

**WINNISPESAUKEE RIVER BASIN PROGRAM  
ADVISORY BOARD  
OCTOBER 16, 2012  
MINUTES**

Members present: Johanna Ames (Tilton), Paul Moynihan (Laconia), Ray Korber (Bay District), Sharon McMillin (DES), Steve Dolloff (DES), Brian Sullivan (Franklin), Sheldon Morgan (Gilford), Jeanne Beaudin (Belmont), Dan Leonard (Meredith), Bob Veloski (Sanbornton). Jeff Pinnette (Wright-Pierce) also attended by invitation of the Board.

The quarterly meeting of the WRBP Advisory Board was brought to order by Chairman Brian Sullivan at 9:00 am.

**Minutes:** Jeanne Beaudin moved, seconded by Paul Moynihan to accept the minutes of the Special Advisory Board meeting held on September 7, 2012 as written. Motion passed 8-0.

**As-Needed Engineering Contract:** Brian Sullivan reviewed the selection process used by the Selection Team which ranked the seven proposals received, short listed four firms to be interview, and then interviewed and ranked the four engineering firms. Wright-Pierce was the highest scoring firm for both their proposal and interview and unanimously recommended by the Selection Team. Preliminary negotiations with Wright-Pierce included the scope and budget of four task orders recommended by the Selection Team for initial inclusion in the contract. The task orders under consideration are:

1. Gabion Wall and Drainage Repair in Laconia
2. Energy Efficiency Building Commissioning at the Franklin WWTP
3. Value engineering of the Flow Metering Implementation project, and
4. Assistance provided to the CIP Subcommittee re-evaluating the WRBP 10 year CIP.

Brian Sullivan stated that the selection process was effective, and the committee was very impressed with Wright-Pierce as they had done their homework and showed that they are ready to get started. Sharon McMillin added that the committee is still working on negotiations to enter into a contract as the specific task orders need to be discussed and finalized if they each are to be executed. She added that she needs to budget enough to cover any of the initial task orders and have sufficient contingency each fiscal year for any other projects that may occur in each given fiscal year. If specific task orders are identified and funded, then the funds need to be available to do the work. If projects are begun during the year but not finished, then the funds can remain encumbered and rolled forward into the following fiscal year.

Johanna Ames asked how much has already been spent on a study of the Gabion Wall and whether any of that information has been useful. Sharon McMillin responded that the information gained has been

helpful and that Wright-Pierce has already reviewed that information. She and Steve Dolloff did not recall an exact amount but estimated that the previous work was less than \$10K.

Sharon McMillin stated that the as-needed engineering RFQ had listed several task orders which were representative of the types of expertise that would typically be needed by the WRBP to see how the different proposing engineers would implement them. However, only 2 of those task orders are currently under consideration with two different task orders requested by the Selection Team. One of the task orders in the RFQ included the Energy Efficiency Building Commissioning which is required to be conducted by a third party to determine if the new UV/plant water building meets State efficiency requirements. Also included is the option of performing an energy audit of the Administration/Operations building at the WWTP which could identify low cost/no cost measures to help reduce energy consumption. The second task order included in the RFQ was the Gabion Wall and drainage restoration project which was identified as a priority project in the CIP. Both of these task orders are under consideration for execution. Since the Flow Metering project is going to be re-bid, a Value Engineering task order is under consideration. The fourth task order under consideration is for assisting the CIP Subcommittee to re-evaluate the 10-year CIP with a goal of validating the priority of identified projects, identifying other priority needs (if any), and providing alternatives for phasing in any necessary work.

Discussion followed relative to setting a specific amount of funding for each task order versus simply putting a total amount in the budget. Sharon McMillin explained that for contract approval all that was necessary was a total amount for each fiscal year of the contract's 3-year term. The budget for the proposed 4 task orders for FY13 was about \$218K. She suggested that a contingency amount be included in addition to this amount. Sharon also asked what process the Advisory Board would like to use to execute task orders; whether a meeting would need to be called to discuss and recommend that each new task order be executed, or whether there can be a dollar threshold that can be approved without a special meeting.

Brian Sullivan suggested re-convening to decide which task orders have priority. Brian explained that since the Flow Metering project needs to be re-bid, it would be beneficial to have Wright-Pierce analyze the information to locate savings before it is sent out for bid. He added that the Building Efficiency study has to be completed, and the Gabion Wall needs to be done, and the CIP needs to be re-evaluated to determine what the next steps are and projected costs in order to estimate future rates.

