

# KENT COUNTY WATER AUTHORITY

## BOARD MEETING MINUTES

April 20, 2005

The Board of Directors of the Kent County Water Authority held its monthly meeting in the Joseph D. Richard Board Room at the office of the Authority on April 20, 2005.

Chairman Perry opened the meeting at 3:30 P.M. Chairman Perry, Board Members, Mrs. Graham, Mr. Masterson, Mr. Boyer and Mr. Gallucci, were present together with the General Manager Timothy J. Brown, Director of Administration & Finance Arthur Williams Technical Service Director John Duchesneau, Kevin J. Fitta, System Engineer, Legal Counsel, Joseph J. McGair, and other interested parties.

The minutes of the Board meeting of March 16, 2005 and the Special Board meeting minutes of March 22, 2005 were moved for approval by Board Member Graham and seconded by Board Member Boyer and the minutes were unanimously approved.

### High Service Reviews (Outstanding)

Chairman Perry opened with the statement that we must reduce maximum day demand by conservation and the "Potential Maximum Day Water Use Reduction Using Twice Per Week or Once Per Week Outdoor Watering" are attached as "A". The memorandum of the General Manager dated April 19, 2005 is attached as "B". and he did an overview and specifically pointed out that it will take years to establish conservation and Kent County Water Authority can not count savings estimates until the customer base is educated and additional supply is realized. The high service gradient uses 30% of the water and the High Service Gradient has always represented a particular problem for the system.

Board Member Masterson who is very concerned about the shortage problem stated that the Kent County Water Authority needs to implement initiatives to further the needs of the system. The General Manager stated that Kent County Water Authority needs to reduce consumption and he warned that the short term problem (5 years) is workable but long term (20 years) there is no relief unless the Big River Reservoir is built. He pointed out that the reservoir will not just serve Kent County Water Authority but the southern half of the State. He feels that a moratorium will be necessary if we do not have a rainy summer. The Chairman stated that combating outside irrigation is the key. Board Member Graham stated that the current odd/even system of outdoor watering is too lenient. The Chairman agreed that the maximum day demand mandates that outdoor watering be severely curtailed e.g. two (2) days per week and if that does

not work then once per week. Board Member Graham stated that the Board Members were not here to be popular, but, rather, to be responsible to recognize necessity.

The General Manager stated that there are communities all over the United States that have more restrictive watering policies. Board Member Boyer stated that it might be better to allow only one (1) day per week and to enforce it. The General Manager stated that most of the public cooperates during a moratorium but there are always scofflaws.

Board Member Gallucci agrees with conservation but believes that Warwick and the whole state should do this and strongly resists anything unless it is statewide. Board Member Graham stated that this rises above just the Warwick issues and Kent County Water Authority must take this step despite reluctance of others to do conservation.

Board Member Masterson moved that out door water use be allowed once per week effective May 1, 2005 and it was seconded by Board Member Graham and voted with Board Member Gallucci voting in the negative and all other Board Members voting in the affirmative:

VOTED: That out door water use be allowed once per week effective May 1, 2005.

Guests:

Bohler Engineering, Wal-Mart, Center of New England

The General Manager stated that a model was submitted which demonstrates adequate water for the Wal-Mart use and have addressed the comments by the General Manager. However, the NFPA code is a question since the Fire Marshal has not ruled as of this date and Kent County Water Authority needs clarification by the State Fire Marshal. The General Manager stated that fire is a very important issue and can not be taken lightly.

The Chairman explained that the new fire code has had many changes and the clarification is necessary to determine adequate fire flow. Kent County Water Authority can not and will not do anything until the matter is clarified and when Kent County Water Authority sees a "red flag" it can not act in haste and no one cares to see a catastrophe happen.

The Chairman stated that final approvals will be pending until the fire matters are clarified. The General Manager stated that the Board could call a Special Board meeting for this approval.

### Centre of New England Request to Appear

Robert Rapoza sent a letter on March 29, 2005 regarding various matters which the Chairman responded to on April 15, 2005. The General Manager stated that there have been many instances when this Developer has been recalcitrant, for example, the lack of as built drawings, private pipe issues, master metering issues and other items which have happened on an ad hoc basis. Mr. Rapoza stated he wants an approval for the hotel and that current policy does not help development. The Chairman stated that the Authority has done everything within its power to help the economic growth in the high service gradient.

The General Manager stated that if the Kent County Water Authority had surplus water which has not been demonstrated and the master-metering had been accomplished and it would have been helpful but that is academic in that Kent County Water Authority does not have the water.

Board Member Boyer stated that it was bothersome that the Developer did not produce comparables on other hotels and accepting the Kent County Water Authority regulations on a 2.0 factor, the applicant should have had comparables. The Chairman stated that usage requirements in the regulations dictate the use and supplemental data would be helpful. Board Member Masterson stated that fire protection and conservation are paramount. The General Manager stated that 100 gallons per day per unit is not excessive and fire demand 1062 gallons per minute which appears to be satisfactory. Board Member Boyer stated that once the additional information is received, the Authority could call a special Board Meeting and that there should be clarity regarding the sprinkler system.

### Caito Corporation, Wingate Hotel, Centre of New England

This matter was previously discussed infra.

### Nunes Construction, Home Depot (Centre of New England)

The Chairman stated a problem exists since the fire line was not constructed deep enough into the ground at the Home Depot construction site and that Board Member Masterson and the Chairman have been diligently working on this and test pits were dug to demonstrate the efficacy of the corrective measures and the situation will be corrected. A report memorandum of the situation is attached as "C".

Board Member Masterson said that all is up to code and commends the parties for working to a solution. The General Manager stated that 12" and 10" feed and loop around the building for fire services at Home Depot site.

R. Nunes appreciates the cooperation from the Kent County Water Authority helping to rectify the situation.

It was moved by Board Member Masterson and seconded by Board Member Graham and it was unanimously,

VOTED: To accept the water line installation reconstruction at Home Depot.

### **High Service Requests**

#### **183 Greenbush Road**

Arthur Brown did not appear and the matter was passed.

#### **53 Mohawk Trail**

Frank Rossi did not appear and the matter was passed.

#### **441 Hopkins Hill Road**

Mr. and Mrs. Potvin did not appear and the matter was passed.

#### **2500 New London Turnpike**

Beth Noonan, Esq. stated the lengthy municipal approval process was recently completed and the water for the project was granted in February of 2004 and an extension was granted to August, 2004 and they are now asking for approval of a new application. The General Manager stated that use was included in the chartered calculation of original modeling and needed Board approval.

Board Member Masterson moved for approval for water services and connection to 2500 New London Avenue and it was seconded by Board Member Boyer subject to stipulations as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.
2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.

3. Delays in construction of the Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if the expansion of this service results in adverse conditions beyond the current consumption or by allowing additional customers to be served which will injuriously withdraw water from the Kent County Water wholly or in part from those who have already been supplied by the Authority.

4. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

5. Only conservation-wise plumbing fixtures are to be installed, including but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

6. No landscape (outside) irrigation systems may be installed or connected to the public water system. Xeroscape Landscaping is recommended.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect public health, safety and general welfare as it relates to public water supply. The owners, applicant, agents and assigns agree to forgo any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and/or applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within ten (10) business days in order to be effective.

And it was unanimously,

VOTED: To approve water services and connection to 2500 New London Avenue. subject to the stipulations as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.

2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval

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## **Legal Matters**

### **Welgen Tank (Amgen/Immunex) Mechanics Lien (Coughlin)**

There has been no recent activity with respect to the Superior Court granting of Kent County Water Authority Motion to Intervene on September 27, 2004. Legal counsel will continue to monitor.

### **Welgen Tank (Amgen/Immunex) Mechanics Lien II (D & N Insulation Company)**

There has been no recent activity with respect to the Superior Court's granting of Kent County Water Authority Motion to Intervene on December 13, 2004. Legal counsel will continue to monitor.

### **John Rocchio Corporation – (Monies Owed)**

District Court is in discovery phase and Superior Court mandatory arbitration phase is now in process with Mark McSally, Esq. appointed by the Court.

### **Blackrock Road Transmission Main/ C.B.**

The matter will be discussed by the General Manager later in this meeting.

### **Read School House Road (as built)**

Coventry Councilman Sanetti/Chairman attempting remedy.

### **DEM/Wellfield expansion**

A meeting February 14, 2005 with Governor staff and DEM, General Manager and Legal Counsel and an answer is anticipated soon. No word has been forth coming despite Legal Counsel attempts at communication.

### **Bald Hill Pumping Station Easements**

Research regarding the status of easements at the subject site has been conducted by Petrarca and McGair, Inc. and forwarded to Kent County Water Authority for review. The station is located on a parcel of land designated as Lot 31 on AP 241. The City of Warwick along with abutting lots 20, 29 and 33 granted easements to Kent County Water Authority for the purposes of a pumping station. More specifically, abutting lot owners (AP 241, Lots 29 and 20) granted easements to Kent County Water Authority for ingress/egress and water line. Kent County Water Authority shares ingress/egress easement rights with abutting lot owners. There is a storm drain easement front Kent County Water Authority site. A 20' sewer easement affects Lot 29 for the benefit of Lot 20.

### Substantial Completion Language

Definition of Substantial Completion has been drafted by Legal Counsel and General Manager and is now being included in all contracts.

### Kent County Water Authority Building Title

Legal Counsel has completed a 50 year title research for a portion of the subject site. The chain of title requires 50 year research from two prior owners in the chain of title.

### Setian Lane Tank/Frenchtown/Allstate Boiler

There was a meeting on March 9, 2005 and April 20, 2005 at Kent County Water Authority with Allstate Boiler and its surety and Kent County Water Authority and its engineers and Legal Counsel in an attempt to settle the matter.

### Relocation of Tank Site – Read School House Road

Relocating the site of the tank would be more cost effective. The desired site is owned by the Town of Coventry and designated as open space.

### Oaklawn Avenue, Cranston – Citizens Bank Easement

Legal Counsel has contacted Robert Permanente of Citizens Bank and he is following up with its legal department as to the status of the execution of the deed.

### Water line extension off Tollgate Road, Warwick

Kent County Water Authority was granted permission to extend the water line between Gilbert and Plantations Streets. This permission is evidenced by 3/10/05 correspondence from the City Engineer, John F. DeLucia and Kent County Water Authority will coordinate the work with the City of Warwick Engineering Department and counsel will be contacting the Solicitor.

### **Director of Finance Report:**

Mr. Williams explained and submitted the financial report and comparative balance sheets, statements of revenues, expenditures, and cash receipts, disbursements through March, 2005 which is attached as “D” and after discussion, Board Member Boyer moved and seconded by Board Member Gallucci to accept the reports and attach the same as an exhibit and that the same be incorporated by reference and be made a part of these minutes and it was unanimously,

VOTED: That the financial report, comparative balance sheet statement of revenues, expenditure, cash receipts and disbursements through March, 2005, be approved as presented and be incorporated herein and are made a part hereof as "D".

General Manager / Chief Engineer's Report:

**OLD BUSINESS**

High Service Reviews (Outstanding)

This issue has been discussed infra. Board Member Masterson stated Morris Cooney of 949 Tillinghast Road, East Greenwich has a well which he can no longer use and it is an emergent matter to supply water to his home and he will not use the existing outdoor watering system and it was moved by Board Member Masterson to approve the water connection to 949 Tillinghast Road, East Greenwich and it was seconded by Board Member Boyer subject to the following:

1. The Kent County Water Authority is not a guarantor of water for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.

2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its own interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand the water supply to this site.

3. Delays in construction of the Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.

4. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

5. Only conservation-wise plumbing fixtures are to be installed, including but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

6. No outside irrigation systems may be installed or connected to the public water system. Xeroscape landscaping is recommended.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect public health, safety and general welfare as it relates to public water supply. The owners, applicant, agents and assigns agree to forgo any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to the Kent County Water Authority within ten (10) business days in order to be effective.

And it was unanimously:

VOTED: To approve water connection to 949 Tillinghast Road,

East Greenwich subject to the stipulations as follows:

1. The Kent County Water Authority is not a guarantor of water for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.

2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its own interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand the water supply to this site.

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Interim Policy High Service Connections  
**Moratorium High Service Connections:**

The Chairman stated that the Town of Coventry was strongly opposed to any moratorium and the Chairman observed that all water connection requests in the high service gradient have been brought before the Board and water supply is monitored by the General Manager. The General Manager stated that the Board should hold off approvals for at least three (3) months to study the possibility of impact fees which Kent County Water Authority could have been charging to developers to defray costs. The General Manager stated that the Board could appoint a subcommittee to hear all approvals and report back to the Board with recommendations. It was the sense of the Board was that no moratorium will be imposed, but that close monitoring by the General Manager and the staff will continue.

## **NEW BUSINESS:**

### Legislative Affairs:

#### Cross Connection Control Legislation

The Chairman stated that there has been no activity with regard to the Cross Connection Control bill and that a bill has been filed in the Senate (S-1007) which would amend the joint committee on water resources. The Authority lobbyist will continue to monitor the same.

#### Clinton Avenue Bid Protest P.S.

The General Manager stated that a protest was filed by Process Construction Management, Inc. with Kent County Water Authority regarding the bid which was received from Process Construction Management, Inc. which is attached as “E” and the protest was reviewed by C & E Engineering Partners, Inc. on April 18, 2005. The difference was approximately \$19,000.00 between the two bidders. Process Construction Management, Inc. alleges that a bid competitor, that the Walsh Construction Company (low bidder), bid was “...non responsive and should be rejected” in that Walsh Construction Company failed to identify the name of a vendor/subcontractor which would perform a portion of the work pursuant to Proposal §02722 (Temporary Bypass Pumping Systems). The General Manager stated that it was determined by C & E Engineering Partners, Inc., who are the Design and Construction Engineers of record for the project, that Walsh Construction Company intended to self-perform the work in question which was confirmed in writing by Walsh Construction Company to C & E Engineering Partners, Inc., pursuant to Proposal inquiry §00100, 5.01 (Qualifications of the Bidder – paragraphs A and B). Thus, there would be no need for Walsh Construction Company to include itself as a vendor/subcontractor.

Board Member Gallucci disagreed with attachment “E” since he determined that all bids should be rejected because of the post bid clarification and he argued that the bids were incomplete on the specifications. Board Member Masterson stated that this is a very important piece of the system and that Walsh Construction Company (lowest bidder) was to do the work itself.

The Chairman stated that as our Supreme Court has stated, Kent County Water Authority has responsibilities in the bid process to conduct the proceedings in good faith in a fair and open manner and to obtain the best price it can for the rate payers and that there has been no allegation of bad faith or palpable abuse of discretion. The Chairman stated that Process Construction Management, Inc. was afforded the opportunity to publicly address the Board of Kent County Water Authority in regard to this issue on April 20, 2005 at the Monthly Board Meeting and it chose to not appear at which time the Board considered this matter.

After weighing all of the factors brought before the Board, it was moved by Board Member Masterson and seconded by Board Member Graham that the Protest of Process Construction Management, Inc. is rejected and after Board Member Gallucci in the negative and all other Board Members in the affirmative, it was:

VOTED: That the Protest of Process Construction Management, Inc. is rejected

## **Awards**

### **Clinton Avenue P.S. Construction**

Board Member Masterson stated that the bid should be awarded to the lowest bidder. Board Member Masterson moved to award the Clinton Avenue construction phase bid to Walsh Construction Co. in the amount of \$4,378,000.00 as attached as “**F**” and it was seconded by Board Member Graham and Board Member Gallucci voted in the negative and all other Board Members voted in the affirmative and it was,

VOTED: To award the Clinton Avenue construction phase bid to Walsh Construction Co. in the amount of \$4,378,000.00 as attached as “**F**”.

### **Cleaning and Lining RFP**

The General Manager stated that the lowest response was the Geremia Engineering firm in the amount of \$14,198.00 which is attached as “**G**”, however, he felt that there should be discussion with the other respondents as to the necessary field work at the next special meeting and it was also the sense of the Board to discuss the matter with all of the respondents.

### **Printing and Mailing Service**

The General Manager stated that this bid of Graphic Image of Milford, Connecticut for printing and mailing services in regard to the consumer confidence report and newsletters was the lowest bid in the amount of \$15,335.00, on outline of which is attached as “**H**” and it was moved by Board Member Boyer and seconded by Board Member Graham to award the bid for printing and mailing services for the consumer confidence report and newsletters to Graphic Image in the amount of \$15,335.00 and, it was unanimously,

VOTED: To award the bid for printing and mailing services for the consumer confidence report and newsletters to Graphic Image in the amount of \$15,335.00.

### Phenix Mill Fire

The General Manager stated that the Authority responded very well to the fire by staff and the equipment performed as designed and that there will be no charges for staff overtime or the water used (five million gallons).

### Conservation Program Water Restrictions

This matter was previously discussed infra.

### Conservation Program Internship

There will be a meeting with a potential intern desires to work with water conservation with more details to follow.

### Resolution Big River Reservoir

The General Manager stated for all of the right reasons including economic development for the region, the Big River Reservoir must be built and this resolution shall be sent to the public officials and shall be written in the appropriate format by Legal Counsel and to be discussed at the special meeting.

### Randolph Bank Irrigation System

The Chairman will be investigating as to whether there is an outdoor irrigation system connected to Kent County Water Authority.

### Home Depot Fire Service Installation

This matter was previously discussed infra.

### Center of New England Hydrant Installation

The General Manager stated that this is a log out issue and it was discovered that there was no adherence to the plans as filed and is problematic and there may be a need to reconstruct. The Chairman stated that this may be partially due to the relocation of the Coventry Town line which will never happen again.

### Supply Options

The General Manager gave an overview of its supply options which may be open to the system in the future including Springlake, Wood Street well, Providence Water, Warwick connection and in the future possible desalinization.

## Sunrise Avenue - Contractor Connection/Rules and Regulations

The General Manager stated he received a communication from Councilman Flynn of West Warwick regarding an illegal connection from house to house and the General Manager stated that as in the past any future violations will be severely dealt with and a warning was issued. Board Member Graham said that Kent County Water Authority as usual, was blamed, albeit it was caused by the contractor.

### **CAPITAL PROJECTS:** **INFRASTRUCTURE PROJECTS :**

#### **Change Order #4 Hopkins Hill/Culvert**

It was recommended by the General Manager and the Engineer to make Change Order #4 and it was moved by Board Member Graham and seconded by Board Member Masterson to approve Changer Order #4 in the amount of \$4,237.00 which is attached as "I" and it was unanimously,

VOTED: To approve Changer Order #4 in the amount of \$4,237.00.

#### **Change Order #1 Request for Additional Manhours and Fees**

It was recommended by the General Manager and the Engineer and it was moved by Board Member Boyer and seconded by Board Member Masterson to approve Changer Order #1 in the amount of \$86,017.60 which is attached as "J" and it was unanimously,

VOTED: To approve Changer Order #1 in the amount of \$86,017.00 which is attached as "J".

#### **Change Order #3 Blackrock Road**

The General Manager stated that this was a back filling issue and the Engineers had established a price of \$14.00 per cubic yard which would be difficult at this time to contest or negotiate over which may have been a design omission and it was reluctantly recommended by the General Manager in the estimated amount of \$28,000.00.

It was moved by Board Member Masterson and seconded by Board Member Boyer to approve Changer Order #3 in the estimated amount of \$28,000 as attached as "K" and it was unanimously,

VOTED: To approve Change Order #3 in the amount of \$14.00 per cubic yard as attached as “K”.

### **Task Order #2**

The General Manager recommended that the Geremia engineering firm be awarded the design contract to connect Sutter Avenue to Plantation Street and Tanner Avenue to Greenwich Avenue water main extension.

It was moved by Board Member Masterson and seconded by Board Member Boyer to approve Task Order #2 to James J. Geremia & Associates, Inc. in the amount of \$14,620.00 as attached as “L” for the 2004 infrastructure.

### **Setian Lane Tank**

The General Manager stated that there was no need to default the contractor at this time in that the matter is in settlement.

### **Personnel Review**

The Chairman stated that the employee affected was notified in writing that a discussion of his job performance was to be held in executive session (closed) by the Kent County Water Authority Board on April 20, 2005 at 5:30 pm. unless the person affected required the proceeding to be held at an open meeting. The person affected desired the meeting to be in executive (closed) session and that he communicated to the General Manager that he did not wish to attend.

After the statement by the Chairman, the Chairman declared that it be noted in the minutes of the meeting that R.I.G.L. 42-46-5(a)(1) has been fully complied with.

Board Member Masterson moved and Board Member Boyer seconded the motion to move into executive session for the discussion of a personnel matter pursuant to R.I.G.L. 42-46-4 and R.I.G.L. 42-46-5(a)(1) and it was unanimously,

VOTED: To enter into executive session for discussion of a personnel matter.

Board Member Masterson moved and Board Member Graham seconded to exit executive session and it was unanimously,

VOTED: To exit executive session

The Chairman announced that pursuant to the meeting in executive session, Glenn Dixon is now a full-time employee of the Kent County Water Authority and shall receive \$18.00 per hour.

All other Capital Projects and Infrastructure Projects are addressed in an exhibit attached as “**M**” as prepared and described to the Board by the General Manager with general discussion following.

