



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

**WPCA Regular Meeting Via ZOOM  
July 28, 2022 7:00 p.m.  
66 Prospect Street  
Ridgefield, Connecticut 06877**

WPCA: Amy Siebert Gary Zawacki, Maureen Kozlark, Corinne Ketchum, Ron Hill  
AECOM: Jon Pearson, Matt Formica  
Veolia: Ryan Richmond, Jeff Pennell  
Raftelis: Dave Fox

**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 8:15 pm. The  
start of the meeting was 1 hour and 15 minutes late due to Zoom technical  
difficulties.**

**1) New Business**

**a) Approval of Minutes**

**Motion to approve June 23, 2022 minutes by Ms. Kozlark, seconded by Mr.  
Zawacki, passing 5-0.**

**b) Annual Sewer Rates Update**

- i) Mr. Dave Fox, Raftelis, presented the rate model and discussed planned capital improvements, funding, forecast of revenue, and the annual charge per dwelling unit. Ms. Van Ness contacted Mr. David Day, Danbury Public Works, regarding the status of cost increases for Turner Hill, District 3 related to the Danbury treatment plant upgrade. Ridgefield cost for the upgrade will be approximately \$1.4 million. A discussion of potential rate increases was held and concluded that the annual sewer rates will need to increase by 4 percent.

**(1) Motion to increase the annual sewer use fees :**

**(a) District 1 (South Street) : \$844.00**

**(b) District 2 (Route 7) : \$844.00**

**(c) District 3 (Turner Hill) : \$473.00**

**By Ms. Kozlark, seconded Mr. Zawacki, passing 5-0.**

**c) 34 Bailey Avenue**

- i) Mr. Richmond, Veolia, contacted Mr. Sullivan to set up another video inspection of the line on 34 Bailey Ave. Veolia will be present at the next inspection which has been tentatively scheduled for August 9th or 10th.

## **2) Old Business**

### **a) Raftelis Consulting Agreement**

- i) Ms. Siebert stated that the Raftelis contract is finalized.

## **3) AECOM**

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

- i) Mr. Formica discussed that M&O Construction completed construction of the first portion of the force main and fiber optic cable on Ligi's Way on July 15th, and they relocated to Lee Road at the intersection with Farmingville Road on Monday July 18th. Through yesterday, approximately 2,360 feet of FM and fiber optic conduit have been installed, which is about 17% of the total. Looking ahead, M&O plans to continue the force main installation for the length of Lee Road until the week of August 8th, when they expect to reach the intersection of Limekiln Road and continue the force main installation along Limekiln. The monthly virtual construction progress meeting was held today with Mr. Zawacki, Ms. Kozlark, Ms. Van Ness, Mr. Pennell, and Mr. Richmond attending. With construction underway, Mr. Formica indicated that AECOM has submitted Progress Payment Estimate No.5 for the Route 7 project in the amount of \$185,687.00 for M&O Construction, and recommended it be approved for payment.
- ii) Mr. Formica indicated that AECOM has been continuing to work with Ms. Van Ness to prepare and post weekly project updates on where work will be occurring that are being emailed to town departments as well as being posted on the WPCA website, Town website and Facebook page. Ms. Van Ness has also arranged to have it published on Hamlet Hub as well.
- iii) Mr. Formica noted that a recent update from Jake Muller was obtained on the status of the boardwalk project along Ligi's Way that had been scheduled to be under construction at the same time as the Route 7 project. Mr. Muller noted that they are currently revising the contract documents with the intent to bid the revised boardwalk project late this year to prepare for a spring 2023 construction start. This should simplify any needed coordination between the two projects.
- iv) Mr. Formica discussed that DEEP is continuing to review the Clean Water Fund Grant/Loan application that was submitted to the DEEP on March 28th.