Paul Moynihan asked what would happen if the Board budgeted \$250,000 and submitted 4 task orders and then decided to change one or more of the tasks. Sharon McMillin indicated that execution of task orders could be separate from the actual contract approval process which sets the yearly and total budget included in the G&C documents. However, there needs to be sufficient funds available in a given year before a task order can be executed.

Brian Sullivan replied that the Board needs to include enough money for the 4 task orders in the budget and then suggested a subcommittee for decisions on expenditures. Dan Leonard commented that the WRBP has already spent \$450,000 on the flow metering proposal and questioned whether Wright-Pierce would be able to save significant costs that would cover their value engineering. Jeff Pinnette responded that there is the potential to save at least the amount of the cost of the review and the Board would be reassured that the project was correctly designed. Sharon McMillin added that the electrical and programming portion of the project likely has the most potential for savings as it represented almost 60% of the total bid price, and Wright-Pierce may be able to interest additional bidders and alternative electrical/electronic subs to participate when the project is re-bid.

Ray Korber commented that he is comfortable with providing a budget for the contract, but not with allocating money for specific task orders at this time. Sharon McMillin responded that she needs specific numbers for 3 fiscal years covered by the contract but that allocating money each year is really only a placeholder which does not require that the money be spent. Jeanne Beaudin suggested including verbiage such as "task orders as determined by the Board". Sharon McMillin informed the Board that Wright-Pierce has already reviewed the four task order projects and background documents and provided their scope and budget for each for the Board to review, even before the contract has been executed. Jeff Pinnette stated that Wright-Pierce wants the Board to be comfortable with any expenditure and, based upon their review, they see opportunities to modify the flow metering proposal to save money and improve the quality of the project.

Brian Sullivan reviewed the written recommendation memo from the Selection Committee showing the process of the selection. Steve Dolloff added that Wright-Pierce did an outstanding amount of homework and had taken the initiative to investigate the flow metering project and Gabion Wall. Their preliminary thoughts on getting the Flow Metering project on budget were most telling. Brian Sullivan noted that all four firms were asked about their experience with SCADA and Wright-Pierce was the only one to have in house staff who actually did this type of work. They are also experienced in developing CIPs. They gave the best answers, did their homework, they have the staff, and they are sensitive to budget issues. Paul Moynihan agreed that in discussing issues with the firms it was clear that Wright-Pierce had done their homework, and they seemed to be the most comfortable to work with the Board. Sharon McMillin added that the questions spanned all aspects of probable WRBP needs and Wright-Pierce listened to questions, added extra information, included details as to scope of work and even assigned teams for the task orders included in the RFQ. Brian Sullivan added that Wright-Pierce has a large staff and the offices are located only two hours away. Being satisfied with the discussion, Ray Korber moved, seconded by Jeanne Beaudin to retain Wright-Pierce for As-Needed Services for the WRBP. Motion passed unanimously 8-0.

Sharon McMillin explained the contract budgeting process, noting that if the dollars are not in the budget for projects the WRBP would have to go back to G&C or defer the project. She added that funding this contract can be done so as not to impact user fees. Paul Moynihan moved, seconded by

Jeanne Beaudin that the contract would apportion \$300,000 for each year (FY13, 14 and 15) with the understanding that it will be allocated between the O&M and Sinking Fund budgets. Jeanne Beaudin moved, seconded by Sheldon Morgan to amend the motion to budget \$100,000 to the O&M budget and \$200,000 for the Sinking Fund for each of the three fiscal years for a total of \$900K. This amount each fiscal year would not necessitate an increase to community assessments. Brian Sullivan asked if it will be necessary to go to G&C if another task order is identified as a priority. Sharon McMillin replied that it would not be necessary because the contract approval would not include any specific task orders. The motion as amended passed unanimously 8-0.

**Energy Efficiency Building Commissioning:** Jeanne Beaudin moved, seconded by Paul Moynihan to execute the task order for the Energy Efficiency Building Commissioning for the amount of \$19,800. The task order is required to fulfill the Governor's Executive Order 2005-4 requiring independent verification that any new State building exceeds the current energy code by 20%. Jeff Pinnette explained that Wright-Pierce would review the basic documents, confirms that the equipment supplied meet requirements, and are installed to specifications. They would be performing tests to confirm compliance. Any issues discovered would be reported so that they can be corrected by the construction contractor. This task order also includes an energy audit of the Administration/Operation building at the WWTP which will create a baseline that could be used to apply for grant funding and identify no cost/low cost efficiency improvements. Noted was that prior energy audits did not include evaluation of this building. Motion passed 7 to 1 to execute this task order, with Meredith objecting only due to the addition of the option for the energy audit of the Administration/Operations building.