Board Member Masterson made a Motion to adjourn, seconded by Board Member Graham and it was unanimously,

VOTED: To adjourn the meeting at 8:30 P.M.

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Secretary Pro Tempore

# **EXHIBIT A**

April 20, 2005

## Potential Maximum Day Water Use Reduction Using "Twice per Week" Outdoor Watering

Est. Max. Day (gallons/day)	20,000,000	Based on recent max. day for dry summer
Est. Ave. Summertime Outdoor Water Use (gallons/day)	5,000,000	Dry Summer (i.e. Year 2002)
Est. Max. Day Outdoor Water Use (gallons/day)	10,000,000	Approx. 2 times average outdoor water use
Frequency of current outdoor watering (times/week)	3 - 4	Assumes people follow odd/even schedule
Desired watering frequency (times/week)	2	Twice per week

Current Schedule	% Watering
Monday - Odd	25.0%
Tuesday - Even	25.0%
Wednesday - Odd	25.0%
Thursday - Even	25.0%
Friday - Odd	25.0%
Saturday - Even	50.0%
Sunday - Odd	50.0%

Assumes that of those watering, 25% water each day and 50% water on max. day

Assume Max. Day for this analysis

Proposed Schedule (example)	% Watering
Monday - (Coventry)	23.5%
Tuesday - (W. Warwick)	24.5%
Wednesday - (E. Greenwich, Scituate, W. Greenwich, Cranston)	30.0%
Thursday - (Warwick)	21.5%
Friday - (Coventry)	23.5%
Saturday - (W. Warwick, Scituate, Cranston, W. Greenwich)	35.5%
Sunday - (East Greenwich, Warwick)	40.5%

This schedule would require dividing service area into groups by Community or portion of community.

Assume Max. Day for this analysis

Coventry	23.50%
W. Greenwich	7.50%
E. Greenwich	19.00%
Scituate	1.00%
Warwick	21.50%
W. Warwick	24.50%
Cranston	3.00%
N. Kingstown	0.00%
Total	100.00%

<b>Potential Reduction to Max. Day (gallons)</b>	<b>1,900,000</b>	Based on comparison of % watering on max. day under current and proposed program
<b>Est. Reduction in Max. Day Demand (gallons)</b>	<b>950,000</b>	To be conservative, 50% of the potential reduction has been assumed.
<b>Reduction to Max. Day</b>	<b>4.8%</b>	

This potential reduction in maximum day demand is a planning estimate. Actual savings will be dependent on weather conditions, usage patterns, education, and KCWA ability to enforce water conservation program.

## Potential Maximum Day Water Use Reduction Using "Once per Week" Outdoor Watering

Est. Max. Day (gallons/day)	20,000,000	Based on recent max. day for dry summer
Est. Ave. Summertime Outdoor Water Use (gallons/day)	5,000,000	dry summer (i.e. Year 2002)
Est. Max. Day Outdoor Water Use (gallons/day)	10,000,000	Approx. 2 times average outdoor water use
Frequency of current outdoor watering (times/week)	3 - 4	Assumes people follow odd/even schedule
Desired watering frequency (times/week)	1	Once per week

Current Schedule	% Watering
Monday - Group A	25.0%
Tuesday - Group B	25.0%
Wednesday - Group A	25.0%
Thursday - Group B	25.0%
Friday - Group A	25.0%
Saturday - Group B	50.0%
Sunday - Group A	50.0%

Assumes that of those watering, 25% water each day and 50% water on max. day

Assume Max. Day for this analysis

Proposed Schedule (example)	% Watering
Monday - no watering	0.0%
Tuesday - Group A (E.Greenwich)	19.0%
Wednesday - Group B (Coventry)	23.5%
Thursday - No watering	0.0%
Friday - Group E - (Scituate, W.Greenwich, Cranston)	11.5%
Saturday - Group F - (Warwick)	21.5%
Sunday - Group - (W.Warwick)	24.5%

This schedule would require dividing service area into at least 5 groups (by Community or portion of community).

Assume Max. Day for this analysis

Location	%
Coventry	23.50%
W. Greenwich	7.50%
E. Greenwich	19.00%
Scituate	1.00%
Warwick	21.50%
W. Warwick	24.50%
Cranston	3.00%
N.Kingstown	0.00%
Total	100.00%

<b>Potential Reduction to Max. Day (gallons)</b>	<b>5,100,000</b>	Based on comparison of % watering on max. day under current and proposed program
<b>Est. Reduction in Max. Day Demand (gallons)</b>	<b>2,550,000</b>	To be conservative, 50% of the potential reduction has been assumed.
<b>Reduction to Max. Day</b>	<b>12.8%</b>	

This potential reduction in maximum day demand is a planning estimate. Actual savings will be dependent on weather conditions, usage patterns, education, and KCWA ability to enforce water conservation program.

# **EXHIBIT B**

April 20, 2005

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# OFFICE MEMO

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**To:** Board  
**From:** Timothy Brown  
**Subject:** Memo of August 31, 2004, Board Meeting April 20, 2005  
**Date:** April 19, 2005

Management has provided to the Board our immediate recommendations for supply and they have been discussed at previous Board meetings. It is important to continue to move forward with the programs we have control of. Management does believe that the short term supply short fall (five years) will be met. We are certainly very optimistic that the proposals for increase supply from our existing sources will be achieved; Clinton Avenue Pumping Station, Bald Hill Pumping Station, and the existing well field refurbishment. It is, however, of grave concern that there is a long term supply short fall anticipated with limited sources to achieve additional supply. In management's memo of August 31, 2004 possible supply augmentation sources were identified. We would like to add additional sources to that memo under subparagraph 3.

- Expand our existing wholesale supply by seeking an added wholesale connection off the aqueduct. This would require permission from Providence Water Supply Board, a location, the actual connection, booster station, transmission main and a connection point to high service. Additional storage may be necessary for a proposal of this nature.
- Use current technology if viable such as desalination of brackish or seawater. This would be a regulatory nightmare in Rhode Island but the Ocean has an abundant supply of water, cost could be prohibitive but the technology is improving to make it more cost effective. If there are no other alternatives available, we may need to explore this.
- Seek out state management of all water supply "one source, one voice" this would allow wheeling or movement of water through jurisdictional boundaries that now exist. This may be difficult considering pressure gradient differences, quality differences but again could be a source for additional supply.

- Big River Reservoir construction. This is the ultimate solution to the “southerly” portion of Rhode Island’s supply shortage.
- Spring Lake well refurbishment and/or re-drilling to secure original Grandfather Rights. Will require treatment similar to the sequestering proposed for East Greenwich and/or removal proposed at Mishnock.
- Reestablish Wood Street well field. If still contaminated by TCE we will require a major design effort and review by RIDOH. RIDEM review or jurisdiction unknown but expected to be difficult. Technology can remove most TCE.

# **EXHIBIT C**

April 20, 2005

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# REPORT MEMO

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**To:** Board  
**From:** Timothy Brown  
**Subject:** Center of New England Home Depot  
**Date:** April 15, 2005

Since April 5, 2005 we have been investigating and involved in major discussions concerning the water line depth for the Home Depot project. More specifically the discussion has revolved around the fire service to that facility and the proper depth of cover. From the beginning of the installation, our inspector has informed them of the need to shoot grades for finished grade and minimum five foot of cover over the pipe. This complies with the requirement of their design contract, our Rules and Regulations, National Fire Protection Associations Standard 24 for "Installation of Private Fire Service, Mains and Their Appurtenances" and to some degree with the state building code which requires a minimum of four foot six inches cover. Throughout this time the contractor has provided information to the Authority, has contacted Board members individually and both the Chairman and the Vice Chairman have been on site numerous times to discuss review and observe test pits of the water line. The water line contains a twelve inch main segment and a ten inch loop around the building. In most cases the water line is not at sufficient depth and creates a problem of freezing. Home Depot has been notified through their contractor both at the early stage, notice to the designer and more recently this week by myself who has held discussions with a representative of R. L. Spencer, the general contractor. Without elaborating on every detail, this has been a very tedious and difficult task which I suspect should not have been Kent County Water Authority's responsibility. We have since moved that responsibility to the general contractor and the design engineer along with the installation contractor to resolve in accordance with the design documents and of course all codes (copies of codes provided for Board's review). I have requested a Rectification Plan from R. L. Spencer, from the design engineer in concert with the contractor and the fire suppression contractor if needed to determine what rectification can be done to achieve the design depth of five feet of cover throughout the entire site for the water mains. Because of the involved nature of all of the discussions I will leave the details for the Board members to discuss but I must state to the Board that this is a very difficult issue to correct without relaying the pipe for the fire service. My own

personal opinion is the initial grade that was being utilized for the installation of the main was incorrect and that can be seen in the daily reports of our construction inspector where the grade was removed and reduced in a much later date after the water line had been installed thus I believe creating the problem of insufficient cover. This entity cannot allow the insufficient cover to remain and the pipe must be brought to the five foot level for full coverage to protect freezing of certainly the fire line because of its stagnant conditions. I will leave, as I said, all details to the Board meeting for discussion and hopefully a rectification plan has been submitted before the April 20, 2005 meeting.

April 19, 2005 Update

All rectification work on the 12' main has been completed and 4'6" of cover exists over the pipe. The northwest corner of the 10" looped main will need additional cover to be added to achieve a 4'6" cover. Contractor has committed to provide it.

The Board will need to accept this pipe for approval at the Board meeting now that it has met the 4'6" depth of the building code.

**KENT COUNTY WATER AUTHORITY  
WATER FACILITY EXTENSION  
DAILY OBSERVATION REPORT**

Project Name: HOME DEPOT

Date: 3-31-05 Report No: 16

Service street location: CENTRE OF N.E.

Contractor: \_\_\_\_\_

City/Town: W.G.

Representative: RON NUNES

Start Date: 2-10-05

Phone: \_\_\_\_\_ Cell phone: \_\_\_\_\_

Subcontractor: R.T. NUNES

Address: \_\_\_\_\_

Phone: 821-8693 Cell phone: \_\_\_\_\_

KCWA Inspector: GLENN

**INSTRUCTIONS:** Each day while work is in progress, inspector shall make a minimum of two site visits to document the progress of work, including but not limited to: Feet of main installed, materials installed, tests, disinfection, flushing, samples, observations regarding conformance with KCWA regulations, photographs, verbal direction provided, names of persons talked to.. All work for the inspection date shall be documented. During duration of work inspector shall maintain completed forms. Upon completion of the project all daily records shall be appended to the main historical project

**Morning Observations:** Time arrive site 9:00 Time depart site \_\_\_\_\_ Weather Clear Rain Cloudy \_\_\_\_\_ Temp 45

TURNED WATER ON FOR HOME DEPOT PEOPLE, FLUSHING WAS AGREED TO BE DONE THRU HYDRANTS, THE PROBLEM WITH THIS IS NO ONE WANTS WATER TO DAMAGE DETENSION POND BANKS, OR UNASPHALTED PARKING LOT, WATER WAS LEFT ON UNTIL A PLAN ~~WAS~~ ARISES, AFTER FLUSH FIRE PUMP WILL BE TESTED IN BUILDING.

**Afternoon Observations:** Time arrive site 2:00 Time depart site \_\_\_\_\_ Weather Clear Rain Cloudy \_\_\_\_\_ Temp \_\_\_\_\_

GRADING PARKING LOT FOR ASPHALT I THINK GRADE WAS CUT TO MUCH, WENT OVER MIN COVER OF WATER MAIN WITH JOSH NUNES TO MAKE SURE 5' MIN COVER IS MET HE SAID IT WILL BE FINE,

Additional comments and/or sketches continued on reverse

# **EXHIBIT D**

April 20, 2005

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	CURRENT YEAR	PREVIOUS YEAR	DIFFERENCE FROM PREV YEAR	PERCENTAGE
<b>ASSETS:</b>					
<b>CURRENT ASSETS</b>					
<b>UTILITY PLANT IN SERVICES</b>					
	SOURCE OF SUPPLY PLANT	1800470.53	1800470.53		
	PUMPING PLANT	2322341.47	2322341.47		
	WATER TREATMENT PLANT	141257.29	141257.29		
	TRANS. & DISTR. PLANT	45975372.79	42793693.00	3181679.79	7.43%
	GENERAL PLANT	1586380.06	1525220.74	61159.32	4.01%
	MISCELLANEOUS PHYS. PLANT	710.00	710.00		
	GENERAL STRUCTURES	148181.48	83581.48	64600.00	77.29%
	CONSTR. WORK IN PROGRESS	23434117.49	15625481.93	7808635.56	49.97%
	ACCUM. DEPR. - PLANT	-9392176.85	-8616892.03	-775284.82	9.00%
TOTAL	UTILITY PLANT IN SERVICES	66016654.26	55675864.41	10340789.85	18.57%
<b>CURRENT AND ACCRUED ASSET</b>					
	CASH - FLEET NAT BANK	277784.07	113442.70	164341.37	144.87%
	CASH - CITIZENS BANK	16211.29	13727.35	2483.94	18.09%
TOTAL	CURRENT AND ACCRUED ASSET	293995.36	127170.05	166825.31	131.18%
<b>OTHER SPECIAL DEPOSITS</b>					
	RESTRICTED DEBT RESERVE	3883818.76	4079148.59	-195329.83	-4.79%
	SPECIAL DEPOSITS	33140878.65	39395806.32	-6254927.67	-15.88%
	PETTY CASH	300.00	300.00		
	CUSTOMER ACCTS. RECEIVAB.	1245671.86	1427414.08	-181742.22	-12.73%
	OTHER A/R	949.00	922.85	26.15	2.83%
	PROV. FOR UNCOLLECTED ACT	-103683.30	-120166.71	16483.41	-13.72%
	SALVAGE MATERIALS	147.70	147.70		
	PLANT MATERIAL & SUPPLIES	499776.88	465440.80	34336.08	7.38%
	PREPAID INSURANCE	27054.85	18025.48	9029.37	50.09%
	PREPAID PENSION	164.56	164.56		
	UNAMORTIZED DEBT DISCOUNT	436346.70	345077.81	91268.89	26.45%
TOTAL	OTHER SPECIAL DEPOSITS	39131425.66	45612281.48	-6480855.82	-14.21%
<b>CLEARING ACCOUNTS</b>					
	NEW SERVICES CLEARING	2211.30	2623.98	-412.68	-15.73%
	CUSTOMER SRVCS - CLEARING	2211.70	2623.98	-412.28	-15.71%
TOTAL	CLEARING ACCOUNTS	105444286.98	101417939.92	4026347.06	3.97%
TOTAL	CURRENT ASSETS	105444286.98	101417939.92	4026347.06	3.97%

ACCOUNT NUMBER      ACCOUNT DESCRIPTION      CURRENT YEAR      PREVIOUS YEAR      DIFFERENCE FROM PREV YEAR      PERCENTAGE

LIABILITIES AND FUND BALANCES:

LIABILITIES:

CURRENT LIABILITIES

PROPRIETARY CAPITAL  
 TOTAL  
 PROPRIETARY CAPITAL      44017335.04      39114722.47      4902612.57      12.53%  
 LONG TERM DEBT      44017335.04      39114722.47      4902612.57      12.53%

CURRENT & ACCRUED LIAB.

BONDS      42635000.00      44615000.00      -1980000.00      -4.44%

ACCOUNTS PAYABLE- TRADE      656076.60      758879.53      -102802.93      -13.55%  
 TAXES ACCRUED      30898.56      292277.35      1621.21      5.54%  
 INTEREST ACCRUED      -37624.39      366439.37      -404063.76      -110.27%  
 ACCRUED INSURANCE      6934.37      6934.37      0.00      0.00%  
 ACCRUED PENSION      143319.00      54100.00      89219.00      164.91%  
 TOTAL CURRENT & ACCRUED LIAB.      799604.14      1215630.62      -416026.48      -34.22%

TAX COLLECTION PAYABLE

FIT WITHHOLDING      3819.27      3107.03      712.24      22.92%  
 FICA WITHHOLDING      2415.16      2127.57      287.59      13.52%  
 ACCRUED FICA TAXES      4802.39      3971.15      831.24      20.93%  
 ACCRUED SALES TAX      7615.03      9682.27      -2067.24      -21.35%  
 WITHHELD RI INCOME TAX      1131.55      913.69      217.86      23.84%  
 WATER PROTECTION CHARGE      125573.74      124699.23      874.51      0.70%  
 TDI WITHHELD      416.61      390.30      26.31      6.74%  
 CUSTOMER ADV. FOR CONSTR.      90799.00      109965.00      -19166.00      -17.43%  
 TOTAL TAX COLLECTION PAYABLE      236572.75      254856.24      -18283.49      -7.17%

OTHER DEFERRED CREDITS

DEFERRED BOND PREMIUM      367699.55      13961339.07      367699.55      6.05%  
 CONTRIB. IN AID TO CONSTR      14805596.07      13961339.07      844257.00      8.68%  
 TOTAL OTHER DEFERRED CREDITS      15173295.62      13961339.07      1211956.55      8.68%  
 TOTAL CURRENT LIABILITIES      102861807.55      99161548.40      3700259.15      3.73%  
 TOTAL LIABILITIES      102861807.55      99161548.40      3700259.15      3.73%

FUND BALANCES:

FUND BALANCE

REPORT DATE 02/28/2005  
 SYSTEM DATE 04/15/2005  
 FILES ID Z

Kent County Water Authority  
 COMPARATIVE BALANCE SHEET  
 General  
 AS OF 02/28/2005

PAGE 3  
 TIME 11:28:30  
 USER CLB

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	CURRENT YEAR	PREVIOUS YEAR	DIFFERENCE FROM PREV YEAR	PERCENTAGE
TOTAL FUND BALANCE		2582479.43	2256391.52	326087.91	14.45%
TOTAL FUND BALANCES EXCESS OF REVENUE OVER EXPENDITURES		105444286.98	101417939.92	4026347.06	3.97%
TOTAL LIABILITIES AND FUND BALANCES					

KENT COUNTY WATER AUTHORITY  
CASH RECEIPTS & DISBURSEMENTS  
FY 2004 - 2005

	JULY 2004	AUGUST 2004	SEPTEMBER 2004	OCTOBER 2004	NOVEMBER 2004	DECEMBER 2004	JANUARY 2005	FEBRUARY 2005	MARCH 2005	APRIL 2005	MAY 2005	JUNE 2005	RATE REVENUE FY 04-05	RATE REVENUE FY 05-04
<b>BEGINNING MONTH BALANCE</b>														
<b>CASH RECEIPTS:</b>														
Water Revenues	1,336,534	1,270,930	1,332,028	1,743,524	1,583,484	1,381,069	1,317,673	1,091,835	928,978				914,506.94	
Interest Earned	97,029	21,632	37,160	28,007	49,975	36,416	92,871	9,997	18,337				709,560.98	
Contribution to Aid-Construction	60,000	-	1,500	49,500	-	-	-	-	-				1,049,468.47	
Inspection Fees	18,500	950	-	16,775	9,230	17,955	-	-	-				838,563.26	
Other	-	-	-	-	-	16,800	-	-	-				1,637,014.60	
<b>TOTAL CASH RECEIPTS</b>	<b>54,978,445</b>	<b>40,815,544</b>	<b>39,685,357</b>	<b>39,907,884</b>	<b>40,232,995</b>	<b>39,091,363</b>	<b>39,238,656</b>	<b>38,200,393</b>	<b>38,300,937</b>				<b>1,462,537.64</b>	
<b>CASH DISBURSEMENTS:</b>														
Purchased Water	290,628	369,075	397,915	707,848	443,533	238,674	523,977	437	299,513					
Electric Power	50,576	45,914	46,107	36,920	30,789	34,185	37,199	34,894	41,964					
Payroll	129,477	131,186	138,455	123,634	128,835	164,494	146,911	124,344	158,564					
Operations	124,600	65,534	75,148	120,650	55,060	78,411	82,001	65,465	65,498					
Employee Benefits	50,766	48,958	45,501	50,844	49,037	49,292	48,902	51,102	46,602					
Legal	19,701	19,701	5,859	11,058	4,094	5,869	5,728	3,652	5,965					
Materials	39,438	7,122	4,877	11,749	7,138	5,240	10,681	18,385	13,139					
Insurance	4,299	-	126,675	4,271	4,271	4,271	4,271	4,271	7,112					
Sales Taxes	19,501	-	9,766	29,181	12,611	7,672	18,658	7	8,879					
Refunds	69	265	1,316	60,000	3,885	6,215	11,010	-	-					
Rate Case	-	-	-	-	-	-	-	-	-					
Conservation	-	-	-	-	-	-	-	-	-					
Pilot	8,339	-	-	349	-	-	-	-	12,813					
Capital Expenditures (Other)	3,396	3,715	3,063	2,650	49,442	743	3,056	833	-					
2002 Indemnities	2,185	117,126	2,185	-	1,400	205,438	5,932	2,815	161,875					
2003 Indemnities	388,934	115,628	70,746	6,642	798	239,063	80	-	-					
2004 Indemnities	11,060	5,400	3,046	5,875	14,780	29,825	1,215	-	-					
Milbrook Well/Storage/Trans.	-	18,894	-	-	10,411	-	-	-	-					
Frederick - Selma Tanks	119,681	62,092	7,325	4,363	4,198	11,414	7,574	2,932	4,594					
Kroody Oak Road 20"	99,880	12,315	1,841	1,841	140,152	19,560	69,550	400	-					
Oldman Meter Pit	128,788	3,982	3,982	3,503	3,008	66,749	21,201	1,450	275					
Clinton Avenue Pump Station	28,548	14,419	5,401	6,210	608	-	-	-	-					
E. G. Wall Upgrade	267	1,643	-	-	-	457	692	1,329	508					
GIS Development Mapping	10,360	12,030	-	-	44,419	25,823	60,540	27,157	9,300					
Blackrock Road - 24"	10,278	1,400,491	495,137	11,630	1,423,759	240	41,735	485,741	-					
Hydraulic Model	5,403	6,687	9,866	5,620	3,400	7,245	1,360	6,782	1,458					
Cohimtown Road - 8"	-	-	-	1,906	-	-	-	-	-					
Milbrook Well Color Evaluation	6,720	2,775	4,450	2,893	445	-	-	-	-					
Middle Road 16"	-	1,152	2,070	-	-	-	-	-	-					
Quaker Lane P.S. Roof	-	-	-	11,481	-	-	-	-	-					
Road Schoolhouse Road	-	-	-	3,195	4,300	2,110	4,030	915	9,623					
Road Schoolhouse Road Tank	-	-	-	-	-	8,107	3,152	6,369	-					
U. S. Bank - Debt Service (P. & I.)	13,836,892	22,455	3,526	48,487	-	170,788	15,804	905,372	-					
Water Protection	96,528	-	137,209	-	-	-	114,994	-	105,922					
<b>TOTAL DISBURSEMENTS</b>	<b>15,456,413</b>	<b>2,500,875</b>	<b>1,615,279</b>	<b>1,317,598</b>	<b>2,593,872</b>	<b>1,263,071</b>	<b>2,140,095</b>	<b>857,911</b>	<b>957,409</b>					
<b>BALANCE END OF MONTH</b>	<b>39,522,032</b>	<b>38,314,659</b>	<b>38,070,078</b>	<b>38,590,286</b>	<b>37,659,123</b>	<b>37,828,292</b>	<b>37,098,541</b>	<b>37,342,482</b>	<b>37,243,528</b>					
<b>PRIOR YEAR</b>	<b>44,215,984</b>	<b>44,756,824</b>	<b>45,030,913</b>	<b>45,205,337</b>	<b>44,291,999</b>	<b>44,221,979</b>	<b>43,518,911</b>	<b>43,623,397</b>	<b>44,104,962</b>					

