

**TRI TOWN BOARD
Of Water Commissioners
Braintree, Holbrook, Randolph
DPW Administration Building, Pond Street**

MINUTES

January 9, 2009

PRESENT: Chairman, Joseph Sullivan, Mayor of the Town of Braintree; Clerk, Joseph A. McElroy, P.E., FACI, FSAME, Randolph Public Works Commissioner; Paul S. Currie, Vice Chairman of the Holbrook Board of Selectmen

IN ATTENDANCE: Tom Cummings, Holbrook Superintendent of Public Works/Holbrook-Randolph Joint Superintendent; Mike Attardo, Interim Water/Sewer Director; Lou Dutton, Director, Water Treatment Plant

ALSO PRESENT: Deborah Carlino, Recording Secretary; Robert Cutone, Peter Lynch and Michael Walsh of Camp Dresser & McKee, Inc.; Christine Stickney, Town Planner; Kelly Phalen, Conservation Agent; members of the press and public

ABSENT: David Zecchini, Superintendent of Randolph Public Works Dept.;

Chairman Sullivan opened the meeting at 1:20 p.m.

APPROVAL OF MINUTES:

MOTION: by Mr. McElroy to accept the minutes of December 18, 2008

SECOND: by Mr. Currie
UNANIMOUSLY VOTED

UNFINISHED BUSINESS: Design/Build Workshop

- CDM/Holland & Knight**
- Legal Services contract with Atty. Teno West**
- Inspector General Application Review**
- Contract Agreement - CDM**

Mr. Lynch and Mr. Walsh provided an update on the costs associated with the new building based on comments made by the Board at the previous meeting. The Board was advised that during the RFP scheduling there would be a guide for a construction cost estimate when going out for design/build submittals. This is normally 10% contingency costs.

MOTION: by Mr. McElroy to file this project with the stimulus package in order to be in queue for federal recognition and funds for this project
SECOND: by Mr. Currie
UNANIMOUSLY VOTED

The Board received a letter dated December 11, 2008, from Atty. Teno West of Holland & Knight re: a cost estimate for the legal services to be provided in connection with the District's development of a new water treatment facility on a design/build basis. Typically, such representation consists of three distinct phases of work; Phase I would consist of:

- Draft special legislation
- Preparation of request for proposal (RFP)
- Develop business/risk structure
- Development of performance standards of minimum design requirements (performed by technical consultant)
- Draft design/build agreement
- Preparation of evaluation criteria (technical criteria prepared by technical consultant)
- Attend multiple RFP development meetings
- Research any legal issues which may arise in connection with the development of the RFP
- Assistance with preparation of RFP addenda

The cost of Phase I will entail a substantial amount of time primarily spent on preparation of the RFP and drafting of the design/build agreement; at a cost of \$85,000 with a recommended \$45,000 budget estimate for technical support during this Phase.

MOTION: by Mr. McElroy to execute an agreement with Teno West of Holland & Knight for legal services for Phase I, as per his letter dated December 11, 2008, in an amount not to exceed \$132,500 (\$87,500 for legal services; (\$45,000 for technical support)
SECOND: by Mr. Currie
UNANIMOUSLY VOTED

There was a lengthy discussion re: the document that the Board received previously entitled, "TriTown Board New Water Treatment Plant Design/Build Budget for Owner's Representative Services".

Mr. Walsh advised that the Phase 2, Step 2 "Conduct Step Two of the DB procurement process (RFP) would need to be increased from \$60,000 to \$95,000; to a subtotal for Phase 2 of \$870,000.

There was a brief discussion re: Phase 1:
Task 1. Develop and Execute Permitting Plan

- Task 2. Conduct Site Studies
- Task 3 Establish Base Design
- Task 4 Prepare draft DB contract

And then get into the RFP process

- a. Issue an RFP to qualified proposers
- b. Receive/evaluate DB proposals
 - a. Issue a short lists of qualified proposers
- c. Negotiate final DB contract
- d. DB contract awarded

Mr. Walsh also advised that the DB proposals could be amended only if the bidder provides an alternative that is equal or better than the base design. The base design helps set the standard.

Mr. McElroy stated that he wants to be sure that the company awarded the contract will not pass it off to another subcontractor that may not be as qualified to this type of job. The contractor may be qualified; however, they then pass it on to a subcontractor that is not.

There was discussion re: a separate committee being formed to review the proposals in order to bring qualified proposals to the Board for action on same. It was recommended that CDM could do this as the "Owner's Representative" that would be included in the \$870,000 as outlined in the document entitled, "Office of the Inspector General Application for Design/Build Notice to Proceed".

MOTION: by Mr. McElroy to secure CDM as Owner's Representative for Phase I and II in an amount not to exceed \$870,000

SECOND: by Mr. Currie
UNANIMOUSLY VOTED

There was discussion that the proposed size of the filters may not be large enough to accommodate the daily flow from Holbrook and Randolph (3.2 +/- daily flow). Braintree's daily flow is about 3.9 this totals over the designed 6. The summer pull for Braintree is about 5.7, which by itself is almost the maximum.

Mr. Cutone advised that the most that can be drawn in one day is 12.5 without filing and requesting a waiver with the state for an Interbasin Transfer Act.

NEW BUSINESS:

RE: Dissolved Air Floatation (DAF) pilot study discussion.

Mr. Dutton advised that DEP could not attend today's meeting. It was suggested that they be invited to the next meeting.

RE: Dept. of Environmental Protection, Division of Fish & Wildlife

IN ATTENDANCE: Brad Chase; Kristen Ferry; Carl Poleski; Mark Wamser, P.E.
The Board received a power point presentation and a handout entitled, "Summary of Findings, Presentation to the TriTown Water Board, presentation by Mark Wamser, P.E. of Gomer and Sullivan Engineers".

After the presentation, the Board noted that it wanted to be supportive in this process. However, it was expressed by Mr. McElroy that the use of the Cochato River is not feasible.

Mr. Chase advised that this presentation was going to be provided to the Conservation Commission and public at a public meeting and once things get moving forward, they would request a letter of support from the TriTown Board.

NEXT MEETING ACTION ITEMS:

- Invite DEP
- Invite Teno West of Holland Knight
- review/discuss CDM's cheat sheet/working document for the scope of work

DATE OF NEXT MEETING: Friday, January 30, 2009, at 1:00 p.m.

It was unanimously voted to adjourn the meeting at 3:05 p.m.

Respectfully submitted,
Deborah Carlino
Recording Secretary

Joseph McElroy, Clerk
P.E., FACI, FSAME