**Gabion Wall and Drainage Restoration in Laconia:** Jeff Pinnette proposed that Wright-Pierce do a field investigation to determine what needs to be done and use CCTV to get a better view of the force main. Based upon the CCTV observations, it may be possible to just focus work on what needs to be done to repair or stabilize the sagging wall. If there are indications of problems affecting the force main or if the CCTV results are inconclusive, they propose test pits to make a more thorough observation of the force main and determine what may need to be repaired. A better understanding of the storm water runoff is needed at that culvert. The condition of the valves in the pump station will also be evaluated as it may be necessary to repair or replace the valves before repairs to the force main and wall can be done. The scope of work includes investigations, summarizing the results and making recommendations based upon the investigation findings including projected costs. A modified scope and budget would then be prepared based upon the findings and recommended solutions. Noted was that the budget for this task order represented what Wright-Pierce estimated the worst case scenario. Paul Moynihan moved, seconded by Dan Leonard to proceed with this task order for the Gabion Wall and Drainage Restoration in Laconia. Motion passed unanimously 8-0.

**Flow Metering Value Engineering:** Jeanne Beaudin asked what it will cost to re-bid the flow metering project. Sharon McMillin stated that CDM does not have to do the re-bidding as it can be done by Wright-Pierce if requested. Ray Korber cautioned that the documents belong to CDM and added that

there needs to be further discussion of this issue. Sharon McMillin noted that the driving force of the bid was the electrical and programming work and Wright-Pierce has the technical expertise to review these specifications. Wright-Pierce has stated that they would be able to save at least the cost of their value engineering effort, and they have already provided ideas and alternatives to the Selection Team that are worthy of consideration during the value engineering. It was agreed that the Board would meet again to further discuss this task order, with a date to be determined by availability of appropriate Wright-Pierce staff.

**Re-evaluation of the 10-year CIP:** The Selection Team recommended a task order for an independent re-evaluation of the 10-year CIP to help validate the project priorities and add credibility to the process. Sharon McMillin indicated that this would be an opportunity for Wright-Pierce to familiarize them with the WRBRP infrastructure and work closely with the Board. There was discussion as to whether this task order should be included in the as-needed engineering contract or in the MOM Study contract that has yet to be negotiated. It was agreed that the Board would meet again to further discuss this task order, with a date to be determined by availability of appropriate Wright-Pierce staff.

**CIP Subcommittee report:**

- **GLSD meeting:** Members visited the Greater Lawrence Sanitary District (a multi-community sewer district with some similarities to the WRBP) to learn the methodology, and pros and cons for their community assessment system. The visit provided valuable information regarding the GLSD's methodology for rate assessments, maintenance, population-based board composition, voting, etc. The CIP Subcommittee continues to meet to discuss alternative assessment formulas.
- **MOU Milestones update:** By the end of the year, Brian Sullivan will have a summary prepared as to status of the milestones, including those that are pending or delayed, to send to the member communities and the DES.

**Governance Guidelines revision:** Johanna Ames moved, seconded by Paul Moynihan to accept and add the proposed draft amendment relative to Alternates serving on Subcommittees to the WRBP Governance Guidelines. Motion passed unanimously 8-0.

**FY 12 Adjustments/Credits:** Sharon McMillin stated that there are currently two staff positions open which will remain open pending the results of the MOM study. Steve Dolloff provided documentation as to the FY12 credits due to the member communities for Admin and O&M. The credits will be included in the next FY13 invoices.

**Other:** Paul Moynihan indicated that Representative Frank Tilton wishes to submit the deferred legislation to require weighted voting by the WRBP Advisory Board based upon the population of each member community. Sharon McMillin pointed out that the Governance Guidelines (which provides one vote per member community) were approved and adopted by each community subsequent to the last

meeting with Rep. Tilton. There is also the executed MOU which better defines the relationship between DES and the member communities represented by the Board. Rep. Tilton was previously asked by the member communities to defer submitting this proposed legislation as the WRBP continues to evaluate their governance structure and role of the Advisory Board. The MOM Study will also evaluate the WRBP governance structure and procedures including the role of the Board and its voting process. The Board agreed that there might ultimately be a form of weighted voting in the future, but it should be tied to the results of the MOM Study and flow metering project such that the timing for this legislation is still premature. Brian Sullivan was asked to send a letter on behalf of the Board, along with a copy of the executed Governance Guidelines, to Rep. Tilton requesting that he not pursue this legislation at this time.

Meeting adjourned at 11:55 am.

*Minutes prepared by Eliza Conde*