KENT COUNTY WATER AUTHORITY  
CASH LOCATION  
FISCAL YEAR: 04-05

CASH LOCATION:	JUL 2004	AUG 2004	SEP 2004	OCT 2004	NOV 2004	DEC 2004	JAN 2005	FEB 2005	MAR 2005	APR 2005	MAY 2005	JUN 2005
Citizens Bank - Payroll	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00
Fleet Bank - Deposit	80,531.73	80,696.80	70,261.77	62,467.96	211,810.68	70,966.15	48,839.18	272,070.06	6,781.54	6,781.54	6,781.54	6,781.54
Fleet Bank - Checking	(17,768.20)	6,273.92	8,037.31	8,037.31	23,441.57	496.82	27,935.99	5,714.01	11,951.55	11,951.55	11,951.55	11,951.55
	102,785.53	126,970.72	118,319.08	113,793.11	275,232.25	111,482.97	116,815.17	317,784.07	58,734.00	58,734.00	58,734.00	58,734.00
U. S Bank - Project Funds												
Revenue	102,550.15	111,869.97	36,062.40	38,932.12	168,586.39	467,303.48	223,907.15	76,757.78	29,637.17	29,637.17	29,637.17	29,637.17
Infrastructure Fund	2,256,036.61	2,268,209.85	2,389,804.35	2,674,809.13	2,659,450.10	3,268,753.10	3,296,246.46	3,382,852.38	3,653,664.23	3,653,664.23	3,653,664.23	3,653,664.23
Operation & Maintenance Fund	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Renewal & Replacement Fund	1,898,230.00	1,898,230.00	1,898,230.00	1,898,230.00	1,898,230.00	1,898,230.00	1,898,230.00	1,898,230.00	1,898,230.00	1,898,230.00	1,898,230.00	1,898,230.00
General Project - 2001	118,687.18	127,084.24	123,564.49	133,999.87	81,025.91	89,483.42	97,916.74	106,368.52	10,650.29	10,650.29	10,650.29	10,650.29
Debt Service Reserve - 2001	521,820.03	521,820.03	521,820.03	521,820.03	521,820.03	521,820.03	521,820.03	521,820.03	521,820.03	521,820.03	521,820.03	521,820.03
Debt Service Reserve - 2001	6,203,405.73	4,827,169.98	4,232,936.69	4,236,752.90	2,775,305.86	2,776,936.32	2,772,309.93	2,259,716.52	2,221,571.61	2,221,571.61	2,221,571.61	2,221,571.61
Debt Service Reserve - 2001	296,788.01	367,235.08	437,613.36	508,077.54	579,667.54	649,366.35	483,313.44	551,005.43	551,071.46	551,071.46	551,071.46	551,071.46
Debt Service Reserve - 2001	807,683.58	807,683.58	807,683.58	807,683.58	807,683.58	807,683.58	807,683.58	807,683.58	807,683.58	807,683.58	807,683.58	807,683.58
Debt Service Reserve - 2001	37,626.52	37,626.16	37,652.67	37,682.74	37,718.56	37,757.82	37,803.64	37,852.95	37,901.81	37,901.81	37,901.81	37,901.81
General Project - 2002	22,923,966.79	22,939,162.62	22,935,327.36	22,973,657.10	22,999,496.55	23,019,430.71	23,045,076.12	23,045,107.18	23,045,144.89	23,045,182.60	23,045,220.31	23,045,258.02
Debt Service Fund - 2002	1,115,121.26	1,217,059.99	1,118,856.41	1,402,882.27	1,511,939.95	873,258.91	319,336.04	496,564.99	49,658.17	49,658.17	49,658.17	49,658.17
Debt Service Fund - 2002	1,823,560.01	1,823,560.01	1,823,560.01	1,823,560.01	1,823,560.01	1,823,560.01	1,823,560.01	1,823,560.01	1,823,560.01	1,823,560.01	1,823,560.01	1,823,560.01
Debt Service Fund - 2004	5,704.20	5,707.48	5,711.10	5,716.06	5,721.49	5,727.45	5,734.40	5,741.38	5,748.36	5,755.34	5,762.32	5,769.30
Debt Service Reserve - 2004	21,197.92	50,382.87	79,561.09	108,765.59	138,006.55	174,833.56	417,422.80	552,053.81	552,053.81	552,053.81	552,053.81	552,053.81
Cost of Issuance - 2004	1,279,133.75	1,279,133.75	1,275,608.12	1,280,172.60	1,296,881.63	1,296,881.63	1,279,133.75	1,279,133.75	1,279,133.75	1,279,133.75	1,279,133.75	1,279,133.75
Cost of Issuance - 2004	5,734.73	5,742.72	5,746.77	5,751.36	5,756.83	5,762.82	5,769.81	5,777.34	5,784.81	5,792.30	5,799.79	5,807.28
Redemption Account - 2004	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	\$ 39,522,032.00	\$ 38,314,669.35	\$ 38,070,077.81	\$ 38,590,286.01	\$ 37,639,123.43	\$ 37,828,292.16	\$ 37,098,540.49	\$ 37,340,481.48	\$ 37,341,522.89	\$ 37,342,564.30	\$ 37,343,605.71	\$ 37,344,647.12

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STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
 Kent County Water Authority  
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ACCOUNT DESCRIPTION	BUDGET	ACTUAL	ACTUAL OVER/ UNDER BUDGET	BUDGET	ACTUAL	ACTUAL OVER/ UNDER BUDGET
REVENUES	C U R R E N T	M O N T H	Y E A R	T O	D A T E	
1-4150 MERCHANDISING & JOBBING	1000.00	563.47	-436.53	8000.00	5568.04	-2431.96
1-4160 M & J COSTS & EXPENSES	400.00	215.55	-184.45	2600.00	8584.09	5984.09
1-4190 INTEREST & DIVIDEND INC.	40000.00	9996.87	-30003.13	320000.00	372885.84	52885.84
1-4210 MISC. NON-OPER. INCOME		16.61	16.61	100.00	66.64	-33.36
1-4350 MISC. DEBITS TO SURPLUS					-209900.00	-209900.00
TOTALS FOR OTHER INCOME	41400.00	10792.50	-30607.50	330700.00	177204.61	-153495.39
1-461A METERED SALES - GC	592700.00	559671.54	-33028.46	5985300.00	6376589.92	391289.92
1-461B METERED SALES - IC	206700.00	165276.19	-41423.81	2745600.00	2160052.45	-585547.55
1-4620 PRIVATE FIRE PROTECTION				75000.00	73528.14	-1471.86
1-4630 PUBLIC FIRE PROTECTION				433800.00	432409.50	-1390.50
1-4640 SALES - PUBLIC AUTHORITIES	15900.00	12617.88	-3282.12	278300.00	249879.83	-28420.17
1-4660 SALES FOR RESALE				42400.00	44980.08	2580.08
1-4710 MISC. SERVICE REVENUE	3800.00	8419.74	4619.74	30500.00	61305.41	30805.41
1-4740 OTHER WATER REVENUES	4000.00	3599.18	-400.82	44700.00	44331.75	-368.25
TOTALS FOR OPERATING REVENUE ACCTS.	823100.00	749584.53	-73515.47	9635600.00	9443077.08	-192522.92
TOTALS FOR REVENUES	864500.00	760377.03	-104122.97	9966300.00	9620281.69	-346018.31
EXPENDITURES						
1-6020 PURCHASED WATER	255200.00	257350.07	-2150.07	2582700.00	2600906.74	-18206.74
TOTALS FOR SOURCE OF SUPPLY EXPENSES	255200.00	257350.07	-2150.07	2582700.00	2600906.74	-18206.74
1-6210 FUEL FOR PUMPING	100.00		100.00	700.00	402.61	297.39
1-6230 POWER PURCHASED	28300.00	34812.05	-6512.05	278800.00	306427.51	-27627.51
1-624A PUMPING LABOR	5000.00	4076.76	923.24	43900.00	40359.37	3540.63
1-624B PUMPING EXPENSES	300.00	306.07	-6.07	2000.00	1691.32	308.68
1-6310 MAINT STRUCT & IMPROVE	2400.00	2381.33	18.67	21300.00	21413.94	-113.94

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
 Kent County Water Authority  
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ACCOUNT DESCRIPTION	C U R R E N T M O N E T H		Y E A R - T O - D A T E	
	BUDGET	ACTUAL	BUDGET	ACTUAL
1-6330 MAINT PUMPING EQUIPMENT	2800.00	2377.50	24500.00	30680.62
TOTALS FOR PUMPING EXPENSES	38900.00	43953.71	371200.00	400975.37
1-6410 CHEMICALS	4300.00	6486.09	34200.00	41277.32
1-642A OPERATION LABOR	5600.00	5761.82	49000.00	45489.81
1-642B OPERATION EXPENSES	4300.00	2779.01	34200.00	27628.39
1-6510 MAINT STRUCT & IMPROVE	100.00	427.00	200.00	427.00
1-6520 MAINT WATER TREAT EQUIP	500.00	265.23	4000.00	3145.51
TOTALS FOR WATER TREATMENT EXPENSES	14800.00	15719.15	121600.00	117968.03
1-6610 STORAGE FACILITIES EXP	100.00	100.00	400.00	153.18
1-662A T & D LABOR	2100.00	2100.00	18300.00	176.41
1-662B T & D SUPPLIES & EXP	2700.00	4698.17	21500.00	20646.52
1-663A T & D METER LABOR	600.00	1153.68	5400.00	9490.64
1-663B T & D METER SUPP & EXP	500.00	370.99	3800.00	3618.98
1-6650 T & D MISC	1300.00	583.55	10400.00	8023.58
1-6710 MAINT STRUCT & IMPROV	200.00	119.84	1600.00	3550.00
1-6720 MAINT RESERVOIR & STDPIPE	1000.00	36092.21	8900.00	7278.97
1-6730 MAINT T & D MAINS	34100.00	2185.17	295000.00	313747.25
1-6750 MAINT SERVICES	9500.00	3522.83	82000.00	118720.19
1-6760 MAINT METERS	3400.00	24792.04	29900.00	28984.43
1-6770 MAINT HYDRANTS	7800.00	2666.88	66300.00	69150.39
1-6790 TRANSFER TO CONSTRUCTION	-900.00	-2666.88	-7200.00	-7956.46
TOTALS FOR TRANS. & DISTR. EXPENSES	62400.00	70851.60	536300.00	575584.08
1-902A METER READING LABOR	5900.00	7022.66	51700.00	53763.87
1-902B METER READING SUPP & EXP	11700.00	14063.79	102600.00	98423.86
1-903A CUSTOMER RECORDS LABOR				
1-903B				

ACTUAL OVER/UNDER BUDGET

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STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
 Kent County Water Authority  
 AS OF 02/2005

ACCOUNT DESCRIPTION	BUDGET	ACTUAL	ACTUAL OVER/ UNDER BUDGET	BUDGET	ACTUAL	ACTUAL OVER/ UNDER BUDGET
CUSTOMER RECORDS SUPP	4000.00	3694.80	305.20	32000.00	41860.57	-9860.57
TOTALS FOR CUSTOMER ACCT. EXPENSES	21600.00	24781.25	-3181.25	186400.00	194048.30	-7648.30
1-9200 ADM & GENERAL SALARIES	22000.00	25076.98	-3076.98	192500.00	200509.67	-8009.67
1-9210 OFFICE SUPPLIES & EXP	10800.00	5784.77	5015.23	86400.00	83272.05	3127.95
1-9230 OUTSIDE SERVICES	15500.00	6602.31	8897.69	123900.00	94093.00	29807.00
1-9240 PROPERTY INSURANCE	15300.00	12660.92	2639.08	122400.00	106981.28	15418.72
1-9250 INJURIES & DAMAGES	400.00	400.00	400.00	3300.00	3300.00	3300.00
1-9260 EMPLOYEE PENSION & BENEF	68500.00	50591.74	17908.26	553000.00	392747.57	160252.43
1-9280 REGULATORY COMM EXP	13100.00	15375.19	-2275.19	104500.00	68475.18	36024.82
1-930A MISC GENERAL EXPENSE	1000.00	1251.19	1000.00	8100.00	6500.00	1600.00
1-930B MISC GENERAL EXPENSE	1400.00	1400.00	148.81	10800.00	26012.03	-15212.03
1-930C MISC GENERAL EXPENSE	3000.00	3000.00	3000.00	24000.00	24000.00	24000.00
1-932A MAINT GENERAL PLANT	11200.00	10598.70	601.30	95300.00	89876.73	5423.27
1-932B MAINT VEHICLES	4800.00	6975.81	-2175.81	39600.00	45047.68	-5447.68
1-9330 UNASSIGNED TIME VAC HOL	16200.00	8570.15	7629.85	141600.00	178941.36	-37341.36
TOTALS FOR ADM. & GENERAL EXPENSES	183200.00	143487.76	39712.24	1505400.00	1292456.55	212943.45
1-4030 DEPRECIATION EXPENSE	62800.00	62800.00	62800.00	502000.00	502000.00	502000.00
1-4080 TAXES OTHER THAN INCOME	12400.00	11689.39	710.61	107000.00	102663.19	4336.81
1-4270 INTEREST-LONG TERM DEBT	150900.00	150900.00	150900.00	1207200.00	1207200.00	1207200.00
1-4280 AMORTIZATION OF DEBT DISC	5500.00	5500.00	5500.00	44000.00	44000.00	44000.00
TOTALS FOR OTHER EXPENSES	231600.00	230889.39	710.61	1860200.00	1855863.19	4336.81
TOTALS FOR EXPENDITURES	807700.00	787032.93	20667.07	7163800.00	7037802.26	125997.74
EXCESS OF REVENUE OVER EXPENDITURES FOR general	56800.00	-26655.90	-83455.90	2802500.00	2582479.43	-220020.57

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STATEMENT OF REVENUES, Kent County Water Authority  
 EXPENDITURES AND CHANGES IN FUND BALANCE  
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----- C U R R E N T M O N T H -----  
 BUDGET ACTUAL ACTUAL OVER/  
 UNDER BUDGET

OTHER ADJUSTMENTS TO FUND BALANCE 0.00

FUND BALANCES - JULY 1 44017335.04  
 FUND BALANCES - FEBRUARY 28 46599814.47  
 =====

----- Y E A R - T O - D A T E -----  
 BUDGET ACTUAL ACTUAL OVER/  
 UNDER BUDGET

ACCOUNT NUMBER ACCOUNT DESCRIPTION CURRENT YEAR PREVIOUS YEAR DIFFERENCE FROM PREV YEAR PERCENTAGE

ASSETS :

CURRENT ASSETS

UTILITY PLANT IN SERVICES

SOURCE OF SUPPLY PLANT	1800470.53	1800470.53		
PUMPING PLANT	2322341.47	2322341.47		
WATER TREATMENT PLANT	141257.29	141257.29		
TRANS. & DISTR. PLANT	45975372.79	42793693.00	3181679.79	7.43%
GENERAL PLANT	1586380.06	1525220.74	61159.32	4.01%
MISCELLANEOUS PHYS. PLANT	710.00	710.00		
GENERAL STRUCTURES	148181.48	83581.48	64600.00	77.29%
CONSTR. WORK IN PROGRESS	23434117.49	15625481.93	7808635.56	49.97%
ACCUM. DEPR.- PLANT	-9392176.85	-8616892.03	-775284.82	9.00%
TOTAL	66016654.26	55675864.41	10340789.85	18.57%

CURRENT AND ACCRUED ASSET

CASH - FLEET NAT BANK	277784.07	113442.70	164341.37	144.87%
CASH - CITIZENS BANK	16211.29	13727.35	2483.94	18.09%
TOTAL	293995.36	127170.05	166825.31	131.18%

OTHER SPECIAL DEPOSITS

RESTRICTED DEBT RESERVE	3883818.76	4079148.59	-195329.83	-4.79%
SPECIAL DEPOSITS	33140878.65	39395806.32	-6254927.67	-15.88%
PETTY CASH	300.00	300.00		
CUSTOMER ACCTS. RECEIVAB.	1245671.86	1427414.08	-181742.22	-12.73%
OTHER A/R	949.00	922.85	26.15	2.83%
PROV. FOR UNCOLLECTED ACT	-103683.30	-120166.71	16483.41	-13.72%
SALVAGE MATERIALS & SUPPLIES	147.70	147.70		
PLANT MATERIAL & SUPPLIES	499776.88	465440.80	34336.08	7.38%
PREPAID INSURANCE	27054.85	18025.48	9029.37	50.09%
PREPAID PENSION	164.56	164.56		
UNAMORTIZED DEBT DISCOUNT	436346.70	345077.81	91268.89	26.45%
TOTAL	39131425.66	45612281.48	-6480855.82	-14.21%

CLEARING ACCOUNTS

NEW SERVICES CLEARING	2211.30	2623.98	-412.68	-15.73%
CUSTOMER SRVCS - CLEARING	2211.70	2623.98	-412.28	-15.71%
TOTAL CLEARING ACCOUNTS	4423.00	5247.96	-824.96	-18.64%
TOTAL CURRENT ASSETS	105444286.98	101417939.92	4026347.06	3.97%
TOTAL ASSETS	105444286.98	101417939.92	4026347.06	3.97%

ACCOUNT NUMBER      ACCOUNT DESCRIPTION      CURRENT YEAR      PREVIOUS YEAR      DIFFERENCE FROM PREV YEAR      PERCENTAGE

LIABILITIES AND FUND BALANCES:

LIABILITIES:

CURRENT LIABILITIES

CURRENT LIABILITIES					
PROPRIETARY CAPITAL					
TOTAL	UNAPPR. EARNED SURPLUS	44017335.04	39114722.47	4902612.57	12.53%
PROPRIETARY CAPITAL		44017335.04	39114722.47	4902612.57	12.53%
LONG TERM DEBT	BONDS	42635000.00	44615000.00	-1980000.00	-4.44%

CURRENT & ACCRUED LIAB.

