



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

**WPCA Special Meeting Via ZOOM  
September 22, 2022 6:00 p.m.  
66 Prospect Street  
Ridgefield, Connecticut 06877**

WPCA: Amy Siebert, Maureen Kozlark, Corinne Ketchum, Ron Hill, Gary Zawacki  
AECOM: Matt Formica, Jon Pearson  
Veolia: 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 6:00 pm.**

**1) New Business**

**a) Approval of Minutes**

**Motion to approve August 25, 2022 minutes by Ms. Kozlark, seconded by Ms Ketchum, passing 4-0, Mr. Zawacki abstaining, he was not at the August meeting.**

**b) 34 Bailey Avenue**

- i) Mr. Richmond stated that there was a blockage in the sewer line that could not be seen clearly during the TV inspection and may be under the liner, but it would not interfere with the project. Ms. Siebert stated that the issue with the water retention basin over the sewer line still needs to be addressed.

**2) AECOM**

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

- i) Mr. Formica discussed that the monthly virtual construction progress meeting was held today with Gary, Maureen, Diana, and Ryan attending. M&O Construction continued the installation of the force main/FO cable last month on Limekiln Road and in the last week continue on to Haviland Road. Through yesterday, approx. 7,200 feet of FM and fiber optic conduit have been installed, which is 53% of the total force main. M&O also has a drilling subcontractor predrilling the rock on Haviland Road ahead of the pipe crew to facilitate rock removal. Mr. Formica noted that M&O requested and received approval to work two shifts starting the last week of August and has continued to do so. There have been a few complaints from residents that Ms. Van Ness has passed on and AECOM/M&O have addressed as they arose. M&O

originally requested approval to work two shifts until 9/23/22, but they recently requested and were granted approval to extend the 2 shift work until 10/7/22. AECOM and M&O continue to coordinate with the police and bus company with the extended hours and there have been minimal issues with bus coordination.

- 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. In addition, this month a public notice for the extended work hours was developed and distributed.
- iii) Mr. Formica discussed that AECOM has submitted progress payment estimate no.7 for the Route 7 project in the amount of \$375,389.27 for M&O Construction. AECOM has reviewed it and recommend that it be approved for payment. The hard copies of the payment estimate have been submitted to Ms. Van Ness for execution.
- iv) Mr. Formica discussed that M&O Construction has recently submitted an updated construction schedule that reflects the impacts of delays in obtaining key components for the pump station. M&O is projecting that they will complete the installation of the force main/fiber optic cables by the end of December 2022 and delay the start of the pump station installation until late March, with completion of the pump station in late August 2023. Once the new pump station is operational, this will be followed by demolition of the Route 7 WWTF in the fall and early winter of 2023 and project completion is projected to be at the end of 2023. Mr. Formica discussed that AECOM has requested that M&O Construction support the extended schedule with documentation of the delays in obtaining key pump station equipment, and AECOM believes that this will necessitate a time extension since the current contract completion dates are 1/11/23 for the pump station, 4/11/23 for the demolition of the Route 7 WWTF, and final completion by 8/11/23. Once it is confirmed that a time extension is warranted, AECOM will update the WPCA, and also consider what adjustment, if any, is needed in AECOM's budget for completion with the extended schedule over the next several months.

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

- i) Mr. Formica reviewed that the monthly construction progress virtual meeting was held today and Maureen, Gary, Diana, and Ryan, participated. Construction has continued including:
  - (a) UV/Reaeration Building: The UV disinfection system was retested and passed. The blower systems were retested and passed. The system is ready for full time operation and switch over pending the calibration of the new WWTF flow meter. Switch over to redirect flow into the UV Building is planned for next Thursday.
  - (b) Septage Building: Continued installation of equipment panels and electrical junction boxes, FRP odor control ductwork, and electrical conduit and wire installation.

- (c) Blower Building: The aeration blower testing was completed successfully. Aeration Tank No. 1 minor touch up items are being addressed.
- (d) Aeration Tank No.1: Switch over to put this system into service is pending resolution of some equipment items and coordination with Veolia. Current schedule is for a switch over in early October.
- (e) Control Building: Limited work completed last month with coordination and completion of ancillary systems remains (HVAC testing, phones, fire alarms)
- (f) Influent Building: Completed the electrical room addition underground conduit/foundation and slab.
- (g) Operations Building: The demolition/reconstruction of the existing sand filters continues, installation of several pumping/piping systems have advanced including the Scum, Waste sludge, Return Sludge pumps. Conduit and wiring have advance on the first floor. The sludge centrifuge has been installed in the dewatering room.
- (h) Site work: Some site lighting duct banks and light pole bases were installed. Duct banks between new electrical manholes have been completed.

