, Connecticut 06877**

WPCA: Amy Siebert, Gary Zawacki, Corrine Ketchum, Maureen Kozlark
Absent: Russell Fink
AECOM: Matt Formica, Jon Pearson
Veolia: Ryan Richmond
Guest: 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. Kozlark made a motion to approve the March 27, 2025 minutes, seconded by Ms. Ketchum, passing 4-0.

2) New Business

3) Old Business

4) AECOM Report

1. Route 7 PS, FM, and WWTF Decommissioning

- a. **Construction Update.** Mr. Formica reviewed that M&O Construction M&O completed all of the items on the incomplete items (punch) list at the pump station and Final Completion was achieved on 4/4/25. There are 4-5 warranty items that they have not yet addressed. The project retainage and remains at 5% due to the extended construction period, the potential for assessing liquidated damages, and in accordance with the Contract Documents.
- b. **Project Resolution Meetings.** Mr. Formica noted that since January AECOM and the WPCA subgroup have been meeting with M&O approximately once a month to discuss their progress and closure and financial resolutions. The last meeting was on 3/27/25 where they

indicated their intent to provide additional information about their claimed extra costs to the Town to advance the project resolution.

- c. **Pay Estimate.** Mr. Formica indicated that M&O has not provided a progress payment estimate since December for work completed through 11/30/25, so there is no payment estimate this month.
- d. **Change Order.** Mr. Formica also indicated that there is also no Change Order this month. There is one outstanding change order item that has not been addressed. On 3/27/25 M&O submitted a draft change order request (COR) on this item (for a temporary alarm dialer at the pump station) and AECOM had provided draft comments on 4/1/25. Once this item is agreed upon it will be included in a change order with eight other items that AECOM and M&O have agreed upon.
- e. **901 Ethan Allen Highway Plantings.** Ms. Kozlark asked about the status of the requested plantings at the pump station by the Owners of 901 Ethan Allen Highway. Mr. Formica reported that AECOM had provided the final pump station site survey to 901 Ethan Allen Highway, in the last month upon receipt of the survey from M&O. Mr. Formica reminded the WPCA that it has been communicated to the 901 Owners that should they want the WPCA to consider a donation for planting along the south side of the pump station, that they would need to mark up the survey with the proposed plantings and provide a cost proposal for the planting for the WPCA's review. This information has not been provided to date.

2. South Street WWTF Upgrade Construction

- a. **Construction Update.** Mr. Formica noted that Construction has continued this month including the following items.
 - Spectraserv continues to work on the incomplete items list to the extent that they can self-perform and with some activity from their subcontractors. There remains a couple dozen incomplete items.
 - The HVAC subcontractor F&F has been onsite, and the HVAC balancing subcontractor have been making progress on their incomplete items.

The contract retainage on the areas other than the generator, settling tanks and aeration tanks which have valued punch lists has remained at 5% in accordance with the Contract Documents due to:

- The quantity of incomplete items and the pace at which they are being addressed.
 - 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. **Meeting with Liberty Mutual.** Mr. Formica reported that in the past months several letters were provided between AECOM and Liberty Mutual indicating that the WPCA was considering declaring Spectraserv in default and with a recent request that a meeting be held between the Liberty Mutual and the WPCA to discuss what actions Liberty Mutual was taking to help Spectraserv complete the work. A call was held on 3/24/25 with Amy, Maureen, Monte, Jon, Matt and Gisele to discuss. A summary of the project status was

given, including Liberty Mutual's actions and a request of what they would do if Spectraserv was or was not declared in default.

The same group had a follow up call with Liberty Mutual on 4/15 again to discuss the potential of declaring Spectraserv in default, Spectraserv's progress, Liberty Mutual's advice, actions, or recommendations provided to Spectraserv in past few weeks and any preliminary actions or plans that Liberty Mutual has a plan going forward should the Town declare Spectraserv in default.

Liberty Mutual reported that the schedule appears that it is going to slip another few weeks with most of the remaining items completed by the end of April with the acknowledgement that they would need to be reviewed by AECOM.

Liberty Mutual noted that they, through their subcontractor JS Held, are participating in calls with Spectraserv in an effort to push them along, that Spectraserv is doing all they can which is the same information that has been communicated for the 2.5 years they have been on the project.

They noted that they are not at liberty to tell the WPCA what they will do if Spectraserv is declared in default.