CURRENT & ACCRUED LIAB.					
TOTAL	ACCOUNTS PAYABLE - TRADE	656076.60	758879.53	-102802.93	-13.55%
CURRENT & ACCRUED LIAB.	TAXES ACCRUED	30898.56	29277.35	1621.21	5.54%
TAX COLLECTION PAYABLE	INTEREST ACCRUED	-37624.39	366439.37	-404063.76	-110.27%
TAX COLLECTION PAYABLE	ACCRUED INSURANCE	6934.37	6934.37		
TAX COLLECTION PAYABLE	ACCRUED PENSION	143319.00	54100.00	89219.00	164.91%
TAX COLLECTION PAYABLE		799604.14	1215630.62	-416026.48	-34.22%

TAX COLLECTION PAYABLE

TAX COLLECTION PAYABLE					
TOTAL	FIT WITHHOLDING	3819.27	3107.03	712.24	22.92%
TOTAL	FICA WITHHOLDING	2415.16	2127.57	287.59	13.52%
TOTAL	ACCRUED FICA TAXES	4802.39	3971.15	831.24	20.93%
TOTAL	ACCURUED SALES TAX	7615.03	9682.27	-2067.24	-21.35%
TOTAL	WITHHELD RI INCOME TAX	1131.55	913.69	217.86	23.84%
TOTAL	WATER PROTECTION CHARGE	125573.74	124639.23	874.51	70%
TOTAL	TDI WITHHELD	416.61	390.30	26.31	6.74%
TOTAL	CUSTOMER ADV. FOR CONSTR.	90799.00	109965.00	-19166.00	-17.43%
TOTAL		236572.75	254856.24	-18283.49	-7.17%

OTHER DEFERRED CREDITS

OTHER DEFERRED CREDITS					
TOTAL	DEFERRED BOND PREMIUM	367699.55	13961339.07	367699.55	6.05%
TOTAL	CONTRIB. IN AID TO CONSTR	14805596.07	13961339.07	844257.00	
TOTAL		15173295.62	13961339.07	1211956.55	8.68%

TOTAL CURRENT LIABILITIES

TOTAL CURRENT LIABILITIES					
TOTAL		102861807.55	99161548.40	3700259.15	3.73%
TOTAL		102861807.55	99161548.40	3700259.15	3.73%

FUND BALANCES:

FUND BALANCE

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Kent County Water Authority  
 COMPARATIVE BALANCE SHEET  
 general  
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ACCOUNT NUMBER	ACCOUNT DESCRIPTION	CURRENT YEAR	PREVIOUS YEAR	DIFFERENCE FROM PREV YEAR	PERCENTAGE
TOTAL					
TOTAL FUND BALANCE		2582479.43	2256391.52	326087.91	14.45%
TOTAL FUND BALANCES EXCESS OF REVENUE OVER EXPENDITURES		105444286.98	101417939.92	4026347.06	3.97%
TOTAL LIABILITIES AND FUND BALANCES					

Kent County Water Authority  
 STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

AS OF 02/2005

ACCOUNT DESCRIPTION	CURRENT MONTH		YEAR TO DATE		ACTUAL OVER/UNDER BUDGET	
	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL
<b>REVENUES</b>						
1-4150 MERCHANDISING & JOBBING	1000.00	563.47	8000.00	5568.04	8000.00	-2431.96
1-4160 M & J COSTS & EXPENSES	400.00	215.55	2600.00	8584.09	2600.00	5984.09
1-4190 INTEREST & DIVIDEND INC.	40000.00	9996.87	320000.00	372885.84	320000.00	52885.84
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1-4740 OTHER WATER REVENUES	4000.00	3599.18	44700.00	44331.75	44700.00	-368.25
TOTALS FOR OPERATING REVENUE ACCTS.	823100.00	749584.53	9635600.00	9443077.08	9635600.00	-192522.92
TOTALS FOR REVENUES	864500.00	760377.03	9966300.00	9620281.69	9966300.00	-346018.31
<b>EXPENDITURES</b>						
1-6020 PURCHASED WATER	255200.00	257350.07	2582700.00	2600906.74	2582700.00	-18206.74
TOTALS FOR SOURCE OF SUPPLY EXPENSES	255200.00	257350.07	2582700.00	2600906.74	2582700.00	-18206.74
1-6210 FUEL FOR PUMPING	100.00		700.00	402.61	700.00	297.39
1-6230 POWER PURCHASED	28300.00	34812.05	278800.00	306427.51	278800.00	-27627.51
1-624A PUMPING LABOR	5000.00	4076.76	43900.00	40359.37	43900.00	3540.63
1-624B PUMPING EXPENSES	300.00	306.07	2000.00	1691.32	2000.00	308.68
1-6310 MAINT STRUCT & IMPROVE	2400.00	2381.33	21300.00	21413.94	21300.00	-113.94

Kent County Water Authority  
 STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
 AS OF 02/2005

ACCOUNT DESCRIPTION	CURRENT MONTH		YEAR TO DATE		ACTUAL OVER/UNDER BUDGET	
	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL
1-6330 MAINT PUMPING EQUIPMENT	2800.00	2377.50	24500.00	30680.62		-6180.62
TOTALS FOR PUMPING EXPENSES	38900.00	43953.71	371200.00	400975.37		-29775.37
1-6410 CHEMICALS	4300.00	6486.09	34200.00	41277.32		-7077.32
1-642A OPERATION LABOR	5600.00	5761.82	49000.00	45489.81		3510.19
1-642B OPERATION EXPENSES	4300.00	2779.01	34200.00	27628.39		6571.61
1-6510 MAINT STRUCT & IMPROVE	100.00	427.00	200.00	427.00		-227.00
1-6520 MAINT WATER TREAT EQUIP	500.00	265.23	4000.00	3145.51		854.49
TOTALS FOR WATER TREATMENT EXPENSES	14800.00	15719.15	121600.00	117968.03		3631.97
1-6610 STORAGE FACILITIES EXP	100.00		400.00	153.18		246.82
1-662A T & D LABOR	2100.00		18300.00	176.41		18123.59
1-662B T & D SUPPLIES & EXP	2700.00	4698.17	21500.00	20646.52		853.48
1-663A T & D METER LABOR	600.00	1153.68	5400.00	9490.64		-4090.64
1-663B T & D METER SUPP & EXP	500.00	370.99	3800.00	3618.98		181.02
1-6650 T & D MISC	1300.00	583.55	10400.00	8023.58		2376.42
1-6710 MAINT STRUCT & IMPROV	200.00		1600.00	3550.00		-1950.00
1-6720 MAINT RESERVOIR & STDPIPE	1000.00	119.84	8900.00	7278.97		1621.03
1-6730 MAINT T & D MAINS	34100.00	36092.21	295000.00	313747.25		-18747.25
1-6750 MAINT SERVICES	9500.00	2185.17	82000.00	118720.19		-36720.19
1-6760 MAINT METERS	3400.00	3522.83	29900.00	28984.43		915.57
1-6770 MAINT HYDRANTS	7800.00	24792.04	66300.00	69150.39		-2850.39
1-6790 TRANSFER TO CONSTRUCTION	-900.00	-2666.88	-7200.00	-7956.46		756.46
TOTALS FOR TRANS. & DISTR. EXPENSES	62400.00	70851.60	536300.00	575584.08		-39284.08
1-902A METER READING LABOR	5900.00	7022.66	51700.00	53763.87		-2063.87
1-902B METER READING SUPP & EXP			100.00			100.00
1-903A CUSTOMER RECORDS LABOR	11700.00	14063.79	102600.00	98423.86		4176.14
1-903B						

REPORT DATE 04/15/2005  
 SYSTEM DATE 04/15/2005  
 FILES ID Z

Kent County Water Authority  
 STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
 AS OF 02/2005

PAGE 3  
 TIME 11:28:42  
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ACCOUNT DESCRIPTION	CURRENT MONTH		YEAR TO DATE		ACTUAL OVER/UNDER BUDGET	
	BUDGET	ACTUAL	BUDGET	ACTUAL	UNDER BUDGET	ACTUAL OVER/UNDER BUDGET
CUSTOMER RECORDS SUPP	4000.00	3694.80	32000.00	41860.57	-9860.57	-9860.57
TOTALS FOR CUSTOMER ACCT. EXPENSES	21600.00	24781.25	186400.00	194048.30	-7648.30	-7648.30
1-9200 ADM & GENERAL SALARIES	22000.00	25076.98	192500.00	200509.67	-8009.67	-8009.67
1-9210 OFFICE SUPPLIES & EXP	10800.00	5784.77	86400.00	83272.05	3127.95	3127.95
1-9230 OUTSIDE SERVICES	15500.00	6602.31	123900.00	94093.00	29807.00	29807.00
1-9240 PROPERTY INSURANCE	15300.00	12660.92	122400.00	106981.28	15418.72	15418.72
1-9250 INJURIES & DAMAGES	400.00	400.00	3300.00		3300.00	3300.00
1-9260 EMPLOYEE PENSION & BENEF	68500.00	50591.74	553000.00	392747.57	160252.43	160252.43
1-9280 REGULATORY COMM EXP	13100.00	15375.19	104500.00	68475.18	36024.82	36024.82
1-930A MISC GENERAL EXPENSE	1000.00	1000.00	8100.00	6500.00	1600.00	1600.00
1-930B MISC GENERAL EXPENSE	1400.00	1251.19	10800.00	26012.03	-15212.03	-15212.03
1-930C MISC GENERAL EXPENSE	3000.00	3000.00	24000.00		24000.00	24000.00
1-932A MAINT GENERAL PLANT	11200.00	10598.70	95300.00	89876.73	5423.27	5423.27
1-932B MAINT VEHICLES	4800.00	6975.81	39600.00	45047.68	-5447.68	-5447.68
1-9330 UNASSIGNED TIME VAC HOL	16200.00	8570.15	141600.00	178941.36	-37341.36	-37341.36
TOTALS FOR ADM. & GENERAL EXPENSES	183200.00	143487.76	1505400.00	1292456.55	212943.45	212943.45
1-4030 DEPRECIATION EXPENSE	62800.00	62800.00	502000.00	502000.00		
1-4080 TAXES OTHER THAN INCOME	12400.00	11689.39	107000.00	102663.19	4336.81	4336.81
1-4270 INTEREST-LONG TERM DEBT	150900.00	150900.00	1207200.00	1207200.00		
1-4280 AMORTIZATION OF DEBT DISC	5500.00	5500.00	44000.00	44000.00		
TOTALS FOR OTHER EXPENSES	231600.00	230889.39	1860200.00	1855863.19	4336.81	4336.81
TOTALS FOR EXPENDITURES	807700.00	787032.93	7163800.00	7037802.26	125997.74	125997.74
EXCESS OF REVENUE OVER EXPENDITURES FOR general	56800.00	-26655.90	2802500.00	2582479.43	-220020.57	-220020.57

REPORT DATE 04/15/2005  
SYSTEM DATE 04/15/2005  
FILES ID Z

Kent County Water Authority  
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
AS OF 02/2005

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TIME 11:28:42  
USER CLB

----- C U R R E N T M O N T H ----- Y E A R - T O - D A T E -----  
BUDGET ACTUAL BUDGET ACTUAL UNDER BUDGET ACTUAL OVER/  
UNDER BUDGET

ACCOUNT DESCRIPTION

OTHER ADJUSTMENTS TO FUND BALANCE

FUND BALANCES - JULY 1  
FUND BALANCES - FEBRUARY 28

0.00  
44017335.04  
46599814.47  
=====

# **EXHIBIT E**

April 20, 2005

Process Construction Management, Inc.

1000 Main Street

West Warwick, RI 02893

Phone: 401-886-1120 Fax: 401-886-1121

www.pcm-inc.com

© 2005 PCM, Inc.

April 12, 2005

Kent County Water Authority  
1072 Main Street  
West Warwick, RI 02893

Attention: Mr. Tim Brown

Project: Rehabilitation of the Clinton Avenue Pump Station  
Scituate, RI  
C&E Project No. J0362  
Walsh Construction Company *Non-responsive bid*

Dear Tim:

On behalf of PCM, Inc., our subcontractors and Godwin Pump we formally submit *a bid protest* for the above referenced project. The basis of the protest ties directly to the requirements shown in the project specifications and verbal information from the mandatory pre-bid meeting of March 29, 2005.

The specifications required all bidders to submit the proposed Bypass Pump System vendor and vendor's experience. Walsh Construction Company did not include this information with their bid. The specifications clearly state that *"bid proposals submitted without identifying a proposed vendor for the temporary bypass pumping systems shall be rejected."* (Specification Section 02722-2). Walsh Construction Company's bid is non-responsive and should be rejected.

As PCM and our major subcontractors are within minutes and a few miles from the Clinton Avenue Pump Station we feel strongly that PCM, Inc., is the appropriate and qualified team member working along with the Kent County Water Authority and C&E Engineering Partners, Inc.

We look forward to meeting with you and the KCWA Board as soon as possible.

Sincerely,  
  
Russell B. Parry  
Vice President & COO

Hand delivered to Tim Brown, KCWA  
Faxed and sent via Certified Mail to:  
KCWA Board of Directors  
C&E Engineering Partners, Inc.  
John Bulman, Little Medeiros Kinder Bulman & Whitney PC



# **EXHIBIT F**

April 20, 2005

# C & E Engineering Partners, Inc.

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**C**ivil  
& **E**nvironmental  
Engineering Partners, Inc.

342 Park Avenue  
Woonsocket  
Rhode Island 02895  
Phone: 401-762-1711  
Fax: 401-235-9088  
Info@ceengineer.com

April 15, 2005

Mr. Timothy J. Brown, P.E.  
General Manager and Chief Engineer  
Kent County Water Authority  
1072 Main Street  
P.O. Box 192  
West Warwick, RI 02893-0192

RE: **Kent County Water Authority**  
**Bid Proposal Evaluation**  
**Rehabilitation of the Clinton Avenue Booster Pump Station**  
C&E Project No. J0362.00

Dear Mr. Brown:

C&E Engineering Partners, Inc. (C&E) has completed an evaluation of the bids received April 12, 2005 relative to the above captioned project and for which the following assessment is provided. The Authority made a copy of each contractor's complete bid package proposal available to C&E on April 12, 2005. In total, five (5) bid proposals were received for the project with sum totals ranging from \$4,378,000.00 to \$5,322,800.00. A spreadsheet tabulation of the bid proposals with regard to completeness and noted discrepancies in the bid submission process has been completed by C&E and is provided herewith as Attachment No. 1.

The apparent low bid proposal was received from Walsh Construction Co. of Illinois – Northeast Division (Walsh) of Sharon, Massachusetts at a total of \$4,378,000.00, which is \$19,000.00 lower than the bid proposal received from PCM Inc. (PCM) of East Greenwich, Rhode Island at a total of \$4,397,000.00. The Walsh bid proposal is also \$551,000.00 lower than the bid proposal received from Hart Engineering Corporation (Hart) of Cumberland, Rhode Island. The two remaining bid proposals from R. Zoppo Corp. (Zoppo) of Stoughton, Massachusetts and C.B. Utility Co., Inc. (CB Utility) of Bristol, Rhode Island were \$800,250.00 and \$944,800.00, respectively above the apparent low bid total of Walsh.

Upon review, all five (5) bid proposals were determined to be in general conformance with contract bidding requirements, in that each submitted a properly completed and executed Bid Form, Bid Security, acknowledgement of addenda, supervisor qualifications and relative qualifications and experience. C&E reviewed the Bid Bonds from all Bidders to verify that the underwriters appear on the U.S Federal Securities Listing – Circular 570 for incorporation in the State of Rhode Island. All Bid Bond underwriters meet this requirement of incorporation in Rhode Island. In addition, all of the Bidders had proper representation at the *mandatory* pre bid conference of March 29, 2005, which was a prerequisite for submission of a bid proposal.

Review of all five bid proposals indicated an apparent general lack of documentation with regard to identifying proposed subcontractors for use on the project. This was a requisite of Section 00100 – Instruction to Bidders, Subsection - 7.10 Additional Bid Information which requires that the Bidders “Include the names of all subcontractors and the portions of work they will perform”. Further, the contract documents stipulate “Failure to comply with these stipulations will be grounds for disallowing Bids at the Owner’s discretion”. Despite this fact, C&E reviewed the bid proposals for consideration of recommendation to award.

Due to the potential for subcontractor’s performing “critical” portions of the work (i.e. electrical, instrumentation and control, temporary by pass pump system, mechanical and process piping, etc.), it was imperative that further clarification be established with regard to whether the prime contractor or subcontractor(s) were performing these portions of work. The primary concern would be the use of subcontractor(s) on critical portions of the project and ensuring their qualifications and experience met minimum standards regarding their ability to perform. In order to establish a clarification regarding the potential lack of identification of all major subcontractors that would be materially participating in the work by all bidders, C&E issued a letter request on April 12, 2005 to each of the three apparent low bidders (Walsh, PCM and Hart) requesting further clarification as to the use of subcontractors on the project. A response was required by April 14, 2005 and to which all three bidders replied. See Attachment No. 2 for letter request and responses.

In addition, a requirement of Section 02722 – Temporary Bypass Pumping Systems was that all bidders supply the name of any subcontractor/vendor that was proposed for use in performing the potable water by pass operation, if the prime contractor was not self performing this task. Failure to identify any subcontractor for this particular portion of the work would be grounds for bid rejection. Four of the five bid proposals identified a subcontractor as performing this portion of the work with exception of Walsh that did not identify a proposed subcontractor. Further clarification was therefore required of Walsh’s intention to self perform this portion of the work along with documentation of their qualifications and experience. Walsh’s response (also enclosed in Attachment No. 2) indicated that “Godwin or United will supply all the equipment for the by pass system which will be assembled and operated by Walsh Construction. Walsh will be responsible for the complete Bypass pumping operation”. This clarification and the references of past project performance and experience for bypass pumping satisfies the requirements of the contract documents in that Walsh will be self performing this portion of work thereby forgoing the need to identify a subcontractor for this portion of the work in their bid proposal. Walsh also supplied satisfactory references of past project performance of bypass operations which meet the minimum requirements of the contract documents.

The additional requested information supplied by the three bid proposers indicated that all had the intention of utilizing various subcontractor(s) on critical portions of the work which were not identified in the original bid proposal. A general review of these subcontractors including C&E’s experience on previous projects with these firms indicates that those proposed for critical portions of the work (i.e. electrical, instrumentation and control, bypass pumping, mechanical and process, etc.) possess the necessary qualifications and experience required for the project. No further inquiry was performed.

The bidding instructions stipulate that the successful bidder must have completed at least three similar projects within the last five years. Walsh provided evidence of performance of extensive infrastructure projects related to construction of water and wastewater pumping and treatment facilities rehabilitation and other water works specialty projects. This included those performed by

Walsh offices throughout the country as well as those performed by the regional office in Sharon, Massachusetts.

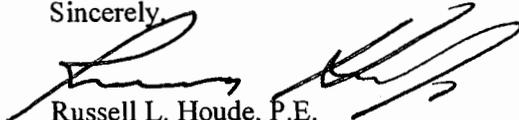
C&E personnel have no previous construction related experience with Walsh and contacted references provided with the bid to corroborate Walsh's experience and qualifications. A copy of memorandums from these discussions with these contacts is provided for reference in Attachment No.3. The references indicated that Walsh has performed quality work on multi-million dollar water and wastewater treatment plant projects involving comprehensive construction disciplines. These projects were completed in a timely and professional manner. One reference also corroborated that Walsh has performed similar operations of bypass pumping including the more sophisticated operations involving responsible charge of maintaining the ongoing operation of the existing water treatment plant facility while constructing additions and replacement treatment facilities.

The bidding instructions also require ten years of experience in potable water supply and transmission facilities projects as the qualifications for the on site construction supervisor proposed for the project. The information provided by Walsh indicates that the proposed on site supervisor has approximately 12 years experience as superintendent and project manager for Walsh in the performance of various in general construction projects including project manager for Walsh in the construction of a 3.0 MGD water filtration plant, four supply wells, four pumping stations and 1.5 MG water storage tank in Walpole Massachusetts. The submitted qualifications and experience of the on site construction supervisor indicate satisfactory experience and qualification as required for the project.

Based on our investigations and evaluation of the available information, we affirm Walsh as the "lowest responsible bidder" on the project. This is premised on their low dollar bid proposal, meeting the contractual bidding requirements and submitting documentation and experience. Further, there is documented evidence of past satisfactory project performance, construction expertise related to waterworks projects, financial stability, all of which was substantiated from various sources.

We will retain a copy of the bid packages utilized in this evaluation for our records. The original bid submissions including the original bid bonds are enclosed for your use. Should you have any questions, or require additional information, please feel free to contact this office.

Sincerely,



Russell L. Houde, P.E.  
Managing Engineer

RLH

Enclosures (original bid proposals)

F:\ACE-DATA\projects\J0362 KCWA Clinton Ave\Bidding\BidEvaluation\4-15-05Bid EvalLetter.doc

CC: T. Nicholson, P.E., C&E Engineering Partners, Inc. (w/encl.)