Mr. Formica confirmed that there is progress being made on the upgrade. The new UV disinfection system was scheduled to be brought online this week, but noted today's rain and the need for the WWTF meter calibration deferred this effort until next week. While the disinfection season ends Sept. 30th, AECOM has recommended to Veolia that they continue to run the new UV system for a period of time into the Fall to identify and correct any "bugs" in the new system. This will be quickly followed with the startup of Aeration Tank No. 1 (the old tank) and the new Blowers in the Blower Building in the next several weeks. AECOM presented the updated breakdown of the completion status of the buildings and structures and noted the UV Building and the Blower Building are near to completion. The other activity upcoming is to relocate the Veolia staff to the Control Building once the phone line is installed and the fire alarm notification system is tested and operational.

- ii) Mr. Formica indicated that the issues with the existing influent pumps shutting down appear to have been corrected with the help of Veolia. The spare pump was installed as the duty pump and has not had any issues. The removed pump was sent out for repairs. The repaired pump will be re-installed and the other duty pump will be sent out for repairs.
- iii) AECOM submitted Progress Payment No. 36 for Spectraserv that covers the month of August in the amount of \$420,584.74 and Mr. Formica noted that AECOM recommends it be approved. The hard copies of the payment estimate have been submitted to Ms. Van Ness for execution. It includes the caveat that since the contract substantial completion date has passed that the WPCA reserves the right to assess liquidated damages if a time extension is not justified and executed in a 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.
- iv) Mr. Formica presented Change Order No. 7 for \$21,283.83 which includes seven items. It was discussed that through Change Order No. 7 the total amount of change orders is about \$315,000 which represents approximately 0.85% of the original

contract price. Mr. Hill asked a question of Veolia regarding the type of hook being provided on the additional hoist davits, and Veolia confirmed a foundry hook was not needed. **Motion to accept change order as presented by Ms. Ketchum, seconded by Ms. Kozlark, passing 5-0.**

- v) Regarding the project schedule, Mr. Formica noted that as of the end of August Spectraserv has expended 100% of the contract time for completion (with the previously agreed to extension) and 75% of their contract value expended. AECOM recently received their schedule update and had forwarded an email with a summary of the changes to the WPCA earlier this week, noting that Spectraserv's projected final completion date is now 7/9/23, 323 days beyond the contractual completion date of 8/21/22. The completion date has slid out 67 days from their last schedule update. Mr. Formica discussed that another contract date of interest is the startup and testing of the phosphorus removal filter system. The updated schedule shows the filter performance testing also having slid out approximately 74 days, now starting on 3/21/23. This date is very close to the revised date of 4/1/23 under the current DEEP Administrative Order to meet the new effluent phosphorus limit. We remain very concerned about the schedule. Ms. Kozlark expressed concern that Spectraserv will not meet the 4-1-23 date for the phosphorus limits, and suggested the WPCA begin exploring the impacts with DEEP if that does occur. Spectraserv's schedule also shows work continuing well beyond the April 2023 date that is the basis for AECOM's current budget for engineering services, and this will likely require an increase in the current budget for engineering services. Mr. Formica indicated that AECOM will be reviewing the impacts of this revised completion date on AECOM's budget for engineering services during construction over the next several months and will advise the WPCA once the review is completed.

Mr. Formica discussed that it appears that the new schedule has become more realistic than those previously provided, and likely reflect Joe Coffman's (Liberty Mutual rep.) input. However, he noted that there still appears to be a difference in Spectraserv's projected final completion date when comparing it to their average monthly expenditure rate. Spectraserv's pay estimate for August was for approximately \$420,000 with an average expenditure rate over the last 6 months of approximately \$820,000 per month. At that rate, AECOM's projections shows that they would not complete the work until October 2023. Spectraserv indicated that they are working on an update cash flow projection in support of their latest schedule at today's meeting. AECOM requested a copy of the updated cash flow projection and will forward along to the WPCA upon receipt. Ms. Kozlark questioned how the timing of the extended Route 7 project schedule fits with the current Spectraserv schedule. Mr. Pearson noted that currently, both contracts are scheduled to be completed at about the same time, and that the South Street Facility should be able to receive the Route 7 project flows once the Route 7 pump station is completed.

