

Winnepesaukee River Basin Program

Advisory Board Special Meeting

Laconia Compound – Tuesday, December 6, 2011 starting at 9:00 AM

Brian Sullivan-Franklin	Jeanne Beaudin-Belmont	Steve Dolloff-WRBP	Sharon McMillin-WRBP
Dan Leonard-Meredith	Paul Moynihan/Chairman-Laconia	Sheldon Morgan-Gilford	Ray Korber-Bay District
Bob Veloski-Sanbornton	Paul Tierney-Northfield	Tracey Russo-Clerk	Elizabeth Dragon-Franklin
George Turcotte-Franklin	Dave Clapp-DAS		

P. Moynihan called the meeting to order at 9:05.

1.) Review of minutes from Advisory Board Meeting of 10/18/2011 (Board vote)

Amendments made to draft minutes include changing Paul Tierney from Town of Sanbornton to Town of Northfield and changing Bob Veloski from Town of Northfield to Town of Sanbornton. Last paragraph on page 3: change “CDM indicated that 90% of the flow will be 5-7% accurate” to “CDM indicated that 90% of the flow measurement will be 93-95% accurate”. B. Veloski made a motion to accept the amendments and approve the minutes; J. Beaudin seconded; all were in favor; motion passed. **Minutes approved as amended.**

2.) UV/Plant Water/SCADA Improvement Project Update

S. McMillin said since the weather has been cooperating this year the contractor has been able to get more work done than originally anticipated. The walls and floors of the new UV/Plant water building are up, the water line has been relocated, and only 3 change orders have been issued to date (including the first change order that included the additive alternatives in the contract scope). The 2 change orders were of minimal cost. Work has also been started in the tunnels replacing piping.

3.) Flow Metering Implementation and Cost Allocation System Project

- Status of Design - December 20th is the goal for receiving the Draft Bid Documents from CDM for review
- Proposed CDM Amendment Scope & Budget (proposed Board vote)
 - Bidding Services
 - General Services during Implementation
 - Special Services- Continuity of CDM staff for Cost Allocation Methodology Support

S. McMillin handed out CDM’s Proposal for Limited Meter Implementation Support Services Cost Recovery System Assessment. The dates may be pushed out and bidding will likely be done the end of January. Mandatory site visits for meter installation will be in the contract so there will be no confusion. A decision will need to be made quickly as to whether or not to put the engineering proposal out to bid for other engineering firms or to retain CDM through the rest of this project. If the Board decides not to keep CDM, we will need to put out an RFQ (due to state requirements for a qualifications based selection process). Our goal is to make sure the metering project is implemented during the next construction season. CDM provided a list of Budget task items in this handout, with level of effort for each item, and DES 4700 forms detailing labor, overhead and

expenses included in each of the three items. R. Korber feels everything needs to be spelled out as to contract management tasks.

S. McMillin said that as much as CDM has been delayed over the last two projects, there have been no real problems with the construction managers. The delays have mostly been administrative and documentation issues, rather than construction issues. Also, there would be a not to exceed due date and cost limitation in the contract as approved by the G&C.

D. Leonard would like to see the program look for a new engineering firm. He is not happy with the amount of money that's been spent and the services rendered. He would like to see the bidding opened up for smaller firms to bid on Construction Management. He also indicated that he felt that the flow metering project is simple enough that a new engineering firm could easily pick up and start this project. This would be an easy way to break from CDM which he thought has been the board's sentiment for the past year. A new engineering firm would have greater incentive to be an agent of the board and identify costs savings and design deficiencies than the design engineer may.

R. Korber respectfully disagreed stating there is something to be said for continuity. As the design engineer, CDM will have a better understanding of design intent (as articulated in the contract documents) than that which can be offered by another firm. Understanding design intent is critical for ensuring that quality and value are realized and that costs are properly managed during the construction phase of the project. By going with another firm, you would also lose the institutional knowledge CDM brings to the project; knowledge that has already been paid by, and has real value to, the rate payers. He is certain money will be saved in the long run by retaining the firm who did the design.

D. Clapp said if we did go with another firm there would be time lost in the qualification, review and evaluation process required for a new firm; thus, it would push out the project by another 3-4 months. D. Leonard said that shouldn't be an issue because we wouldn't be looking at spring flows until 2013. R. Korber said that any money that could potentially be saved by lower rates offered by another firm would likely be spent in additional time required by that firm to gain an understanding of the project. In addition, there is a higher probability of incurring additional construction costs through change orders because the other firm did not properly interpret the contract documents. R. Korber does not see a lot of value to the rate payer in switching firms at this point in the project. E. Dragon wanted to know if this is an opportunity to reflect on other firms that may be just as qualified to do the project. R. Korber again expressed that you lose continuity and institutional knowledge; stating that you really need the information from the design consultant as you move forward with the construction of the project. If the Advisory Board sought fit to change firms, R. Korber recommended that the chosen firm be permitted to subcontract CDM to have access to that knowledge.

E. Dragon wanted to know how much has been spent on CDM so far on this project. S. McMillin told her \$425,000. E. Dragon asked if there had been a lot of change orders on CDM's past construction projects. S. McMillin said there were no significant change orders on the dewatering project and maybe 1-2% on the blower project. S. Dolloff clarified that additional work had been added to the scope of the dewatering construction project through change order (i.e. not as a result of unclear design documents or changes in condition but at the request of the program).

R. Korber stated that the contractor would be driving the construction schedule on the meter installations as we move forward, and we will be looking for support on the rate methodology as it should parallel the construction phase. B Sullivan expressed concerned that the proposal is "limited" and would like to see a commitment from CDM on supporting the Board's efforts to develop a cost allocation methodology. CDM is willing to commit the one requested staff member (Joe Ridge) at his standard rate, which is significant compared to other CDM professionals. He is, however, the one person the Board wants on this aspect of the project.