**ATTACHMENT NO. 1**

**BID TABULATION SUMMARY SPREADSHEET**

Kent County Water Authority  
 Rehabilitation of the Clinton Avenue Transmission Pump Station  
 C&E Project #J0362

Bid Evaluation  
 For Bids Due: 4/12/2005  
 Prepared: 4/13/2005

Bid Item	Description	Unit	Quantity	Walsh Construction Co. Sharon, MA		PCM, Inc. East Greenwich, RI		Hart Engineering Corp. Cumberland, RI		R. Zoppo Corp. Stoughton, MA		C.B. Utility Co., Inc. Bristol, RI	
				Unit Price	Total	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
1.01	Rehabilitation of the Clinton Avenue Pump Station, Complete in Place	L.S.	1	\$4,302,840.00	\$4,302,840.00	\$4,319,375.00	\$4,319,375.00	\$4,801,500.00	\$4,801,500.00	\$5,170,000.00	\$5,170,000.00	\$5,240,000.00	\$5,240,000.00
1.02	Trench Rock Excavation and Disposal	C.Y.	50	\$320.00	\$16,000.00	\$250.00	\$12,500.00	\$300.00	\$15,000.00	\$230.00	\$11,500.00	\$500.00	\$25,000.00
1.03	"Open" Rock Excavation and Disposal	C.Y.	50	\$260.00	\$13,000.00	\$100.00	\$5,000.00	\$600.00	\$30,000.00	\$180.00	\$8,000.00	\$500.00	\$25,000.00
1.04	Excavation of Unsuitable Materials	C.Y.	25	\$40.00	\$1,000.00	\$25.00	\$625.00	\$50.00	\$1,250.00	\$60.00	\$1,500.00	\$1.00	\$25.00
1.05	Test Pits	E.A.	5	\$532.00	\$2,660.00	\$1,000.00	\$5,000.00	\$1,000.00	\$5,000.00	\$600.00	\$3,000.00	\$750.00	\$3,750.00
1.06	Additional Cast in Place Concrete, Complete in Place	C.Y.	25	\$430.00	\$10,750.00	\$200.00	\$5,000.00	\$700.00	\$17,500.00	\$270.00	\$6,750.00	\$150.00	\$3,750.00
1.07	Bentonite Check Dams	C.Y.	25	\$220.00	\$5,500.00	\$1,000.00	\$25,000.00	\$1,350.00	\$33,750.00	\$20.00	\$500.00	\$1.00	\$25.00
1.08	Crushed Stone	C.Y.	50	\$45.00	\$2,250.00	\$10.00	\$500.00	\$20.00	\$1,000.00	\$20.00	\$1,000.00	\$25.00	\$1,250.00
1.09	Police Detail Allowance	-	-		\$24,000.00		\$24,000.00		\$24,000.00		\$24,000.00		\$24,000.00
<b>Sum Total Bid Amount</b>					<b>\$4,378,000.00</b>		<b>\$4,397,000.00</b>		<b>\$4,929,000.00</b>		<b>\$5,226,250.00</b>		<b>\$5,322,800.00</b>

1. Math Errors in Bid:
2. Acknowledgement of Addenda 1 and 2:
3. Signature and Seal on Bid:
4. Bid Bond @ 5%:
5. Submitted Qualifications and Experience:
6. Subcontractor List:
7. Comments:

No  
Yes  
Yes  
Yes  
Yes  
Yes  
Yes (a)

No  
Yes  
Yes  
Yes  
Yes  
Yes  
Yes (a)

No  
Yes  
Yes  
Yes  
Yes  
Yes  
Yes (a)

No  
Yes  
Yes  
Yes  
Yes  
Yes  
Yes (b)

No  
Yes  
Yes  
Yes  
Yes  
Yes  
Yes (b)

a. Not deemed complete. Letter requesting listing of all major subcontractors was sent on 4-12-05. All complied with additional subcontractors  
 b. Not deemed complete. No additional request was sent as not one of three lowest bid proposals.

**ATTACHMENT NO. 2**

**REQUEST FOR ADDITIONAL INFORMATION & CONTRACTOR RESPONSE**

# C & E Engineering Partners, Inc.

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Civil  
& Environmental  
Engineering Partners, Inc.

342 Park Avenue  
Woonsocket  
Rhode Island 02895  
Phone: 401-762-1711  
Fax: 401-235-9088  
Info@ceengineer.com

April 12, 2005

Mr. George Volpicelli  
Walsh Construction Co.  
2 Commercial Street  
Sharon, MA 02067

(via fax 781-793-9009 and mail)

Re: **Kent County Water Authority**  
**Rehabilitation of the Clinton Avenue Pump Station**  
**Contract Bid Evaluation**  
C&E Project No. J0362.00

Dear Mr. Volpicelli:

Walsh Construction Co.'s (Walsh) bid proposal for the above captioned project has been preliminarily reviewed and determined to be one of the lowest of three bid proposals that are under further review and consideration. C&E Engineering Partners, Inc. (C&E), on behalf of the Kent County Water Authority (Authority) is hereby requesting additional information in accordance with the provisions of Section 00310 – Bid Form, paragraph 2.00 Experience / Submittals subparagraph A which states “The Owner may make such investigations as deemed necessary to determine the ability of the bidder to perform the work...”

C&E requests that you provide additional information with regard to Section 00400 - Supplement to Bid Form – Appendix A that is to identify the subcontractors proposed for use on the project. Generally, for purpose of complying with this request a subcontractor shall be a company materially participating in the project, which is performing in excess of \$25,000 of work of aggregate construction value on the project. This information is necessary in order that a determination can be made as to the relative qualifications and experience of either the prime contractor or subcontractor, whomever is identified as performing the work.

Your Bid Proposal identifies *Ryan Electric* as the only subcontractor. We request that you attest to the fact that this is the only subcontractor (as above identified) for use on the project and that your firm will perform **all other** phases of work. The areas for which we require identification of contractor / subcontractor work include but are not limited to the following. Please note that this does not include identification of various material suppliers or equipment vendors at this time.

- By Pass Pumping System (if performed by Contractor provide previous experience)
- Interior Mechanical Systems
- Exterior Site Work (all areas including paving, fence, excavation, rock removal, etc.)
- Exterior Piping and Lift Station
- Landscaping
- Electrical Lighting and Power Systems
- Instrumentation and Control

- Process Integration and SCADA
- Process Piping and Instrumentation
- Plumbing Improvements
- Structural Improvements
- Architectural Improvements
- Heating Ventilating and Air Conditioning

We request that this information be provided to C&E no later than noon on Thursday April 14, or sooner as may be possible. A facsimile copy with hard copy via mail will be sufficient.

Should you have any questions please do not hesitate to contact the undersigned at 762-1711.

Sincerely,  
**C&E ENGINEERING PARTNERS, INC.**



Russell L. Houde, Jr. P.E.  
Managing Engineer

Cc: Timothy Brown, P.E., Kent County Water Authority

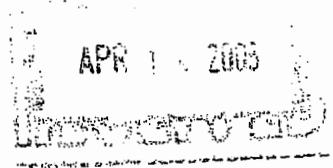
F:\CE-DATA\projects\J0362 KCWA Clinton Ave\Bidding\FollowupLetters\WalschLet4-12-05.doc

50302.00



Walsh Construction

Walsh Construction Co. of Illinois  
Northeast Division  
2 Commercial Street  
Sharon Commerce Center  
Sharon, MA 02067  
Tel: 781-793-9988  
Fax: 781-793-9009



Date: 4/14/05

TO: C & E Engineering

Attention: Russ Houde, PE

From: George Volpicelli

FAX NO. 401-235-9098

Tel# 401-762-1711

Pages sent: 2 + cover

Re: Pump station

Also in mail & E-mail sent.

Regards, George Volpicelli



Walsh Construction

Mr. Russell Houde  
C & E Engineering Partners, Inc.  
342 Park Avenue  
Woonsocket, RI 02895

RE: Kent County Water Authority  
Rehabilitation of the Clinton Avenue Pump Station  
C & E Project No. J0362.00

Dear Sir:

In response to your request dated April 12, 2005, we offer the following additional information. Please note that all listed subcontractors will require internal approvals (i.e. bondability & past performance reviews)

Scope	Performed by
By Pass Pumping System	Walsh Construction/ Godwin or United Rentals
Interior Mechanical Systems	Walsh Construction
Exterior Site Work	Walsh Construction
Exterior Piping and Lift Station	Walsh Construction
Electrical Lighting and Power Syst	Ryan Electric
Instrumentation and Control	Erickson or Arton Assoc.
Process Integration and SCADA	Erickson or Arton
Process Piping and Instrument.	Walsh Construction
Plumbing Improvements	J Coyne Contractors
Structural Improvements	Walsh Construction
Architccural Improvements	Spino Masonry & L.F. Clavin Painting
Heating Ventilation and A/C	J Coyne Contractors

We have not identified subcontractors performing work below \$25,000 in value. The vendor for the by pass pumping will be Godwin Pump Company or United Rentals. Godwin or United will supply all the equipment for the by pass system which will be assembled and operated by Walsh Construction. Walsh will be responsible for the complete By-Pass pumping operation.

We have also included additional By-Pass references and additional local project reference.

If you need additional information, please do not hesitate to contact us at 781-793-9988.

Respectfully,

George Volpicelli  
Walsh Construction  
Gvolpicelli@Walshgroup.com  
Attachment;



Additional By-Pass Pumping Project

1. Conner Creek Treatment Facility (Walsh Detroit)  
Detroit, MI  
+/- 100 MGD  
Engineer: Hazen & Sawyer  
Contacts: Colt Odeh  
Khamis AL'omari  
Phone No. 313-821-0987
2. Onion Creek Tunnel By-Pass (Anchor Western Texas a member of the Walsh Group)  
Austin, TX  
32 MDG  
Engineer: HDR Engineering Inc.  
Contacts: Alberto Rodriguez  
Phone No. (210) 828-2217

Additional Local Reference

1. West Warwick WWTP 1998 (Walsh Northeast)  
Engineer: Geremia & Associates; Formerly Keyes Assoc.  
Contact: Jim Geremia  
Phone: 401-454-7000

ENR 2004 Rankings

- 1<sup>st</sup> in Water Treatment
- 1<sup>st</sup> in Wastewater Treatment
- 22<sup>nd</sup> General Contractor

Walsh Northeast      N.E. Water & Wastewater Projects

Project	Work Performed	Owner	Engineer	Price	Year Finished/% Complete
Charles Hamman WTP	WTP Upgrades	City of Woonsocket RI	Can not remember	\$2,576,000.00	1991
Digester # 3 Deer Island Boston, Ma	Upgrade Sludge Digester Cover	MWRA	O'Brian & Gear	\$240,000.00	1992
Washington St. CSO Project	CSO Facility in the Town of Newport RI	City of Newport RI	Metcalf & Eddy Inc.	\$10,000,000.00	1991
Interim Sludge Transfer Facility Nut Island Quincy, Ma	Sludge Pumping & Piping Modification	Massachusetts Water Resource Authority 100 First Avenue Charlestown, MA 02129 617/424-6000	Tighe & Bond	\$2,665,000.00	1992
Yarmouth Sludge Dewatering & Sludge Composting Facility	Sludge Dewatering & Composting Equipment	Town of Yarmouth	Wright Pierce	\$5,566,000.00	1993
Sluice Gate Rehab	Installing new Sluice Gates @ 5 intake Struc. at Drinking water Reservoirs	Massachusetts Water Resource Authority 100 First Avenue Charlestown, MA 02129 617/424-6000	S.E.A Consultants	\$1,698,000.00	1994
Disinfection II/Hydro Plant Boston, Massachusetts Deer Island WWTP	New disinfection and Hydro Plant consisting of approximately 35,000 cy of concrete foundations and tanks structures.	Massachusetts Water Resource Authority 100 First Avenue Charlestown, MA 02129 617/424-6000	Metcalf & Eddy Inc. P.O. Box 4043 Woburn, Mass. 01888 617/246-5200	\$35,190,000.00	08/01/96
Deer Island Clarifiers A & B Boston, MA	Stacked Clarifiers, Scum & Sludge Handling Odor Control & Aeration Systems	Massachusetts Water Resource Authority 100 First Avenue Charlestown, MA 02129 617/424-6000	Metcalf & Eddy Inc. P.O. Box 4043 Woburn, Mass. 01888 617/246-5200	\$110,000,000.00	4/1/1995

Walsh Northeast

N.E. Water & Wastewater Projects

Project	Work Performed	Owner	Engineer	Price	Year Finished/% Complete
Disinfection Facility/Seawall Deer Island, MA	Installation of chemical storage and distribution system & Building Also 2600 lf of Seawall	Massachusetts Water Resource Authority 100 First Avenue Charlestown, MA 02129 617/424-6000	Metcalf & Eddy Inc. P.O. Box 4043 Woburn, Mass. 01888 617/246-5200	\$39,000,000.00	6/1/1995
Walpole Water Treatment Walpole, MA	Zee Weed Membrane Water Treatment Facility Rehab & New Wells	Town of Walpole, MA	Woodard & Curran Andover, MA 978-557-8150 James Rivard	\$8,000,000.00	1/1/2005
Marion WWTP Marion, Ma	New Headworks, Blower Building & SBR Tanks	Town of Marion Ma	Camp Dresser & Mckee Inc. Providence RI 401-751-5360 Tony Bonilla	\$8,518,617.00	80% Complete
Upper Blackstone WWTP Worcester Ma	New Headworks, Clarifiers, Odor Control, Disinfection Facility, Upgrade Incineration New Instrumentation System Facility Wide New Power Distribution System 100 MGD	Upper Blackstone Waste Water Treatment Facility	Camp Dresser & Mckee Inc. Ten Cambridge Center Cambridge, MA 02142 Lee Storrs 617-452-6725	\$45,000,000.00	50% Complete
Fabalah WTF Fitchburg, Ma	New WTF 6MGD For Treatment of Reservoir Drinking Water	Town of Fitchburg	Earth Tech Robert Bell 978-371-4066	\$16,000,000.00	95% Complete Start up Phase

# C & E Engineering Partners, Inc.

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Civil  
& Environmental  
Engineering Partners, Inc.

342 Park Avenue  
Woonsocket  
Rhode Island 02895  
Phone: 401-762-1711  
Fax: 401-235-9088  
Info@ceengineer.com

April 12, 2005

Mr. Russell Parry, Vice President  
PCM Inc.  
414 Main Street – PO Box 151  
East Greenwich, RI 02818-0151

(via fax 886-1120 and mail)

Re: **Kent County Water Authority  
Rehabilitation of the Clinton Avenue Pump Station  
Contract Bid Evaluation  
C&E Project No. J0362.00**

Dear Mr. Parry:

PCM, Inc.'s (PCM) bid proposal for the above captioned project has been preliminarily reviewed and determined to be one of the lowest of three bid proposals that are under further review and consideration. C&E Engineering Partners, Inc. (C&E), on behalf of the Kent County Water Authority (Authority) is hereby requesting additional information in accordance with the provisions of Section 00310 – Bid Form, paragraph 2.00 Experience / Submittals subparagraph A which states “The Owner may make such investigations as deemed necessary to determine the ability of the bidder to perform the work...”

C&E requests that you provide additional information with regard to Section 00400 - Supplement to Bid Form – Appendix A that is to identify the subcontractors proposed for use on the project. Generally, for purpose of complying with this request a subcontractor shall be a company materially participating in the project, which is performing in excess of \$25,000 of work of aggregate construction value on the project. This information is necessary in order that a determination can be made as to the relative qualifications and experience of either the prime contractor or subcontractor, whomever is identified as performing the work.

Your Bid Proposal identifies *Godwin Pumps* and *Total Mechanical Systems, Inc.* as the only subcontractors. We request that you attest to the fact that these are the only subcontractors (as above identified) for use on the project and that your firm will perform **all other** phases of work. The areas for which we require identification of contractor / subcontractor work include but are not limited to the following. Please note that this does not include identification of various material suppliers or equipment vendors at this time.

- By Pass Pumping System (if performed by Contractor provide previous experience)
- Interior Mechanical Systems
- Exterior Site Work (all areas including paving, fence, excavation, rock removal, etc.)
- Exterior Piping and Lift Station
- Landscaping

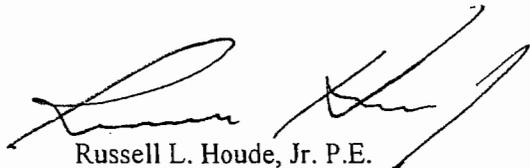
- Electrical Lighting and Power Systems
- Instrumentation and Control
- Process Integration and SCADA
- Process Piping and Instrumentation
- Plumbing Improvements
- Structural Improvements
- Architectural Improvements
- Heating Ventilating and Air Conditioning

We request that this information be provided to C&E no later than noon on Thursday April 14, or sooner as may be possible. A facsimile copy with hard copy via mail will be sufficient.

Should you have any questions please do not hesitate to contact the undersigned at 762-1711.

Sincerely,

**C&E ENGINEERING PARTNERS, INC.**



Russell L. Houde, Jr. P.E.  
Managing Engineer

Cc: Timothy Brown, P.E., Kent County Water Authority

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PCM, Inc.  
414 Main Street  
PO Box 151  
East Greenwich, RI 02818-0151

401-886-6006  
401-886-1120 FAX  
www.processcm.com

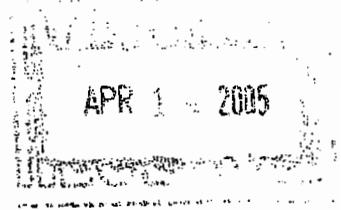
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**Date:** 4/14/2005

**To:** Russell Houde  
C&E Engineering Partners, Inc  
Phone: 401-762-1711  
Fax: 401-235-9088

**From:** Denise L. Sharon

**Pages:** 5, (including cover page)



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**Subject:** Kent County Water Authority  
Rehabilitation of the Clinton Avenue Pump Station  
Contract Bid Evaluation  
C&E Project No. J0362.00

Attached please find a copy of PCM's letter and list of proposed subcontractors for the above referenced project. The original will be sent via Federal Express for delivery on Friday, April 14, 2005.

If you have any questions, please call

cc: Tim Brown - Kent County Water Authority - 401-823-4810

P.O. Box 151  
414 Main Street  
East Greenwich, Rhode Island 02818-0151  
401 886-6006  
Fax 401 886-1120

April 14, 2005

Mr. Russell L. Houde, Jr., PE  
C&E Engineering Partners, Inc  
342 Park Avenue  
Woonsocket, RI 02895

RE: Kent County Water Authority  
Rehabilitation of the Clinton Avenue Pump Station  
Contract Bid Evaluation  
C&E Project No. J0362.00

Dear Mr. Houde:

In response to your letter of April 12<sup>th</sup>, 2005 concerning the above referenced project PCM, Inc. has enclosed information concerning our proposed subcontractors for the project. Please note that our bid identifies both Godwin Pumps and Total Mechanical Systems, Inc. and specifically references that other subcontractors would be supplied following project award. It was never implied that we would be self performing all other phases of work.

It is not PCM's practice to contract with subcontractors prior to award of a project, however, in the interest of supplying the KCWA Board and C&E Engineering Partners, Inc. with additional qualification information to substantiate our and our subcontractor's experience in this area of work, we are enclosing additional information on the contractors we are intending to utilize. From the listing you can see that we have a number of contractors that we intend to work with on this project, but not all contracts have been finalized. We have company qualifications available upon request for RF Audit or Total Mechanical if you feel you require additional information on their capabilities.

PCM and our major subcontractors are within minutes and a few miles from the Clinton Avenue Pump Station. We feel strongly that PCM, Inc., is the appropriate and qualified team member to work along with the Kent County Water Authority and C&E Engineering Partners, Inc.

P.O. Box 151  
414 Main Street  
East Greenwich, Rhode Island 02818-0151  
401 886-6006  
Fax 401 886-1120

PCM, Inc., along with our major subcontractors would like the opportunity to meet with you and the Kent County Water Authority Board next Wednesday, April 20, 2005, to discuss this project further.

Sincerely,



Russell B. Parry  
Vice President & COO

Enc.

cc: Timothy Brown, P.E., Kent County Water Authority



**Kent County Water Authority  
Rehabilitation of the Clinton Avenue Pump Station**

April 14, 2005

**Proposed Subcontractors**

Trade	Subcontractor/Vendor	Address	Contact Person	Notes
By Pass Plumbing	Godwin Pump*	99 Stockhouse Road Bozrah, CT 06334 860-889-2343	Carroll Hunnewell	Included with Bid
Excavation Site Work	PCM, Inc	414 Main Street East Greenwich, RI 02818 401-886-6006	Russell Parry	PCM will be Prime Site Contractor but may subcontract portions of site work to Lannan and/or R. Quirk Excavation
Paint	Wood & Wire or Cosco			contract < \$25,000
Landscaping	PCM, Inc.	414 Main Street East Greenwich, RI 02818 401-886-6006		PCM is signatory to Carpenter and Laborer Unions
Concrete Work	RF Audet*	2883 South County Trail East Greenwich, RI 02818 401-884-3310	Kenneth Freeborn	
Electrical Lighting & Power	Milton CAT			
Instrumentation & Control	RE Erickson*	PO Box 191 Walpole, MA 508-668-9330	Dave Labonte	
Process Integration & SCADA	Install by RF Audet & PCM			
Process Piping & Interior Mech	Total Mech/Harding & Smith*	One Park Place Plymouth, MA 02360 508-746-1183	Darin Yee	Included with Bid
Plumbing	Total Mech/Harding & Smith*	One Park Place Plymouth, MA 02360 508-746-1183	Darin Yee	Included with Bid



**Kent County Water Authority**  
**Rehabilitation of the Clinton Avenue Pump Station**  
**Proposed Subcontractors**

April 14, 2005

	Total Mech/Harding & Smith*		Darin Yee	Included with Bid
HVAC				
Structural Improvements				
Misc Metals & Steel	Continental Bronze or Shawmut Metal			
Roofing	McKenna Roofing, Capeway Roofing or Furey Roofing			
Masonry	Spino Brothers or K Walter Construction			
Architectural Improvements				
Electrical	H Carr & Sons*	100 Royal Little Drive Providence, RI 401-331-2277	James L. Carr	
Painting	Lyn Contracting or Service Contracting			

PLEASE NOTE THAT CONTRACTORS NOTED WITH AN ASTERIK ARE SET AND NOT EXPECTED TO CHANGE, OTHER CONTRACTS ARE STILL UP FOR REVIEW. WE DO NOT SUBMIT A BID WITH ALL SUBCONTRACTORS AND VENDORS ESTABLISHED, AS YOU CAN SEE WE

# C & E Engineering Partners, Inc.

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Civil  
& Environmental  
Engineering Partners, Inc.