### **b) South Street WWTF Upgrade Construction**

- i) Mr. Formica stated that the monthly construction progress meeting was held today with Ms. Kozlark, Mr. Zawacki, Ms. Van Ness, Mr. Pennell, and Mr. Richmond, participating. Construction has continued this month including:
  - In the UV/Reaeration building, window and roof metalwork was completed, and remaining plumbing and HVAC work items were completed. The UV system preliminary testing was completed by the UV system vendor Trojan. Spectraserv is now targeting the end of August for substantial completion of the UV Building and turnover of the new building to the WPCA.

- At the Septage Building, the toxic and combustible gas detection panels were installed. FRP odor control ductwork installation was started, and work continues to install power and control electrical conduit and wire.
- At the Blower Building, the blower testing was started by the Blower vendor Aerzen. Piping insulation was completed, and the remaining plumbing work was completed including the washer dryer installation. Electrical conduit and wire installation continues.
- At Aeration Tank No.1, the flow meter wiring and DO probe installation was completed and planning is continuing for the changeover from AT No. 2 to AT No. 1 once AT No. 1 is completed.
- At the Control Building and Chemical Buildings, the new water meter was installed and the water system activated by Aquarion, work is continuing on the ATC panels conduit and wiring, and the new HVAC equipment was started up by the vendor.
- At the Influent Building work continues on the electrical room addition foundation, the exterior foam façade removal, and replacement of the roof.
- In the Operations Building, the new plant water system skid and expansion tank were installed, the concrete hatch opening in the roof for the new centrifuge was placed.
- Site work continued with the 24" drain outfall installed along with the surrounding erosion protection stones, and installation of additional electrical duct banks.

- ii) Regarding the diesel fuel spill last month, Mr. Formica reviewed that Spectraserv has provided some documentation of the spill response and cleanup activities that AECOM has forwarded to Mr. Muller, and the dumpsters containing the contaminated soil were removed from the site in the last few days. Spectraserv confirmed that they will be providing the documentation of the details of the soil disposal. and a report from the generator fuel tank supplier on the cause of the spill and proposed modifications so that it would not happen again. DEEP has indicated that it is up to the Town to decide of the monitoring well they required to be installed can be removed, and Mr. Muller has requested the well remain (it will be located in a sidewalk) and be provided with a frame and cover for future access.
- iii) Mr. Formica informed the Authority that during this month there was a power failure at the WWTF during the day, and the generator did not start automatically. The generator was manually started and there appears to be an issue with the Automatic Transfer Switch (ATS). AECOM requested that Spectraserv have the ATS supplier, Eaton, troubleshoot the ATS which is in process.
- iv) Mr. Formica discussed that the ferric chloride feed system continues to be in operation using the bulk storage tank to feed the new chemical feed pumps. The system is being operated to reduce phosphorus until the new filters are in place and is working to meet the interim effluent requirements.
- v) Mr. Formica discussed that AECOM has submitted Progress Payment No. 34 for Spectraserv that covers the month of June in the amount of \$800,594.60 and AECOM

recommends it be approved. The hard copies of the payment estimate have been submitted to Ms. Van Ness for execution. As discussed last month, Mr. Formica indicated that the progress payment estimate includes the caveat that the WPCA reserves the right to assess liquidated damages if a time extension is not justified and executed in a subsequent change order. After last month's meeting, the CWF payment request was submitted DEEP, and the process to obtain grant and loan payments from the DEEP is proceeding as planned.

- vi) Change Order No 5 was presented for approval in the amount of \$95,625.88. Mr. Formica discussed that through Change Order No. 5 the total of change orders to date is approximately \$295,000 which represents 0.8% of the project bid price. Mr. Formica discussed the proposed language revision in the change order to address that the considerations of potential time impacts of the scope changes have not been included since Spectraserv is unable to obtain schedule commitment on materials for several of the change order items. If there are impacts from these changes that can be shown to have legitimately delayed the critical path schedule, these can be addressed at a later date. Following discussion, **Motion to accept Change Order No. 5 with amended language by Mr. Zawacki, seconded by Ms. Ketchum, passing 5-0**
- vii) Mr. Pearson discussed that as of the end of June, Spectraserv has expended 94% of the contract time for completion (with the previously agreed to extension) and 72% of their contract value expended. Spectraserv had provided a more detailed schedule for the work on the UV Building in February, which is on the critical path, and the work on this building is 13 weeks behind that schedule. They had also provided a cash flow projection in early April as requested to show how they planned to complete the work remaining within their current schedule to reach substantial completion in January 2023. For the month of June, they only incurred 58% of the projected cash flow amount, another indication that they are not gaining time on their schedule.