B. Sullivan asked if there are 1-2 DES staff members who will be involved with this project for consistency. S. McMillin said yes there would be someone(s) but CDM will be doing their own inspections as there could be meters installed at several locations in the same time frame. Questions arose about maintenance and operations checks after installation and who will be in charge of that. DES/WRBP staff will be trained for routine checks and calibrations based on the manufacturer's specifications - there will be at least 2 and possibly 4 staffers trained as determined in the contractors scope of work. Annual calibrations (or as recommended by the manufacturers) will likely be contracted to provide independent verification.

D. Leonard questioned S. McMillin about whom on the WRBP staff would be utilized as project inspectors to supplement the 20 hours of onsite coverage. S. McMillin replied that the WRBP would utilize their electrical staff, their mechanical staff, and Franz Vail from the DES. D. Leonard thinks having this many inspectors supplementing the lack of engineering inspection will cause communication and continuity problems and the project will suffer for it. CDM will be relied on to perform all civil engineering and electrical engineering oversight. There would also be site restoration back to previous conditions by working with the communities and property owners. R. Korber emphasized that communication between DES staff (as owners representative), CDM (as engineer of record) and the contractor is critical for a successful outcome on the project and suggested that one person on staff at WRBP be assigned the responsibility of coordinating with the engineer and contractor as the owner's representative. That person should be in routine contact with CDM (a daily or weekly log was discussed). Coordination should be part of the CDM contract so there is an understanding that CDM will be verifying all communications with the contractor. This contact would need to be S. McMillin, as she is responsible for contract negotiations. WRBP staff would not be giving directions to the contractor and communications to/from the contractor or their subs would need to go through CDM. The construction contract will be performance based, with the contractor responsible for making the metering system fully operational, including the meters, telemetry, and programming/reporting for each location. Therefore, CDM is responsible for oversight during construction and making sure that the contractor is implementing a system that will meet the WRBP needs and contract specifications.

B. Sullivan asked for more clarification on item #3 in the CDM proposal concerning the "Limited Construction Oversight /Inspection Services". He wanted to know what CDM was looking for from WRBP staff. He also feels that the contractor needs to provide an O & M manual for each location. B. Sullivan wondered if it wouldn't be beneficial to ask for full time construction oversight so as not to overload the WRBP staff. S. McMillin still felt the CDM hours could be managed. R. Korber suggested adding hours under the field manager from 320 to 640 (from 16 hours per week to 32 hours per week for the duration of the 20 week field implementation) and it would then be up to DES staff to manage these hours.

R. Korber made a motion to continue with CDM via an amended contract for bidding and construction phase with CDM, Financial Support Services with Joe Ridge of CDM, and include the Advisory Board's recommended

increase in hours for construction oversight to 32 hours per week for the 20 weeks (640 total hours). B. Sullivan seconded; motion passed (8 For; 2 Opposed), with D. Leonard (Meredith) & B. Veloski (Sanbornton) opposing. **Board voted to approve amending CDM's contract to including bidding, construction phase, and financial support services.**

4.) Governance Subcommittee Report

- Request for Board input on Revised MOU

J. Beaudin asked members for their recollections as to why the language "if deemed necessary" was removed from item #11. Discussion confirmed that it was S. Dunn who wanted to remove it on behalf of the Governance Group. J. Beaudin said it should be left in since this wording was approved by the Advisory Board. Board members agreed (as did the participants in the Governance Group that were present – D. Clapp, J. Beaudin, E. Dragon, R. Korber) and the wording will be added back to the MOU.

5.) Regional Wastewater Authority "Fact Finding" Subcommittee Report

J. Beaudin said she has not gotten any information from D. Clapp as of yet and just recently received the information from Laconia, Meredith and the Bay District. She will continue to work on this subcommittee project.

6.) CIP Subcommittee Report

- As-Needed Engineering Services Draft RFQ
- Focused WRBP "Operations, Management and Administration" Evaluation RFQ

S. McMillin provided a draft for the as-needed engineering services RFQ for discussion. This contract would provide for engineering on a task order basis rather than having to bid and award each project. D. Leonard asks the board if it is worth considering using the as-needed engineering services contract to cover the flow metering construction inspection. The board discussed it briefly and does not think it is worth considering. R. Korber asked that language be included to assure that the DES-WRBP could choose not to use the engineer for any reason, if they saw fit. The Board concurred that this contractual mechanism would benefit the program and asked the WRBP to proceed with the RFQ process.

B. Sullivan said they finally have a draft CIP for board review. As soon as S. McMillin makes a few revisions, it will be available to review before the January Board meeting. The CIP draft includes specific projects and the subcommittee analysis on those projects prioritized in the CIP process. He stated that there was a recommendation by the subcommittee to change the Comprehensive Program Evaluation (CPE) to reflect an emphasis on Operations, Management and Administration Evaluations, such as described in the MOU, rather than re-doing the Facilities and Processes evaluations that CDM had just completed. This evaluation would be performed under a separate contract from the as-needed engineering services since it was recognized that its scope would require different experience and qualifications (such as from a firm performing contract operations of facilities), rather than professional engineering.

7.) Other Business

D. Leonard questioned whether there would be a website for all the information gathered, minutes, agendas and such. S. McMillin said she is working on it.

P. Tierney indicated that he would no longer be the Advisory Board rep for Northfield after the first of the year. He suggested that any correspondence be forwarded to the Sewer Commission chairman until a new rep was selected.

8.) Adjournment

B. Veloski made a motion to adjourn at 11:05; P. Tierney seconded; all were in favor and motion passed.