342 Park Avenue  
Woonsocket  
Rhode Island 02895  
Phone: 401-762-1711  
Fax: 401-235-9088  
Info@ceengineer.com

April 12, 2005

Mr. David F. Rampone, President  
Hart Engineering Corporation  
800 Scenic View Drive  
Cumberland, RI 02864

(via fax 949-5309 and mail)

Re: **Kent County Water Authority**  
**Rehabilitation of the Clinton Avenue Pump Station**  
**Contract Bid Evaluation**  
C&E Project No. J0362.00

Dear Mr. Rampone:

Hart Engineering Corporation's (Hart) bid proposal for the above captioned project has been preliminarily reviewed and determined to be one of the lowest of three bid proposals that are under further review and consideration. C&E Engineering Partners, Inc. (C&E), on behalf of the Kent County Water Authority (Authority) is hereby requesting additional information in accordance with the provisions of Section 00310 – Bid Form, paragraph 2.00 Experience / Submittals subparagraph A which states "The Owner may make such investigations as deemed necessary to determine the ability of the bidder to perform the work..."

C&E requests that you provide additional information with regard to Section 00400 - Supplement to Bid Form – Appendix A that is to identify the subcontractors proposed for use on the project. Generally, for purpose of complying with this request a subcontractor shall be a company materially participating in the project, which is performing in excess of \$25,000 of work of aggregate construction value on the project. This information is necessary in order that a determination can be made as to the relative qualifications and experience of either the prime contractor or subcontractor, whomever is identified as performing the work.

Your Bid Proposal identifies *Godwin Pumps* and *RC Metal Works* as the only subcontractors. We request that you attest to the fact that these are the only subcontractors (as above identified) for use on the project and that your firm will perform **all other** phases of work. The areas for which we require identification of contractor / subcontractor work include but are not limited to the following. Please note that this does not include identification of various material suppliers or equipment vendors at this time.

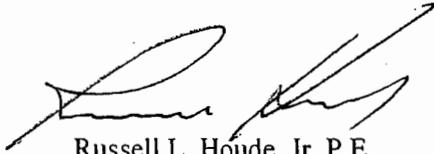
- By Pass Pumping System (if performed by Contractor provide previous experience)
- Interior Mechanical Systems
- Exterior Site Work (all areas including paving, fence, excavation, rock removal, etc.)
- Exterior Piping and Lift Station
- Landscaping

- Electrical Lighting and Power Systems
- Instrumentation and Control
- Process Integration and SCADA
- Process Piping and Instrumentation
- Plumbing Improvements
- Structural Improvements
- Architectural Improvements
- Heating Ventilating and Air Conditioning

We request that this information be provided to C&E no later than noon on Thursday April 14, or sooner as may be possible. A facsimile copy with hard copy via mail will be sufficient.

Should you have any questions please do not hesitate to contact the undersigned at 762-1711.

Sincerely,  
**C&E ENGINEERING PARTNERS, INC.**



Russell L. Houde, Jr. P.E.  
Managing Engineer

Cc: Timothy Brown, P.E., Kent County Water Authority

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Description of Work		Subcontractor
By Pass Pumping System		Godwin Pumps / Hart Engineering. Previous experience included with bid.
Interior Mechanical Systems		Hart Engineering Corp.
Exterior Site Work		Catalano Construction
Exterior Piping and Lift Station		Hart Engineering Corp.
Landscaping		Catalano Construction
Electrical Lighting and Power Systems		EW Audet & Sons, Inc.
Instrumentation and Control		RE Erickson Co.
Process Integration and SCADA		RE Erickson Co.
Process Piping and Instrumentation		Hart Engineering Corp.
Plumbing Improvements		Hart Engineering Corp.
Structural Improvements		Hart Engineering Corp.
Architectural Improvements		Hart Engineering Corp.
Heating Ventilating and Aire Conditioning		RC Metalworks

**ATTACHMENT NO. 3**

**TELEPHONE CONVERSATION MEMORANDUMS / REFERENCE  
CONTACTS**

## Bidder Reference - Memorandum of Phone Conversation

Date: 4/15 Time: 10:05a C&E Rep: J. Gerhard Job No. J0362  
Bid Project: KCWA Clinton Avenue PS Contractor: Walsh  
Reference Project: Walpole WTF Cost: \$8.683M  
Owner: Town of Walpole, MA  
Engineer: Woodard & Curran, Andover, MA  
Contact: Rick Matteson Of: Town of Walpole  
Title: Superintendent Phone No. 508-660-7307

### Summary of Discussion:

#### Project Description:

Confirmed project description provided by bidder. New replacement treatment facilities with 'Zenon' membrane treatment. Project required maintaining operation of existing active treatment facilities on site during construction. Site and construction areas were limited and required substantial coordination to keep existing plant on line until new facilities were operational. Project also included demolition of existing facilities once new plant was on line.

#### Contract Period / Cost:

Project was completed by Jan 2005. Also confirmed \$8.683M project cost.

#### Contractor Superintendent:

Phillip Morris

#### Contractor Responsibilities:

Contractor is GC for the project responsible for new treatment facilities and rehabilitation of pump stations. Contractor self performed all mechanical process and site piping work. Filed sub-bid project where GC is responsible for coordination.

#### Time of Completion/Delays/Extensions:

Contact indicated that there were project delays due to winter weather conditions but Contractor worked continuously through severe winters. Contact expressed opinion that original project duration may have been too tight and noted that delivery of major treatment system (Zenon) components presented scheduling issues during the project. There were time extensions granted and associated with requested change order work.

#### Change Orders/Claims/Negotiations:

Construction issues were resolved without difficulty in negotiations. There were several Owner and Engineer initiated changes. Contractor maintained progress and began work on changes before 'formal' change orders were processed.

#### Quality of Work:

Contractor performed good work.

#### Project Administration (Submittals, RFIs, Scheduling, Coordination, Etc.):

Contact indicated that Contractor initially was a bit slow in providing construction progress schedule submissions. No other administrative problems were identified.

#### Recommend/Award Future Work:

Yes. Contact would have no problem in awarding future work to this Contractor.

#### Comments/Other Project Considerations:

Contractor did a very good job in maintaining existing facility operations on a tight / difficult site.

## Bidder Reference - Memorandum of Phone Conversation

Date: 4/15 Time: 10:45a C&E Rep: J. Gerhard Job No. J0362  
Bid Project: KCWA Clinton Avenue PS Contractor: Walsh  
Reference Project: Marion WWTP Cost: \$8.52M  
Owner: Town of Marion, MA DPW  
Engineer: Camp, Dresser & McKee, Inc., Providence, RI  
Contact: Rob Zorra Of: Town of Marion DPW  
Title: Superintendent Phone No. 508-748-3540

### Summary of Discussion:

#### Project Description:

Confirmed project description provided by bidder. New additional treatment facilities being constructed from ground up. Project required operation of existing treatment facilities (lagoons) to be maintained during construction including temporary facilities/piping to keep on line.

#### Contract Period / Cost:

Project is approximately 85% complete and 2-months ahead of required construction schedule. Also confirmed \$8.5M project cost.

#### Contractor Superintendent:

Paul Coogan

#### Contractor Responsibilities:

Contractor is GC for the project, self performing all mechanical process and site piping work. Filed sub-bid project where GC is responsible for coordination.

#### Time of Completion/Delays/Extensions:

Contractor is ahead of required project schedule. Expect to be on-line 2-months early.

#### Change Orders/Claims/Negotiations:

Construction issues resolved promptly with no difficulty in negotiations.

#### Quality of Work:

Quality of work has been excellent.

#### Project Administration (Submittals, RFIs, Scheduling, Coordination, Etc.):

No administrative problems identified. Critical coordination of process interruptions and tie-in to temporary systems to maintain existing facility operations performed well. Contractor very well prepared in advance of work to perform shut downs and restarts smoothly and within required time periods. Coordination of sub-contractors also handled very well.

#### Recommend/Award Future Work:

Yes. Contact highly recommends this Contractor.

#### Comments/Other Project Considerations:

Contact expressed disappointment that Contractor was not successful bidder for subsequent construction projects.

# **EXHIBIT G**

April 20, 2005

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# OFFICE MEMO

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**To:** Board  
**From:** Tim Brown  
**Subject:** Cleaning and Lining Proposal  
**Date:** April 15, 2005

Four proposals were received for the Cleaning and Lining project for Greenwich Avenue. This is precipitated by the fact that there are complaints at the end of Greenwich Avenue that have persisted and required continued flushing of our line. It is obvious the unlined cast iron pipe has exposed tubercles that are bleeding to the system causing the tainting of the water with iron deposits. We can no longer continue to allow this to occur. We have not done a cleaning and lining project except for a small piece of steel pipe on one of our infrastructure projects in the past. I believe this pipe is ideally suited for a cleaning and lining project for a dead end connection on Greenwich Avenue. The purpose of this proposed scope of work is to design and develop the cleaning and lining specifications for bidding under our infrastructure program for Greenwich Avenue. There is a great disparity between the prices of the low proposer and the second low proposer of approximately \$14,000. James J. Geremia & Associates, Inc. is considering a manual blow off verses an automated as with C & E Engineering. The proposal did require an automated blow off. I would recommend that we interview, if not all, at least the two lowest proposers and negotiate with them for a fee and scope of work prior to award of this proposal. If the Board wishes to move ahead with the award to James J. Geremia & Associates, Inc. it would be our recommendation. It is important that we do move forward with this project as quickly as possible, and if there is a direction to interview, I would recommend a Special Board Meeting for the interview process. I await the Board's direction at the Board meeting of April 20, 2005 and we are prepared to review the proposals at that time.

CLEANING & LINING  
RFP Opening April 7, 2005 - 10:00 a.m.

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<b>Company</b>	<b>Copies Received</b>	<b>Amount Not to Exceed</b>
James J. Geremia & Associates, Inc.	8	\$14,198.00
Comprehensive Environmental, Inc.	8	\$31,156.00
Pare Engineering Corporation	8	\$39,572.00
C & E Engineering	8	\$28,857.00

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# OFFICE MEMO

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**To:** To File  
**From:** John Duchesneau  
**Subject:** Cleaning and Lining Proposal Review  
**Date:** April 13, 2005

Four proposals were received for opening. Prices ranged between \$14,198 to \$39,572.

James J. Geremia & Associates, Inc.

Provided a not-to-exceed fee of \$14,198 to perform the services. The project schedule indicates approximately 12 weeks to advertising for bids. The proposal discusses the potential deterrence factors associated with the use of an automatic blow off station due to the need for additional approval from the Rhode Island Department of Transportation to discharge water into an existing drain system as well as discharge permitting from the Rhode Island Department of Environmental Management. James J. Geremia & Associates, Inc. indicates that through its work on the 2004 infrastructure design project they believe a manual blow off will adequately serve our purposes. Part of that project incorporates a loop main from another plat into the plat currently fed through Greenwich Avenue as a methodology for increasing flow for better quality water in both plats. James J. Geremia & Associates, Inc. indicates that they intend to evaluate an automatic blow off, but in their preliminary review they feel that a manual blow off may adequately serve this project in consideration of the future loop main. James J. Geremia & Associates, Inc. has provided design and specifications on a previous cement lining job for the Kent County Water Authority regarding the installation of a new main across Middle Road at the Route 4 overpass as part of one of our infrastructure projects. This was not detailed in their infrastructure project work referenced in the proposal, but does demonstrate experience with lining projects. James J. Geremia & Associates construction service hourly rates are lower than the other proposals.

Civil & Environmental Engineering Partners, Inc.

Provided a not-to-exceed fee for the design phases of \$28,857. The project schedule indicates approximately 24 weeks to project bidding. The project milestones for the schedule did not include time for review for the Kent County Water Authority staff or regulatory agencies. C & E's proposal indicates cleaning and lining experience. The technical proposal included the potential consideration of temporarily utilizing the existing Warwick Water connection during construction to facilitate maintaining water service to the Authority customers. The existing Warwick connection was originally designed to accommodate one way service to Warwick due to the fact that Warwick operates at a considerably less hydraulic grade than the Kent County Water Authority and consequently could not service our customers. C & E's proposal considers the installation of an automatic blow off station and did not indicate any concerns regarding the Department of Transportation or DEM permitting requirements. C & E's construction service hourly rates are higher than the lowest proposer pricing.

Comprehensive Environmental, Inc.

Provided a not-to-exceed fee of \$31,156 to complete the design and bidding services. The schedule indicates approximately five months to bidding. The proposal indicates previous cleaning and lining experience. The proposal considers automatic blow off station configuration with de-chlorination to a storm drain. Construction service hourly rates are higher than those shown for the lowest proposer.

Pare Engineering

Provided a not-to-exceed fee of \$39,572 to provide the design and bidding services. The schedule indicates 19 weeks from notice to proceed for completion. Pare Engineering staff indicates considerable cleaning and lining experience. Scope of services considers an automatic blow off station. The construction related services section appears to be somewhat limited in the services to be provided in consideration of the request for proposal requirements. Hourly prices for construction services are considerably higher than the lowest proposer.

## Conclusion

The four proposals demonstrated a wide range of pricing for the design and bidding services. This may be attributed partially to potential design consideration for an automatic blow off which James J. Geremia & Associates, Inc. indicates may not be necessary given the near future infrastructure improvements to provide looped mains in the area. Work on the 2004 infrastructure project perhaps gave James J. Geremia & Associates, Inc. a slight advantage in the proposal process. All of the engineering firms are qualified to perform the services. Considerable pricing differences can be seen in the survey work between all proposals. It may be advantageous to have all of the engineers come in for interviews and negotiation.

Overall James J. Geremia & Associates, Inc. provided the lowest price and generally the lowest hourly rates for construction services related to this project. They have provided successful cement lining of pipe for the Kent County Water Authority on previous infrastructure projects. Cleaning and Lining is more of a technical and management project than design project. James J. Geremia & Associates, Inc. has demonstrated good technical specifications and project management in the past.

# **EXHIBIT H**

April 20, 2005

KENT COUNTY WATER AUTHORITY  
REQUEST FOR BID  
PRINTING AND MAILING SERVICES  
BID OPENING – MARCH 22, 2005 – 10:00 AM

Sealed bids were accepted at the offices of the Kent County Water Authority no later than 10:00 a.m. on March 22, 2005 for the printing and mailing services. The request for Bid Invitation was advertised in the Providence Journal on Tuesday, March 8, 2005. The bid opening was held at 10:00 a.m. Tuesday, March 22, 2005 at which time bids were opened and read out loud at the offices of the Kent County Water Authority per the requirements of the Bid Invitation. A total of 6 bids were received. The project entails printing and mailing services related to KCWA's annual consumer confidence report and Spring/Summer, Fall and Winter newsletters.

- 1) **Barrington Printing, 269 Macklin Street, Cranston, Rhode Island**  
Telephone: 401-943-8300

1 copy of the Bid sheets was received  
20 samples of work were received  
**Total Bid Items 1-12 \$24,243.16**

- 2) **Lawrence & Brooks, Inc., 12 Sheldon Street, Providence, Rhode Island**  
Telephone: 401-274-3200  
Fax: 401-274-3203

5 copies of the Bid sheets were received  
7 samples of work were received  
**Total Bid Items 1-12 \$24,988.60**

- 3) **Document Technologies, Inc., 2220 Plainfield Street, Cranston, RI 02921-2017**  
Telephone: 401-944-6322

1 copy of Bid sheets was received  
No samples of work were received  
**Total Bid Items 1-12 \$29,730.00**

- 4) **Meridian Printing, 1538 South County Trail, P.O. Box 1160, East Greenwich, RI 02818**  
Telephone: 401-885-4882 Ext. 122

1 copy of Bid sheets was received  
5 samples of work were received  
**Total Bid Items 1-12 \$19,494.00**

- 5) **Graphic Image, 561 Boston Post Road, Milford, CT 06460-2635**  
Telephone: 203-877-8787

1 copy of Bid sheets was received  
8 samples of work were received  
**Total Bid Items 1-12 \$15,335.00**

- 6) **Info Graphix, 1380 Soldiers Field Road, Boston, MA 02135**

1 copy of Bid sheets was received  
6 samples of work were received  
**Total Bid Items 1-12 \$41,520.00**

Attendees of Bid Opening were as follows:

Bruce Weisman, Meridian Printing

At this point the following questions were asked and answered:

Q. How will bid be determined?

A. Determination will be based on review of Article 13 and Article 11.

Bid Opening closed at 10:12 a.m.

PRINTING & MAILING SERVICES  
Bid Opening March 22, 2005 - 10:00 a.m.

<b>Company</b>	<b>Acknowledged Receipt of Addendum</b>	<b>Sealed</b>	<b>Signed</b>	<b>Required Samples</b>	<b>Amount</b>
Barrington Printing	Yes	No	Yes	Yes	\$24,243.16
Lawrence & Brooks, Inc.	Yes	No	Yes	Yes	\$24,988.60
Document Technologies, Inc.	Yes	No	Yes	No	\$29,730.00
Meridian Printing	Yes	Yes	Yes	Yes	\$19,494.00
Graphic Image	No	Yes	Yes	Yes	\$15,335.00
Info Graphix	No	No	Yes	Yes	\$41,520.00

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# OFFICE MEMO

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**To:** Timothy Brown  
**From:** John Duchesneau  
**Subject:** Printing and Mailing Services Bid Evaluation  
**Date:** March 28, 2005

Six bids were received for the printing and mailing services related to the Kent County Water Authority annual consumer confidence report and newsletters. All the bids were reviewed and the bid submitted from Document Technologies, Inc. was found to be noncompliant with Article 2.1 of the bid documents. Document Technologies, Inc did not provide samples of printed work for evaluation. The three lowest bids were evaluated.

Barrington Printing provided a bid price of \$24,243.16 to perform the work. This is \$8,908.16 more than the lowest bid. Review of the examples of printed material included with the bid reflect quality similar to the lowest bidder. Barrington Printing provided last years printing services without any problems.

Meridian Printing provided a bid price of \$19,494.00 to provide the printing and mailing services. The examples of printed work included with the bid submission reflect good quality. Bid items 6, 9 and 12 were found to be incorrectly computed. Based on the 27,000 copies at \$ .04881 each copy, the total amount for each of these line items should be \$1, 317.87. The bid reflects \$1,210. Totaling all the bid item figures using the revised line items results in a total bid price of \$19,817.61. In most of the other bid line items the total amount was found to be rounded by the bidder to the nearest dollar. So each line item does not reflect cents.

Graphic Image submitted a total bid price of \$15,335.00 to perform the printing and mailing services. Review of the examples of printed material provided with the bid submission reflect good quality. This company also submitted a copy of the Wallingford Water Division 2002 water quality report which reflects that they are familiar with this type of brochure. The totals shown in the bid were found to be rounded to the nearest dollar and do not reflect cents.

In review of the bids, it appears that Graphic Image is familiar with the type of printing and mailing services required in the bid. Graphic Image also provided the lowest bid price. Because of the considerable difference in total price we asked Graphic Image to review their calculations to assure they could provide the services at these prices. On March 28, 2005 Graphic Image provided written confirmation that the prices were correct for the bid. This letter is attached.



COMMERCIAL PRINTING MAC & PC DIGITAL SERVICES  
FULL SERVICE MAILING FULFILLMENT

WWW.GRAPHICIMAGE.NET

March 28, 2005

Kent County Water Authority  
1072 Main Street  
West Warwick, RI 02893

Attn: John Duchesneau

**Bid Professional Services Related to Printing and Mailing Services**

**Graphic Image has reviewed the prices and they are correct as stated in the bid.**

Thank you,

A handwritten signature in black ink, appearing to read "Leigh Danenberg". The signature is written in a cursive style with a large loop at the end.

Leigh Danenberg

# **EXHIBIT I**

April 20, 2005

# CHANGE ORDER

No. 4

DATE OF ISSUANCE 03-30-2005

EFFECTIVE DATE: \_\_\_\_\_

OWNER Kent County Water Authority  
 CONTRACTOR C.B Utility Co., Inc.  
 Contract: Black Rock Road Area Transmission Mains  
 Project: Same as above  
 OWNER's Contract No. CIP 4 ENGINEER's Contract No. \_\_\_\_\_  
 ENGINEER Garofalo & Associates, Inc.

You are directed to make the following changes in the Contract Documents:

**Description:**

Delete the item in the contract for pipe ramming, and replace with an above grade culvert crossing as shown on drawing titled: "Hope Mill Culvert Crossing Details."

**Reason for Change Order:**

The contract has been modified to accommodate concerns about the stability of material in the vicinity of the proposed pipe ramming.