Mr. Pearson discussed the updated table that summarizes the percent complete of the major structures and work areas as of the end of June that Ms. Van Ness had forwarded. The percentages increased somewhat on the areas that Spectraserv is pushing to finish, put into service, and turnover to the WPCA. However, as noted on the table, approximately 2% of the contract value was expended this past month, and with 28% of the project cost yet to be incurred at a rate of 2% per month, this would indicate it will be 14 months before completion is achieved, well beyond the current contractual final completion date of 8/21/22.

- vii) Mr. Pearson discussed that due to these schedule concerns, on July 21st a meeting was held with Spectraserv, Liberty Mutual (Spectraserv's Bonding Company), C&H Agency the insurance carrier, Mr. Muller, Ms. Siebert, Mr. Zawacki, Ms. Van Ness, and AECOM. AECOM had prepared a bulleted summary of major items related to the schedule performance and distributed and reviewed it during the meeting. The Bonding Company understood the WPCA's concerns, and indicated that they shared the concerns and noted that they will be more involved in the project going forward. Liberty Mutual indicated that they have engineers that can assist Spectraserv in efforts to accelerate the work progress. Liberty Mutual committed to providing a

proposal that will outline their efforts to get more involved to the WPCA by the end of the month. The potential to declare Spectraserv in default of their contract due to the low rate of progress was also discussed, and Liberty Mutual did indicate that if that step were to be taken, it will extend the time to complete the project. Mr. Muller confirm that the Town had similar experience on other projects and encouraged the WPCA to continue to work with Spectraserv to complete the project. Mr. Hill noted that the electrical subcontractor had also notified the WPCA regarding a dispute over costs with Spectraserv, and expressed concerns over the potential for a Mechanics lien to be filed.

Mr. Pearson reviewed that in May AECOM had responded to Spectraserv's April time extension and additional cost request generally indicating that insufficient supporting information was provided to determine the merit of the request and that several items should not have been included in the request. Spectraserv submitted a response on July 1st, and Ms. Van Ness had distributed a copy of the letter. The response letter did not provide any further justification for the claimed 232 day time extension, or for the claimed extended general conditions costs of approximately \$576,000, but did note Spectraserv is prepared to develop and submit the requested justification documentation and indicated that this will "consume valuable resources on part of all parties which would be better served working towards completion of this project". Spectraserv has requested a meeting "to discuss final completion and proposed compensation to the Town".

Mr. Pearson noted that it is not clear yet what Spectraserv is proposing, however, given the current climate of materials shortages and delays, it is likely that these factors have had some impact on the project schedule, which in turn would justify some additional time and potentially, additional costs. However, AECOM also do not believe materials shortages and delays are the major cause of the extended construction schedule. Ms. Kozlark expressed frustration at the continued schedule slippage and the lack of acceleration of the work by Spectraserv. To complete this project as quickly as possible, AECOM recommends that the WPCA agree to meet with Spectraserv to hear what they would like to propose. Following discussion, it was agreed a meeting should be scheduled as it would be in the best interests of the project to keep the lines of communication between all parties open and continuing to focus on getting the project completed.

#### **4) Veolia**

- i) Mr. Pennell presented the June 2022 Monthly Report. The NPDES Discharge Monitoring Report for the Route 7 facility and the South Street facility met compliance for the month of June 2022.

#### **5) Adjournment**

The meeting was adjourned at 9:29 p.m. by a **Motion made by Ms. Kozlark seconded by Ms. Ketchum, motion passed unanimously, 5-0.**  
**Submitted by Diana Van Ness**