



**OFFICIAL MINUTES OF:**

Meeting of:	CEO Committee Meeting
Date:	September 27, 2006
Time:	9:00 a.m.

**MEMBERS PRESENT**

Vincent J. Mesoletta, NBC Chairman  
Paul Pinault, Executive Director  
Robert Andrade, Treasurer  
Al Montanari  
Patrick Caine  
John MacQueen

**MEMBERS ABSENT**

Jonathan Farnum  
Michael Salvadore, CEO Chair  
Angelo Rotella, Vice Chairman

**STAFF AND GUESTS PRESENT**

Jean-Marie Grossi, NBC,  
Ray Marshall, NBC  
Thomas Brueckner, NBC  
Kerry M. Britt, NBC  
John Zuba, NBC  
Tom Perkins Former Commissioner

Paul Nordstrom, NBC  
Thomas Uva, NBC  
Richard Bernier, NBC  
Jennifer Harrington, NBC  
Thomas Lazieh, Commissioner  
Joseph Pratt, LBG

**1. Call to Order**

Due to the fact that CEO Committee Chair Michael Salvadore was not able to attend the meeting today, Chairman Mesoletta chaired the September 27, 2006 CEO Committee Meeting. Recognizing a quorum, Chairman Mesoletta called the September 27, 2006 CEO Committee Meeting to order at 9:15 a.m.

**2. Approval of Minutes – June 14, 2006 Open Session  
June 14, 2006 Executive Session**

Chairman Mesoletta asked if all Committee members had a chance to review the minutes of the June 14, 2006 CEO Committee Open Session meeting. Commissioner Montanari motioned to approve the June 14, 2006 CEO Committee Open Session minutes as written. Commissioner MacQueen seconded the motion, and the vote taken by the CEO Committee was unanimous. The motion carries.

Chairman Mesolella asked if all Committee members had chance to review the minutes of the June 14, 2006 CEO Committee Executive Session meeting. Commissioner Andrade motioned to open and approve the June 14, 2006 CEO Committee Executive Session minutes. Commissioner MacQueen seconded the motion, and the vote taken by the CEO Committee was unanimous. The motion carries.

### **3. Items for Action**

A. *Review and Approval of Resolution 2006:29, Authority to Advertise for Bids Contract 01:302.13C, Regulator Modifications*

Mr. Pinault stated that with respect to the CSO Contract Phase I, all of the contracts have been awarded with the exception of one. This is the last contract which completes Phase I. This Resolution is for the Authority to Advertise for Bids for Contract 01:302.13C to modify a number of regulated structures, and the estimated cost is \$1,430,000, and it is a 15-month project. The project will be funded through Capital financing. Therefore, staff would like to advertise this Project later this year, and staff will bring this matter back to the Board with a recommendation for award once bids are received.

Commissioner MacQueen motioned to approve Resolution 2006:29, Authority to Advertise for Bids, Contract 02:302.13C, Regulator Modifications as recommended by staff. Commissioner Montanari seconded the motion, and the vote taken by the CEO Committee was unanimous. The motion carries.

B. *Review and Approval of Resolution 2006:30, Recommendation for Approval of Amendment No. 1 for Contract 01:302.03RS, CSO Phase I Construction-Related Services*

Mr. Pinault noted that the Louis Berger Group (LBG) is the project manager for the CSO Project. NBC entered into a contract with them approximately five years ago to perform all construction-related services. The contact amount was \$30,250,000. As you are aware, we had some problems early on with the freeze walls for the main tunnel, which pushed back the project schedule by fourteen months, from August of 2007 to October of 2008. There were also a number of items which came up during construction and we had to deal with.

- The length of the project has been increased by 15 months due to construction issues on Contract 01:302.06C, Main Spine Tunnel. The LBG's contract had a construction duration of seventy-two (72) months. Prorating the time versus the cost calculates to a \$6,302,083 increase.
- LBG performed numerous out-of-scope services for the CSO Project at the request of the NBC, including, but not limited to, the following:
  - Additional archaeological investigations to satisfy issues raised by American Indians and the RIDOT.
  - Additional site investigation to deal with the RIDEM regulatory requirements dealing with contaminated soils, which were changed after the individual construction contracts were designed.
  - Disposal of petroleum contaminated soils at the S-1 site. The actual quantity was approximately three and one-half times what was anticipated.
  - The Foundry Shaft was redesigned to end at a different location than originally planned, because the RIDOT would not negotiate in good faith for the RIDOT property on Calverly Street.

- Additional site investigation of the Foundry site once the RIDOT building had been demolished. Due to the problems that had occurred at the S-1 site with the ground-freezing operation, NBC wanted to ensure that there would not be similar problems at the Foundry site. Additional borings and soils analysis were performed.
- A CSO program video was produced and made available to the public.
- The Contract 01:302.06C Contract made allegations about the design of the tunnel pump station cavern being “unconstructable and unsafe” so an independent design reviewer was hired to review the design and confirmed that the design was correct.
- Traffic revisions for Charles Street for Contract 01:302.10C to satisfy RIDOT concerns.
- Traffic revisions for Promenade Street for Contract 01:302.11C to satisfy Providence Place Mall, the city of Providence, and the RIDOT.
- Technical support for dispute various claims by various contractors for the program.

Mr. Pinault noted that an adjustment is needed in the amount of \$5,719,695, of which \$1.25 million is for the Louis Berger Group, and the remaining funds are for consultants.

Commissioner Montanari motioned to approve Resolution 2006:30, Recommendation for Approval of Amendment No. 1 for Contract 01:302.03RS, CSO Phase I Construction-Related Services. Commissioner Caine seconded the motion and the vote taken by the CEO Committee was unanimous. The motion carries.

**4. Other Business**

None.

**5. Adjournment**

Commissioner Andrade motioned to adjourn. Commissioner Montanari seconded the motion, and the meeting adjourned at 9:30 a.m.

Respectfully submitted,



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Paul Pinault, *Secretary*