**Attachments:** (List documents supporting change) plan titled "Hope Mill Culvert Crossing Details," document titled; "Change Order for Work Over Hope Mill Culvert."

CHANGE IN CONTRACT PRICE:
Original Contract Price <u>\$5,359,886.00</u>
Net Increase (Decrease) from previous Change Orders No. <u>1</u> to <u>3</u> (CO 3 WAS NOT APPROVED) <u>\$48,482.12</u>
Contract Price prior to this Change Order: <u>\$5,408,368.12</u>
Net increase (decrease) of this Change Order: <u>\$4,237.26</u>
Contract Price with all approved Change Orders: <u>\$5,412,605.38</u>

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: _____ Ready for final payment: _____ (days or dates)
Net change from previous Change Orders No. <u>1</u> to No. <u>3</u> Substantial Completion: _____ Ready for final payment: _____ (days)
Contract Times prior to this Change Order: Substantial Completion: _____ Ready for final payment: _____ (days or dates)
Net increase (decrease) of this Change Order: Substantial Completion: _____ Ready for final payment: _____ (days)
Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for final payment: _____ (days or dates)

RECOMMENDED:

Garofalo & Associates, Inc.

By: [Signature]  
ENGINEER (Authorized Signature)

APPROVED:

By: \_\_\_\_\_  
OWNER (Authorized Signature)

ACCEPTED:

By: [Signature]  
CONTRACTOR (Authorized Signature)

Date: 3/30/05

Date: \_\_\_\_\_

Date: 4/5/05

<b>CHANGE ORDER FOR WORK OVER HOPE MILL CULVERT</b>					
2	TEST PITS	TO BE PAID FOR AT THE CONTRACT UNIT PRICES			
11	F& I 24" CLDIP	TO BE PAID FOR AT THE CONTRACT UNIT PRICES			
26	F& I 24" CLDI 1/8 BEND	TO BE PAID FOR AT THE CONTRACT UNIT PRICES			
69	AIR RELEASE VALVE	TO BE PAID FOR AT THE CONTRACT UNIT PRICES			
73	TEMP AND PERM PATCH	TO BE PAID FOR AT THE CONTRACT UNIT PRICES			
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT COST	EXT. COST
	R & D SIDEWALK	1	LS	\$ 5,000.00	\$ 5,000.00
	INSULATION OF PIPE	1	LS	\$ 14,740.00	\$ 14,740.00
	F & I FORM, CONCRETE, FINISH, REM. FORMS, RESET CURB	1	LS	\$ 12,196.00	\$ 12,196.00
	GROUT/ BEDDING UNDER PIPE	1	LS	\$ 3,000.00	\$ 3,000.00
	R & D GUARD RAIL	30	FT	\$ 17.00	\$ 510.00
	F & I GUARD RAIL W/ END SECT.	40	FT	\$ 47.00	\$ 1,880.00
	F & I CAGE	1	LS	\$ 16,911.26	\$ 16,911.26
	<b>TOTAL FOR NON ITEM WORK, TO BE PAID FOR IN CHANGE ORDER</b>				<b>\$ 54,237.26</b>
	<b>CREDIT FOR PIPE RAMMING TO BE INCLUDED IN CHANGE ORDER</b>				<b>\$ (50,000.00)</b>
	<b>NET VALUE FOR CHANGE ORDER</b>				<b>\$ 4,237.26</b>

# **EXHIBIT J**

April 20, 2005



Garofalo & Associates, Inc.

Civil & Structural Engineers  
Surveyors \* Land Planners  
Environmental Scientists

Revised April 18, 2005  
December 17, 2004

Mr. Jack Henderson, P.E.  
Senior Project Manager – Water/Wastewater  
**RIZZO ASSOCIATES**  
One Grant Street  
Framingham, MA 01707-9005

**RE: Task Order #2 – Construction Supervision Services**  
**KCWA Capital Improvement Project #4**  
**Black Rock Road Water Improvements**  
**Change Order #1 – Request for Additional Manhours & Fees**

Dear Jack:

Enclosed herewith, for Kent County Water Authority (KCWA) and your review, is a Request for Additional Engineering Manhours and Fees to extend our Construction Services through completion under Task Order #2. As you know, *Garofalo & Associates, Inc. (Garofalo)* has been actively engaged in providing both Contract Administration and Resident Inspection services throughout the 2004 construction season and the startup of the 2005 season as well. During that time, C.B. Utilities has made a concerted effort, utilizing two (2) crews with some overtime, to complete most of the water pipeline and services by the end of this construction season. During that same period, *Garofalo* has expended more man-hours than we originally estimated due to the contractor's intense efforts.

Based on the contractor's current schedule as of April 1, 2005, C.B. Utilities worked through most of the month of January 2005 to complete approximately 50% of the service work and some mainline tie-ins. During the winter shutdown, the contractor reviewed and maintained the paved trenches and worked with our office to resolve most of the outstanding issues and complete the red line as-built drawings. Beginning early spring of 2005, C.B. Utilities completed the testing and chlorination of the main lines and anticipates completing the remaining water services and tie-ins, abandonment of the old water main, construction of the Hope Mill culvert crossing and of the remaining water main system. Based on C.B. Utility's latest schedule, this work will be completed using two (2) crews for a period of 3-months with the final paving work scheduled for completion thereafter using one (1) crew for a period of approximately one (1) month.

To date, *Garofalo*, with Rizzo Associates, Inc. (*Rizzo*), has most of our estimated manhours that were budgeted for this project. Due to the intense construction efforts by the contractor, to complete the project this construction season, *Garofalo* estimates that our remaining man-hour budget was under estimated and is insufficient to continue the Construction Management services required to complete this project through the end of the project in 2005.

85 Corliss Street, Post Office Box 6145, Providence, Rhode Island 02940  
Phone: (401) 273-6000 \* Fax: (401) 273-1000 \* E-Mail: [admin@garofaloassociates.com](mailto:admin@garofaloassociates.com)  
Visit our Web Site at [www.garofaloassociates.com](http://www.garofaloassociates.com)





Revised April 18, 2005  
Mr. Jack Henderson, P.E.  
Page 2

Therefore, *Garofalo* and *Rizzo* respectively requests additional man-hours and fees to continue our construction services. For your review, we have prepared a detailed Summary of the additional man-hours needed for the anticipated construction services through project completion based on the contractor's latest schedule.

Should you or members of your Board have any questions or comments regarding this request, we would be pleased to meet with you at your convenience.

Sincerely,  
*Garofalo & Associates, Inc.*

Carl J. Adamo, P.E.  
Vice President of Engineering

CAJ:raf

Attachment

cc: Kevin Fitta; KCWA  
Steven B. Garofalo;  
File



**GAROFALO***Revised April 18, 2005*

**Summary of Additional Man-hours and Fees for Construction Services  
KCWA Capital Improvement Project #4 - Black Rock Road Water Improvements  
Towns of Coventry and Scituate, RI**

*A. Estimate of Additional Man-hour and Fees for Construction Services:*

Our original estimate was based on a 15-month project period for one (1) crew of active construction work that included construction of approximately 25,000 LF of new 16-inch and 20-inch water transmission mains with services that included both temporary pavement patching and full width final pavement restoration. Through the month of January 2005, we have provided services for a term of 10-months (April 04 - January 05) utilizing an average of 1.5 crews through that time. This construction term results in a net 15-month term, given that two (2) crews were used by the contractor approximately 50% of the active construction time to complete a majority of the pipeline work, excluding the final paving.

Based on our review of the current billing records, most of our manhours budgeted for this work has been exhausted as of the end of January 2005, but have continued to provide these services to the Authority with anticipation of the approval of this change order request..

In order to complete the Construction Management services through the final paving phase in September 2005 for this project, based on C.B. Utilities April 1, 2005 construction schedule, we estimate the need for an additional 4-month period (17 weeks) of resident inspection services for April, May, June and September. Also we estimate the need for an additional 6 month period (26 weeks) of contract administration services from February thru June and the month of September for paving and project closeout.

Note: Our estimate of additional resident inspection man-hours is based on 2 crews for a period of approximately 3-months or 120 Days (@ 20 days/month/crew) to complete the remaining water services, mainline tie-ins, construction of the Hope Mill culvert crossing and to complete the testing and chlorination of the remaining water system. To complete the final paving and project closeout, C.B. Utilities anticipates using one (1) crew for a period of approximately one (1) month.

The following is a detailed summary of these additional services with our man-hour estimate with associated fees required to complete the Construction Services phase of this contract based on the contractor's estimated schedule through the project completion in September, 2005.



**GAROFALO****B. Additional Manhours and Fees Estimate for Construction Services:**

Description of Work	Rizzo	Garofalo				TOTAL
	Project Manager (4 hrs/wk @ 26 weeks)	Project Engineer (10 hrs/wk @ 26 weeks)	Constr. Supervisor (6 hrs/wk @ 26 weeks)	Tech/ Drafter	Constr. Inspector (40 hrs/wk @ 17 weeks)	
1. Contract Administration & Shop Drawing Review	104	260	156	0	0	520
2. Resident Inspection (2 crews for 3 mos. & 1 crew for 1 mo.)	0	0	0	0	1120	1120
<b>TOTAL</b>	<b>104</b>	<b>260</b>	<b>156</b>	<b>0</b>	<b>1120</b>	<b>1640</b>

<u>Classification</u>	<u>Additional Manhours</u>	<u>Hourly Rates*</u>	<u>Amount Requested</u>
Project Manager	104	\$95.00	\$ 9,880.00
Project Engineer	260	\$75.00	\$19,500.00
Staff Eng./Construction Supervisor	156	\$63.00	\$ 9,828.00
Tech/Draft	0	\$48.00	\$0.00
Construction Inspector	<u>1120</u>	<u>\$40.00</u>	<u>\$44,800.00</u>
Subtotal	1640		\$84,008.00

Direct Expenses (i.e. Mileage, Printing, Miscellaneous - See breakdown) \$2,009.60 (Budget)  
**Total Additional Budget Amount Requested: \$86,017.60**

**C. Breakdown of Budgeted Direct Expenses:**

Our estimate for Direct Expenses has been based on the following:

➤ Mileage: Resident Inspector - 140 days @ 40 miles/day x (\$.32/mile) = \$ 1,792.00  
Office Staff - 17 days @ 40 miles/day x (\$.32/mile) = \$ 217.60  
**Subtotal \$ 2,009.60**

\* Construction Administration and Inspection Billing Rates as of April 1, 2005 per agreement.

<u>Classification</u>	<u>Projected Hourly Billing Rates as of 4-1-05</u>
Project Manager	\$95.00
Project Engineer	\$75.00
Staff Engineer	\$63.00
Tech/Drafter	\$48.00
Resident Inspector	\$40.00
➤ Mileage @ \$.32/mile	
➤ Printing remain the same	



# **EXHIBIT K**

April 20, 2005



Garofalo & Associates, Inc.

Civil & Structural Engineers  
Surveyors \* Land Planners  
Environmental Scientists

October 20, 2004

Mr. Kevin J. Fitta, P.E.  
Project Manager  
**KENT COUNTY WATER AUTHORITY**  
1072 Main Street  
P. O. Box 192  
West Warwick, RI 02893-0192



**RE: Kent County Water Authority  
Black Rock Road Transmission Mains  
Our Project #5949.01  
Change Order #3 - Change in conditions**

Dear Mr. Fitta:

As you are aware, C.B. Utility made a claim of differing subsurface conditions on June 8, 2004, citing a shortfall in suitable backfill material at the start of the project. After initial discussion, *Garofalo & Associates, Inc. (Garofalo)* decided that the Contractor had not made a case for differing subsurface conditions. However, there was a short fall of material suitable for backfill in the initial phase of the project. After several meetings and exchanges, the Contractor drafted a letter, dated August 31, 2004, in which the Contractor cited Section 02221, Subsection 3.9 of the contract, which stated:

“Upon completion of the backfilling of the trenches, if there is surplus material not satisfactory for refill or which cannot be utilized at other sites within this Contract at that time, the Contractor shall dispose of this surplus material.”

This section is not consistent with Section 01025 of the specification; which stipulates that payment for stockpiling and transporting material to be used as borrow is to be included in lineal foot price for the installation pipe.

In an effort to mitigate the use of borrow material, the Contractor has been, in good faith, stockpiling excavated suitable material as the work has progressed. A remaining surplus of excavated material has been, and will continue to be, stockpiled for use as borrow.

As requested in the October 13, 2004 letter from Kent County Water Authority to Rizzo Associates, *Garofalo* has negotiated a unit price to be added as a line item into the contract. The contractor has agreed to a price of \$14.00/CY.



The RIDOT Weighted Average Unit Price (2004) for common borrow for all uses (including use in trenches **and** in areas of bulk excavation/embankment) is \$11.41/CY. On other utility projects, *Garofalo* has had recent claim values for borrow material as high as \$20.00/CY that was negotiated to \$16.00/CY. On a recently bid utility construction project, CB Utility included a unit cost of \$14.00/CY for borrow material (8,600 CY), while another contractor was as high as \$15.00/CY. Considering available unit bid prices, the general inflation in the construction industry, rising fuel, trucking and material costs, and the contractor's construction methods, *Garofalo* feels the unit cost is equitable. *Garofalo* is recommending adding an estimated quantity of 2000 CY (of which 1700 CY has already been used), to allow for the unlikely need for additional material.

*Garofalo* recommends that the Water Authority consider and approve Change Order #3 in the amount of **Twenty-Eight Thousand (\$28,000.00) Dollars** so that we can resolve this outstanding issue.

Please contact this office if you have any questions or desire additional information.

Sincerely,  
*Garofalo & Associates, Inc.*



William J. Cotter, P.E.  
Project Engineer

cc: *Garofalo & Associates* - Carl Adamo, P.E., Ken Kalajian  
Rizzo Associates - Dave George, P.E.  
C.B. Utility - Joseph Brito, Jr.



# CHANGE ORDER

No. 3

DATE OF ISSUANCE 10-19-2004

EFFECTIVE DATE: \_\_\_\_\_

OWNER Kent County Water Authority  
 CONTRACTOR C.B Utility Co., Inc.  
 Contract: Black Rock Road Area Transmission Mains  
 Project: Same as above  
 OWNER's Contract No. CIP 4 ENGINEER's Contract No. \_\_\_\_\_  
 ENGINEER Garofalo & Associates, Inc.

You are directed to make the following changes in the Contract Documents:

**Description:**

Placement of Borrow Material as required by the engineer.

**Reason for Change Order:**

Addition of line item to pay for replacement of unsuitable material with borrow from offsite.

**Attachments:** (List documents supporting change) Letters: 6/8/04, 6/14/04, 6/17/04, 7/7/04, 8/31/04, 10/20/04 *pmc, wsc*

CHANGE IN CONTRACT PRICE:
Original Contract Price <u>\$5,359,886.00</u>
Net Increase (Decrease) from previous Change Orders No. <u>1</u> to <u>2</u> <u>\$48,482.12</u>
Contract Price prior to this Change Order: <u>\$5,408,368.12</u>
Net increase (decrease) of this Change Order: <u>\$28,000.00</u>
Contract Price with all approved Change Orders: <u>\$5,436,368.12</u>

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: _____ Ready for final payment: _____ (days or dates)
Net change from previous Change Orders No. _____ No. _____ Substantial Completion: _____ Ready for final payment: _____ (days)
Contract Times prior to this Change Order: Substantial Completion: _____ Ready for final payment: _____ (days or dates)
Net increase (decrease) of this Change Order: Substantial Completion: _____ Ready for final payment: _____ (days)
Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for final payment: _____ (days or dates)

RECOMMENDED: *[Signature]*  
 Garofalo & Associates, Inc.

APPROVED:

ACCEPTED:

By: *[Signature]* By: \_\_\_\_\_  
 ENGINEER (Authorized Signature) OWNER (Authorized Signature)

By: *[Signature]*  
 CONTRACTOR (Authorized Signature)

Date: 10.19.04

Date: \_\_\_\_\_

Date: 10/20/04

# C. B. UTILITY CO., INC.

99 Tupelo Street  
Bristol, Rhode Island 02809  
TEL. (401) 253-9277 Fax: (401) 253-0450

General Contractors

DIVISIONS:  
PIPELINE TRANSMISSION & DISTRIBUTION  
SEWER • WATER • SITEWORK  
EQUIPMENT RENTALS

August 31, 2004

William J. Cotter  
Garofalo & Associates, Inc.  
85 Corliss Street  
P.O. Box 6145  
Providence, RI 02940

Re: Black Rock Road Water Transmission Main

Dear Mr. Cotter:

We are in receipt of your letter dated August 13, 2004 and have the following response:

- We too are concerned that so much time has gone by relative to this matter, which is the reason why over the past several weeks, we have made several attempts to meet. It has been your office that has been unable to meet for various reasons. We are available to meet at your convenience to resolve this matter.
- As a point of record, the paragraph "...*In order to determine...a differing site condition may exist...*" you refer to in your letter is not part of the contract documents, but was part of your 6/17/04 letter to which we have formally taken exception to (in CBU July 7, 2004 letter).

We believe Garofalo's contract summary interpretations made in its 6/17/04 letter are broad and unsupported. In this letter, the Engineer states, "*the means, methods and sequencing of the project are the responsibility of the Contractor... [and] had the work started at a different location, a more suitable backfill material could have been found earlier, building a surplus of material that could be used in more difficult areas... [and] the test pit excavation "data" could have been used to adjust sequencing to start construction in a less rocky area*".

These assertions certainly beg many questions, not least of which are the following:

- *Where in the Contract Documents does it define that it is the responsibility of the Contractor for the overall balancing of unsuitable material with suitable material? This is indisputably a significant task clearly worthy of definition in the Contract.*
- *Where in the Contract Documents does it define that it is the responsibility of the Contractor to utilize test pit data [definition unknown] for determining the sequence of work in order to "build a surplus of material [for] more difficult areas"? In fact,*

Mr. W. J. Cotter  
August 31, 2004  
Page 2 of 2

the Contract Specifications do not state this. Per Specification Section 02221 Part 3.12 Test Pit Excavation, the only purpose of test pits is "to locate existing underground facilities".

- *If it is the Engineer's interpretation that the Contractor is responsible for building a surplus of material, then why is this contrary to the Specification definition of Surplus Material? Per Specification Section 02221 Part 3.9 Surplus Material, "upon completion of backfilling trenches, if there is surplus material ... which cannot be utilized at other sites within this Contract at that time, the Contractor shall dispose of this surplus material". This definition is clear and straightforward and certainly cannot be interpreted as meaning the Contractor is responsible for stockpiling surplus material for areas which may need additional material [say] 6 months from that time.*

These are the views of a layman; we will leave the legal interpretations of the contract to the lawyers and the tribunal. Our position remains that we be fairly compensated for furnishing the imported borrow material. Again, please contact us to schedule a meeting to resolve this matter at your earliest convenience. If you have any question or comments, please feel free to call me at the office (401) 253-9277 or my mobile phone (401) 639-1577.

Very truly yours,

C. B. UTILITY CO., INC.



Joseph M. Brito, Jr.  
Vice President

# C. B. UTILITY CO., INC.

99 Tupelo Street  
Bristol, Rhode Island 02809  
TEL. (401) 253-9277 Fax: (401) 253-0450

70002 8-1016  
RECEIVED

*General Contractors*

DIVISIONS:  
PIPELINE TRANSMISSION & DISTRIBUTION  
SEWER • WATER • SITEWORK  
EQUIPMENT RENTALS

July 7, 2004

Mr. William Cotter  
Garofalo & Associates  
85 Corliss Street  
P.O. Box 6145  
Providence, RI 02940

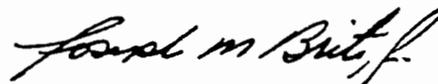
RE: Black Rock Road Project – CIP 4

Dear Mr. Cotter,

Pursuant to Article X of the Standard General Conditions of the Construction Contract, Subsection 10.05(B)(2), C. B. Utility hereby gives notices of its intention to appeal from the decision of William J. Cotter (the "Engineer") set forth in his letter dated June 17, 2004, to Mr. Kevin Fitta, Project Manager, Kent County Water Authority.

Respectfully I remain,

C. B. Utility Co., Inc.



Joseph M. Brito, Jr.  
Vice President

JMB/ema

Enclosure – Letter of June 17, 2004

June 17, 2004

Mr. Kevin J. Fitta, P.E.  
Project Manager  
**KENT COUNTY WATER AUTHORITY**  
PO Box 192  
1072 Main Street  
West Warwick, RI 02893-0192

Dear Mr. Fitta:

I am in receipt of the CONTRACTOR'S notification of Differing Subsurface or Physical Conditions (Differing Conditions) as discussed in subsection 4.03, of Article IV of the Standard General Conditions of the Construction Contract. Based on previous conversations and meetings with the CONTRACTOR, it is my understanding that the CONTRACTOR intends to seek compensation should a Differing Condition exist. According to Article IV, Section 4.03.B, the ENGINEER will promptly review the pertinent condition and determine the necessity of the OWNER'S obtaining additional exploration or tests with respect thereto and advise OWNER in writing (with a copy to the CONTRACTOR) of Engineer's findings and conclusions.