Mr. Pearson discussed that as noted last month Spectraserv's current final contract completion date has passed as of 8/21/22. He noted that the WPCA continues to hold 5% retainage on all payments and the WPCA's recourse for late completion would be to assess liquidated damages at \$2,000 per day as defined in the contract. AECOM reviewed the current retainage amount, the projected retainage amount at completion,

and compared that to what the value of liquidated damages would be currently (assuming no additional time extension is granted) and what it will be at completion.

Mr. Pearson reviewed that due to the ongoing schedule concerns on 7/21/22 a meeting was held with several members of the WPCA , AECOM, Spectraserv, Liberty Mutual their Bonding Company, and C&H Agency the insurance carrier.

At that meeting Liberty Mutual indicated that they have engineers that can assist Spectraserv in efforts to accelerate the work progress, and brought Joe Coffman in 3 days a week over the last 6 weeks. Mr. Pearson noted that at the progress meeting today Mr. Coffman was not able to provide any firm recommendations or commentary of how to improve the project schedule. During today's progress meeting, Spectraserv noted several reasons that the work is not progressing as quickly as they like which included several references to paperwork items. Documentation of work and testing, as well as the development of planning documents and development of change order costs in response to contract changes, are the part of any construction project and have always been requirements of this project. Mr. Pearson noted that this is further evidence of the lack of management staff on the project that has been discussed previously that is limiting Spectraserv's ability to advance some work. As such Mr. Pearson noted that AECOM would recommend that the WPCA request additional management help on the project from Liberty Mutual.

Mr. Pearson discussed that Spectraserv's 7/1/22 letter regarding a claim for additional costs and time closed with a request to meet "to discuss final completion and proposed compensation to the Town". This request was discussed at the July WPCA meeting, and it was agreed the WPCA was willing to meet with Spectraserv. Spectraserv then proposed meeting on 9/8/22 but at last month's WPCA meeting, the recent letter from Horton Electric's attorney was discussed, and the WPCA requested a legal review of the situation prior to scheduling a meeting date.

Attorney Monte Frank from Pullman & Comley contacted AECOM two weeks ago to request copies of the contract documents and pertinent correspondence to complete this review, which Mr. Pearson noted were provided. On Tuesday of this week, a call with Attorney Frank, Ms. Siebert, Ms. Van Ness, Mr. Pearson and Mr. Formica held and Attorney Frank did not have any concerns with meeting with Spectraserv to hear what they had to say. His suggestion was that the Chair and Vice chair be the WPCA representatives to meet with Spectraserv, and the Liberty Mutual also be invited to attend. In addition, during the period Attorney Frank was reviewing the documents, Spectraserv's attorney responded to the letter from Isaac Law (Horton Electric's attorney), and the response essentially directed Horton to cease contact with the WPCA and AECOM since their contract with Spectraserv requires all communication be through Spectraserv. Attorney Frank also reviewed this letter and agreed the issue between Spectraserv and Horton is not something the WPCA/AECOM should be involved in at this point. If the WPCA is in agreement with Attorney Frank's direction, AECOM will contact Spectraserv to schedule the requested meeting. This meeting would also provide an opportunity to request that Liberty Mutual provide definition of the specific steps that they are taking to assist in expediting the completion of the project now that they have had time to get up to speed on the

project and to allow the WPCA to request more personnel from Liberty Mutual to expedite the work.

### **3) Veolia**

- i) Mr. Richmond presented the August 2022 Monthly Report. The NPDES Discharge Monitoring Report for the Route 7 facility and the South Street facility met compliance for the month of August 2022. Mr. Richmond noted that the South Street UV system was having difficulty with elevated e-coli values that is believed to result from debris in the single UV channel, so getting the new UV system operational as planned would help address this.

### **4) Adjournment**

The meeting was adjourned at 7:00 p.m. by a **Motion made by Mr. Kozlark seconded by Mr. Hill, motion passed unanimously, 5-0.**

**Submitted by Diana Van Ness**