- c. **Pay Estimate.** Mr. Formica reported that no pay estimate has been provided this month and that the last finalized pay estimate was from December for work through the end of November.
- d. **Change Orders.** Mr. Formica presented Change Order No. 23. This change order contains four items for a total credit of (\$19,726.66) and was submitted to the WPCA in advance of this meeting for review. With Change Order No. 23, the total change orders to date are valued at \$930,472.95 representing ~ 2.5% of the original construction bid amount.
 - i. **Motion to approve Change Order No. 23 by Ms. Ketchum, seconded by Ms. Kozlark, passing 4-0.**
- e. **AECOM Budget.** Mr. Formica indicated that AECOM's last contract amendment for engineering services was approved by the WPCA in January and included a budget adjustment to provide services through the then projected construction completion dates which at that time was through January 2025 for Route 7 and February 2025 for South Street WWTF. This amendment was approved by DEEP in April which allowed AECOM to catch up on our project invoices.

Mr. Formica noted that AECOM has been withholding their monthly invoices to the WPCA since November as the DEEP has indicated in the past that invoices for costs that exceed a single task budget (such as basic construction services for Route 7) without DEEP approval, may not be eligible for Clean Water Fund grant reimbursement. So AECOM has been withholding invoices during the amendment approval period to maximize the Town's reimbursement. AECOM's most recent invoice provided to the Town with the approval of Amendment No. 5 was for services provided from late October 2024 to late January 2025. AECOM is again withholding invoices for services since January as costs for tasks in

AECOM's budget for Route 7 have exceeded the amendment budget amount for those tasks, even though budget remains on the project for other tasks, including for the South St. WWTF basic construction services as well as the project O&M manual, record drawings and a fiscal sustainability plan.

The DEEP has recently expressed their frustration with AECOM's recent submittal of Amendment No. 5 which only projected our efforts for a few months out. These few months were based on the projections of the contractors completing their work and some reasonable estimates of when they will do so. As you know neither contractor has met the projected dates. We share DEEP's frustration as the timeline to provide an executed Amendment from initial development to final approval and execution has typically taken between 4 and 5 months.

Mr. Formica noted that AECOM is generally optimistic that we will be able to complete all of the project tasks within the remaining project budget. Therefore to address DEEP's concern of providing multiple future short term amendments to adjust the project on a task/by task basis also while allowing AECOM to invoice for services in a more timely manner, AECOM requested from DEEP that AECOM be allowed to invoice for services monthly even if the budgets for a specific project task are exceeded as long as there is budget available in the overall agreement with the WPCA and that it not impact the Clean Water Fund reimbursement eligibility. Once the projects are completed and the costs reconciled, AECOM would develop a final contract amendment to reallocate the budgets to the expenditures in lieu of continuing to provide short term amendments in reaction to a contractors' projected construction end dates. AECOM will keep the WPCA informed of DEEP's decision and will continue to withhold invoices for now.

- f. **Eversource Energy Incentive Update.** Mr. Formica reported that the last of the Eversource Energy Incentive checks was received by the WPCA office for the project in the amount of \$165,300.45 for the process elements. That brings the energy incentive total for the project to \$410,039.46.

3. 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. We continue to advance the completion of the Inland Wetlands Permit and portions of the Planning and Zoning permit documentation. In addition, the construction cost estimate for the work is underway
- b. The sewer easement legal description and drawings are also being completed.

5) Veolia Report

Mr. Richmon reported /indicated the following:

- a) Mr. Richmond discussed the Veolia monthly client report including maintenance performed, facilities call outs, and compliance with the South Street WWTF permit.

- b) The new sand filters are performing well and that are meeting the new phosphorus limits permits.
- c) The UV system has been preventatively maintained and tested in advanced of the May 1 start of the disinfection season and it is performing well and within the permitted discharge limit for E Coli.
- d) On 3/5/2025 the was a loss of power at the Ramapoo Pump Station. The power was restored and no issues found.
- e) On 3/7/2025 the Route 7 Pump Station lost its connection to South St. WWTF SCADA system server. This connection was restored and no issues resulted from the event.

Guest, Annie F. left meeting before Executive Session.

6) Executive Session

- a) **A motion to go into an Executive Session regarding possible litigation, inviting AECOM, Veolia and Ms. Van Ness was made by Ms. Kozlark, seconded by Ms. Ketchum, passing 4-0.**
- b) **A motion to go out of the Executive Session was made by Ms. Kozlark, seconded by Mr. Zawacki, passing 4-0. There were no votes or motions during the Executive Session.**

7) Adjournment

Motion to adjourn the meeting at 8:09 p.m. by Ms. Kozlark seconded by Ms. Ketchum. passing 4-0.

Submitted by Diana Van Ness