Section 1025-1.8.B.1 of the contract, states that the contractor shall be fully compensated for "...washed stone bedding, placement and compaction of select borrow,..." in the payment for items 5 through 11, Furnish and Installation Class 52 D.I. Pipe-All Depths, therefore no additional item is necessary and no additional compensation is warranted. This section places the responsibility of backfill material on the CONTRACTOR. The contract states in Section 02221-2.1.A.1 that "Excavated material from on-site sources and which meets these specifications may be used for Common Fill." Section 02221-3.7.A.5 states "All ordinary and select borrow for backfilling shall be obtained from the excavated trench material at the site or excess material from other construction sites within this contract."

The CONTRACTOR'S position that a Differing Condition exists is based on the determination that the material on site was not suitable for backfill because of boulder content. I suggest that there may be some confusion over exactly what is unsuitable. With the exception of some material recently excavated, the bulk of the excavation has consisted of a gravelly, sandy mix with large boulders. Many of the boulders are over 6 inches in diameter, which makes some of the boulders and rock unsuitable for backfill, not the remainder of the excavated material. Section 2221-3.7.A.7, Trenching, Backfilling and Compacting-Backfilling and Compacting, states: "All rock and boulders shall be kept separate from the excavated earth and properly disposed of by the CONTRACTOR. No excavated rock or boulders shall be used as backfill in the pipe trench." The previous statement obviously expects the Contractor to separate rock and boulder from the material to be used as backfill. Section 2227-1.3.B, Rock Removal-Definitions, clarifies that the term boulder refers to material greater than and less than the one (1) cubic yard necessary to be paid for as rock removal.

## Summary

Based on the reasons below, I have **not** determined that a Differing Condition exists:

1. The requirement that ordinary borrow be taken from the material on site implies the expectation that over the full length of the job, there will be enough surplus material to provide the necessary backfill. Considering the size and depth of the pipe, the



bedding, the gravel base and the pavement, it is expected that there would be a significant surplus of material at the conclusion of the project. It is not reasonable to assume, based on the initial 1000 feet, that the entire 29,000 linear feet of construction will have a consistent soil profile and that the project, as a whole, will have a deficit of suitable backfill material.

2. The means, methods and sequencing of the project are the responsibility of the CONTRACTOR. Had the work started at a different location, a more suitable backfill material could have been found earlier, building a surplus of material that could be used in more difficult areas.
3. The last pay estimate contained a quantity of 271 cubic yards of test pit excavation. That data could have been used to adjust the sequencing to start construction in a less rocky area.
4. To date, I am not aware of any mechanical or manual separation of rock from the material or stockpiling of material by the CONTRACTOR, as required by the contract. Section 02221-3.7.A.7 is completely clear, and unambiguous, the boulders and rock must be separated from the excavated earth. Unless an effort is made to use the on-site material, it will not be possible to determine if there was a legitimate short fall of suitable on site material over the whole project.

In order to determine if there is a Differing Condition, accurate excavation records shall be kept by the CONTRACTOR and reviewed by the ENGINEER in the field. These records will have to show the total volume of material excavated, the process used to separate the boulders and rock, the volumes of suitable backfill and unsuitable backfill and the volume of rock/boulder in excess of 6 inches in diameter removed from the material. If after that analysis it is determined that there is a shortfall of suitable material over the entire job, a Differing Condition may exist.

While there is room for some interpretation of the contract, I believe that based on the requirements of suitable backfill in the contract, the CONTRACTOR should have expected the potential for a short-term deficit at the start of the project. Should there be a deficit over the entire job, it would be reasonable to agree with Mr. Brito's, assertion of Differing Conditions.

Sincerely,  
*Garofalo & Associates, Inc.*



William J. Cotter,

Cc: Mr. Joseph Brito, Jr.  
C B Utilities  
99 Tupelo Street  
Bristol, RI 02809



# C. B. UTILITY CO., INC.

99 Tupelo Street  
Bristol, Rhode Island 02809  
TEL. (401) 253-9277 Fax: (401) 253-0450

General Contractors

DIVISIONS:  
PIPELINE TRANSMISSION & DISTRIBUTION  
SEWER • WATER • SITEWORK  
EQUIPMENT RENTALS

June 14, 2004

Mr. William J. Cotter, PE  
Project Engineer  
Garofalo & Associates  
85 Corliss Street  
Providence, RI 02940

**FAXED**  
6-15-04

Re: Differing subsurface conditions

Dear Mr. Cotter:

C.B. Utility Co. (CBU) has reviewed your email responses relative to our notification of differing subsurface conditions and has the following comments:

1. CBU understands that backfill material above the processed pipe bedding / blanket and below the processed roadway bedding shall be Ordinary Borrow (Common Fill) as defined under the following Specification Section:

*02221 Trenching, Backfilling and Compacting 2.1.A.1 Ordinary Borrow: Shall consist of a friable material and contain no objects greater than 6 inches in diameter, contain no more than 30 percent by weight finer than No. 200 sieve, and be free of trash, ice, snow, tree stumps and roots. Excavated material from on site sources and which meets these specifications may be used for Common Fill.*

2. CBU understands that this Ordinary Borrow backfill material shall be obtained from the excavated trench material as specified under the following Specification Section:

*02221 Trenching, Backfilling and Compacting 3.7.A.5 All ordinary and select borrow for backfilling shall be obtained from the excavated trench material at the site, or excess material from other construction sites within this Contract.*

3. CBU is segregating boulders & rock from excavated material in accordance with the following Specification Sections:

*01025 Measurement & Payment, 1.2.A.1.a. Classification of Excavation: All excavation will be classified as either earth or rock. Rock excavation shall be igneous, sedimentary, metamorphic and conglomerate rock, which must be drilled and blasted, broken or ripped by power equipment, and boulders one (1) cubic yard or more in volume, and concrete or stone masonry. All other materials encountered in the excavations will be classified as earth.*

Mr. William J. Cotter, PE  
June 14, 2004  
Page 2 of 2

*02227 Rock Removal 1.3A, B Rock excavation: Rock which requires wedging or impact hammer for its removal. Concrete which meets the above definition shall be classified as rock. Boulders, slabs or other single pieces of material encountered which are less than one (1) cubic yard shall not be considered rock.*

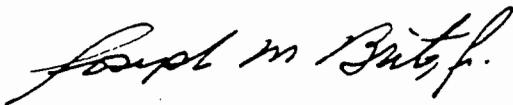
*02221 Trenching, Backfilling and Compacting 3.7.A.7 All rock and boulders shall be kept separate from the excavated earth and properly disposed of by the Contractor. No excavated rock or boulders shall be used as backfill in the pipe trench.*

4. Unfortunately, after rock and boulders one (1) cubic yard have been removed by CBU from the excavated material, much of the remaining material has stones and cobbles larger than 6" in diameter. This material, therefore, does not meet the Ordinary Borrow specifications and is not allowed as backfill.
5. Hence, there is ongoing shortfall of Ordinary Borrow material available from the excavated material. Due to this shortfall, it has been necessary for CBU to import makeup borrow material.
6. There is currently no bid item available to address imported borrow material.
7. CBU requests additional compensation of \$13.50 / CY to cover the costs for furnishing the imported borrow material based upon actual loads delivered.

If you have any questions regarding this matter, please contact the undersigned at (401) 253-9277.

Very truly yours,

C. B. UTILITY CO., INC.



Joseph M. Brito, Jr.  
Vice President

Cc: Mr. Timothy J. Brown, PE, KCWA General Manager/Chief Engineer  
Mr. Michael P. DeFanti, Esq., Hinckley, Allen & Snyder LLP

# C. B. UTILITY CO., INC.

99 Tupelo Street  
Bristol, Rhode Island 02809  
TEL. (401) 253-9277 Fax: (401) 253-0450

General Contractors

DIVISIONS:  
PIPELINE TRANSMISSION & DISTRIBUTION  
SEWER • WATER • SITEWORK  
EQUIPMENT RENTALS

June 8, 2004

**FAXED**  
6-10-04

Mr. William J. Cotter, PE  
Project Engineer  
Garofalo & Associates  
85 Corliss Street  
Providence, RI 02940

Re: Differing Subsurface Conditions

Dear Mr. Cotter:

Pursuant to Article IV of the Standard General Conditions of the Construction Contract, Subsection 4.03 *Differing Subsurface or Physical Conditions*, C. B. Utility (the Contractor) hereby gives written notice of the unsuitable backfill material conditions encountered that we have previously discussed with you (the Engineer) and which you addressed in Paragraph No. 1 of your e-mail letter dated June 2, 2004.

In accordance with the General Conditions, we have also notified the Owner of the above under a separate cover letter. If you have any questions or comments, please contact the undersigned at (401) 253-9277.

Very truly yours,

C. B. UTILITY CO., INC.



Joseph M. Brito, Jr.  
Vice President

Cc: Mr. Michael P. DeFanti, Esq., Hinckley, Allen & Snyder LLP

# **EXHIBIT L**

April 20, 2005

**TASK ORDER NO. 2**

**AGREEMENT BETWEEN  
KENT COUNTY WATER AUTHORITY  
AND  
ENGINEER FOR SERVICES**

This is Task Order No. 2 attached to and made part of the Agreement dated 22 March 2004 between James J. Geremia & Associates, Inc. (ENGINEER) and Kent County Water Authority (OWNER). This Task Order describes the Scope of Services and Payment Conditions required for the Task Order known as:

**1. SCOPE OF SERVICES**

ENGINEER shall provide for OWNER the following additional specific services for the **2004 Infrastructure Water System Main Replacements**:

PRELIMINARY DESIGN SERVICES

ENGINEER will provide additional Engineering Design Services to connect Sutter Avenue to Plantation Street and to connect Tanner Avenue to Greenwich Avenue as outlined in the ENGINEER'S letter dated April 5, 2005 as follows:

1.1 The Sutter Avenue water main extension will commence at Sutter Avenue and Gilbert Street and proceed easterly to Genetian Avenue. On Genetian Avenue, the water main will proceed northerly along the westerly edge of the paved swale onto Blue Hill Drive. On Blue Hill Drive, the water main will proceed easterly to the intersection of Plantation Street. The design engineering services include:

- Planimetric mapping by field surveys by Marc N. Nyberg Associates, Inc. (spot elevations every 50-feet)
- Field location of Genetian Avenue right-of-way (see attached sketch)
- Wetland flagging by Applied Bio Systems, Inc.
- Submit plans to RIDEM-Wetlands Division for a Preliminary Determination
- Design of the water main

1.2 The Tanner Avenue water main extension will commence in the vicinity of the existing fire hydrant on Tanner Avenue and proceed along Tanner Avenue to Kettle Street. On Kettle Street, the water main will proceed in an easterly direction to Greenwich Avenue. The water main will require an

above-grade crossing at the existing stone culvert. The design engineering services include:

- Planimetric mapping by field surveys by Marc N. Nyberg Associates, Inc. (spot elevations every 50-feet)
- Wetland flagging by Applied Bio Systems, Inc. at culvert crossing.
- Submit plans to RIDEM-Wetlands Division for a Preliminary Determination
- Two (2) soil borings at the culvert crossing

**3. COMPENSATION INVOICING**

3.1 The method of payment for services rendered by the ENGINEER as outlined in Sections 1.1 and 1.2 of this Task Order shall be as follows:

Sutter Avenue Engineering Design Fees:

Field Survey	\$ 2,000.00
Genetian Avenue right-of-way	3,500.00
Wetlands Delineation and Impact	
Avoidance and Minimization Statement	750.00
Design Services	<u>2,260.00</u>
<b>Total</b>	<b>\$ 8,510.00</b>

Tanner Avenue Engineering Design Fees:

Field Survey	\$ 3,600.00
Wetlands Delineation and Impact	
Avoidance and Minimization Statement	750.00
Soil Borings	1,350.00
Design Above-Grade Crossing of	
Existing Culvert	5,000.00
Design Services	<u>3,920.00</u>
<b>Total</b>	<b>\$ 14,620.00</b>

3.2 Additional Services:

- 3.2.1 Wetlands application fee (by KCWA)
- 3.2.2 Traffic control by Police.

3.2.3 If KCWA requires the establishment of the right-of-way for the FOP property along Kettle Street, Marc N. Nyberg Associates, Inc. will perform the work based upon the following hourly rates. These rates are inclusive of payroll, fringe benefits, overhead and profit.

Registered Land Surveyor	\$115.00
Field Crew	\$ 85.00
Office Calculations	\$ 85.00
Researcher	\$ 65.00

Acceptance of the terms of this Task Order is acknowledged by the following authorized signatures of the parties to the Agreement.

**OWNER**

**KENT COUNTY WATER AUTHORITY**

By: \_\_\_\_\_

Francis J. Perry, Jr., P.E.

Title: Chairman

Date: \_\_\_\_\_

**ENGINEER**

**JAMES J. GEREMIA & ASSOCIATES, INC.**

By: \_\_\_\_\_

James J. Geremia

Title: President

Date: April 6, 2005

A T

2 4 7

P L A T

PLAT



Right-of-way



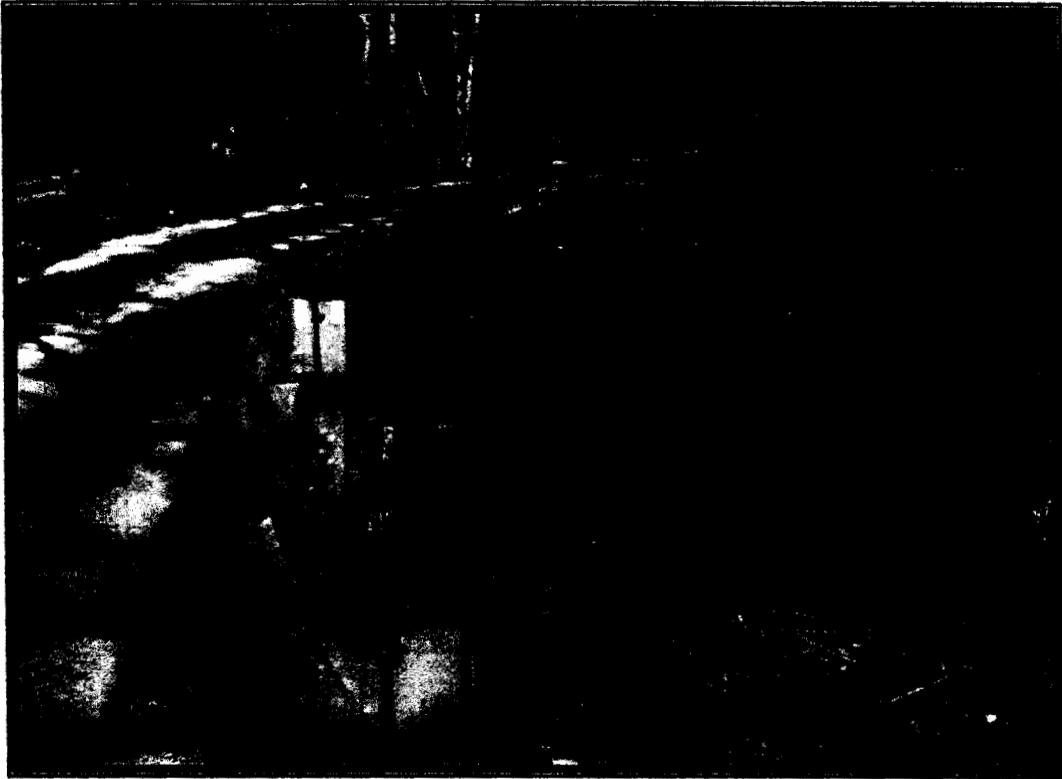
Sutter Ave. , End of



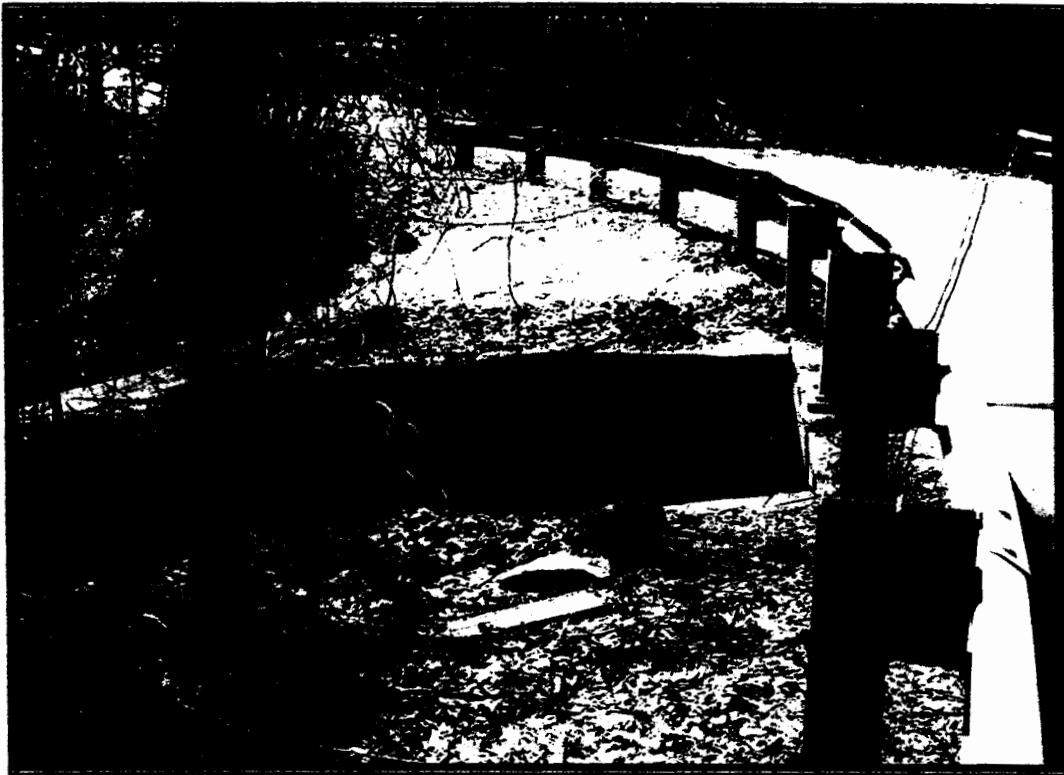
Sutter Ave. , End of

Date of Assessment  
 Dec. 31, 1992  
 Dec. 31, 1993





Tanner Ave. looking west



Tanner Ave. looking towards Greenwich Ave.

# **EXHIBIT M**

April 20, 2005

**PLANNING DOCUMENT \$25,000/YEAR ALLOCATION**

<b>PROJECT</b>	<b>STATUS</b>
Water Supply System Management Plan WSSMP	Approved & completed 5 year update due 2007
Clean Water Infrastructure Plan	Approval June 13, 2003. 5 year update due 2008
Vulnerability Assessment Bio-Terrorism Bill	Submitted December 19, 2003
Revised Emergency Response Plan	By June 19, 2004
Simplified EEP Topic Sheets Employee distribution	December 2004

**UPDATED CIP PROJECTS BOND FUNDING**

<b>PROJECT</b>	<b>STATUS</b>
Mishnock Well Field (new wells) CIP - 1A	Project closed out.
Mishnock Transmission Mains CIP - 1B	Project closed out.
Mishnock Treatment Plant CIP - 1C	Project closed out.
R-CIP 19 Tiogue Avenue Main	Project closed out.
East Greenwich Well Treatment Plant - CIP-2	Temporary Sequestering Online. Customer letter April.
Blackrock Road Transmission Main - CIP-4	Task Order #2 (C.O. #3 & #4 Discussion)
Clinton Avenue Pump Station Rehabilitation CIP - 7A	Bid Award/Protest
Read School House Road Tank CIP - 7B	Site Movement
Read School House Road Main CIP 7c, 7d, 8a	75% Complete
Mishnock 4 Well Installation	On hold. RFP 4 & 5 plus control facility / T.P.

**IFR FUNDED PROJECTS**

<b>PROJECT</b>	<b>STATUS</b>
IFR 2003	Construction complete except Pulaski Street Paving.
IFR 2004	Design ongoing. Contract to be Divided/add additions to Gilbert Street. C. O. #2 Approval
Geographic Information System Base Map	Completed.
Geographic Information System Second Phase	Mapping ongoing/winter shutdown
Knotty Oak Road. Old CIP 5	Construction completed.
Tiogue Tank Modified Service Area	Station set. Hook-up on-going
Setian Lane new pumping station and Frenchtown vault rehabilitation.	For discussion, motion to default
Setian Lane Tank painting	Completed.
Oaklawn Meter Replacement IFR	On-line, Construction Close Out
PWSB 78" / Johnson Blvd. P.S. Modification	Project to be delayed due to Setian Lane P.S.
Rehabilitation Mishnock #3	Redevelopment completed.
Revised Hydraulic Model	No additional task orders.
Color Study Mishnock Wells	Piloting Study
Cleaning & Lining Greenwich Avenue	Request for Proposal Award
<b>PROJECT</b>	<b>STATUS</b>
Web site preparation	Up and running.
Strategic Plan	Sub-committee to develop plan.
Newsletter	Preparation for next issue.
CCR 2003	Mailed.
Colvintown Road	Pipe installed - Services to be installed. Spring 2005.