

Accepted 2/13/13

RHODE ISLAND RESOURCE RECOVERY CORPORATION
BUSINESS MEETING
Wednesday, January 9, 2013
4:30 P.M.
65 Shun Pike
Johnston, RI 02919

In Attendance

Michael Quinn, Chair
Michael Sabitoni, Vice Chair
Geoffrey Kirkman, Treasurer
Geri-Ann DiPaolo (departed at 7:10 P.M.)
Jared Rhodes
Charles Lombardi
Sheila Dormody (arrived at 4:50 P.M., departed at 5:30 P.M.)

Absent

Richard Licht

Staff Present

Mike OConnell, Executive Director
Brian Card, Director of Operations and Engineering
Rob Lough, Safety Supervisor and Security Officer
Chris Jocelyn, HR Director
Nancy Minson, HR Coordinator
Tim McCormick, Chief Financial Officer
Pat Cerbo, Purchasing Director
Sarah Kite, Director of Recycling Services
Mike McGonagle, Director of IT and Planning
Joe Rotella, Special Waste Manager

Others Present

Ron Ronzio, Allied Court Reporters
Michael Hogan, House Policy Office
Joe Rodio, Sr. Rodio & Ursillo
David Ursillo, Rodio & Ursillo
Robert Parks, Broadrock
Kory Mclellan, USDA
Jim Bender, USDA
Timothy Cozine, USDA
Fred Stolle
Jerry Petros
Gerry Visconti

Call to Order

Chairman Quinn called the meeting to order at 4:32P.M. Pledge of Allegiance followed by roll call. Commissioners Kirkman, DiPaolo, Sabitoni, Lombardi, and Rhodes present.

Agenda Items

1. Approval of Meeting Minutes from 11/28/12

Motion to accept the minutes made by Commissioner Kirkman. Seconded by Commissioner Sabitoni. Passed 5-0.

2. Approval of Meeting Minutes from 12/19/12

Motion to accept the minutes made by Commissioner Sabitoni. Seconded by Commissioner Kirkman. Passed 5-0.

3. Other Business

a. Sewer Infrastructure Projects and PLA Option

A Project Labor Agreement (PLA) is a type of collective bargaining agreement that has been used on large and complex construction projects. Resource Recovery's objectives are to complete the projects in a timely manner to avoid potential fines from Cranston, which are estimated at \$150,000 per month, and to not incur a cost increase as compared to a non-PLA project.

A PLA Study group was formed in mid-November. The group consists of Jerry Visconti, Consultant; Ron Renaud, Deputy Director DOA; Mike Mitchell, Legal Office DOA; Francis O'Brien, Providence College Professor; Tim McCormick, CFO, RI Resource Recovery Corporation; and Mike OConnell, Executive Director, RI Resource Recovery Corporation. This study group covers three integrated projects. First, RFP No. 712 – Design, Permitting and Construction of a Leachate Pretreatment Plant. Second, IFB No. 971 Leachate Sewer and Pump Station, and third, IFB No. 972, Installation of Leachate storage tanks.

Mr. Girard Visconti spoke to the board about the pros and cons for a PLA. Arguments in favor of a PLA are: projects are kept on a timely budget, assurance of qualified and adequate skilled laborers, harmonious and predictable working conditions, grievance procedures, project to maintain critical schedule, and uniform rules and wage conditions. Arguments in opposition to a PLA are: PLA Agreements raise the costs of construction, non-union contractors are discouraged from bidding on a project, PLA's require employees to be hired through the respective union hiring halls, pay dues, contribute to union-sponsored retirement plans, non-union employees must contribute to the union benefit funds in addition to their own benefits funds, and non-union companies cannot take their own work forces to the project.

Visconti says that through negotiations, the building trades may agree that non-union companies do not have to pay union wages and fringes if they have their own plans or if they comply with the prevailing wage law in the State of Rhode island, which requires contractors to pay total wages and fringes in the event that a contractor does not have specific benefits plans.

This project is a prevailing wage project and, therefore, wages and fringes are on a level playing field with all bidders, including non-union contractors. Most PLA's do not have the owners as a signatory. However, the Board should consider Resource Recovery to be a signatory to insure all of the benefits of the Project Labor Agreement including excluded items such as direct vendor purchasers.

The next step would be to negotiate a PLA with the building trades, carpenters, and operating engineers. The three projects are critical to scheduling and delivery to meet certain time constraints and interaction with the Narragansett Bay Commission and the City of Cranston. The committee heard testimony that there could be potential fines for non-compliance in the range of \$150,000 to \$175,000 for every month the project completion is not achieved. Visconti recommends the Board consider the disadvantages of a Project Labor Agreement with the advantages of a Project Labor Agreement in relation to the time constraints of the three projects, especially that 13 out of 17 collective bargaining agreement will expire in the Spring of 2013.

Resolution: Be it resolved that the Board of Commissioners supports the RI Resource Recovery Corporation PLA Study Group recommendation that a Project Labor Agreement become a requirement included in the bid solicitation for the above three projects and be a mandatory requirement for award of each of the contracts to the most qualified, low bidders. This requirement for use of a PLA is contingent upon a signed Project Labor Agreement between the parties not later than 1/31/2013. Otherwise, all three projects will go forward without a PLA. Motion to accept made by Commissioner Dormody and seconded by Commissioner Kirkman. Passed 5-0. Commissioner Sabitoni recused himself.

4. New Contracts

a. Safety Equipment and Supplies

Resolution: Be it resolved that the Board of Commissioners authorizes the Executive Director to enter into contractual agreement for the supply of various safety equipment and items IFB No. 956 between Rhode Island Resource Recovery Corporation and the following entities: Kaufman Company in Norwood, MA; Safety Source New England in Warwick, RI; and Magid Glove and Safety MFG, Co. in Chicago, IL. The total aggregate amount of these contracts is \$50,000.00, to be split between the vendors based on the Corporation need. These contracts will commence on or about January 9, 2013 and continue until January 31, 2014 with the Corporations option to renew, under the same terms and conditions, for two additional one year periods. Motion to accept made by Commissioner DiPaolo and seconded by Commissioner Lombardi. Passed 6-0.

b. Leachate Maintenance Services

Resolution: Be it resolved that the Board of Commissioners authorizes the Executive Director to enter into a contractual agreement for Leachate Maintenance Service, IFB No. 954 with Inland Waters, Inc. of Johnston, RI, for an amount not to exceed \$904,745.00. The contract will commence on February 1, 2013 and expire on January 31, 2014 and may be renewed under the same terms and conditions for two additional one year periods. Motion to accept made by Commissioner Sabitoni and seconded by Commissioner Lombardi. Passed 6-0.

c. USDA Wildlife Management Program

Resolution: Be it resolved that the Board of Commissioners approved of the Executive Director entering into a Sole Source Procurement, with the United States Department of Agriculture, Wildlife Services Division, for a wildlife damage management project as described in the attached work plan. This procurement allows for a three year agreement in the amount of \$75,000 annually (\$225,000 total) and will commence on February 1, 2013 and end on January 31, 2016. Motion to accept made by Commissioner Kirkman and seconded by Commissioner Lombardi. Passed 6-0.

5. Contract Renewals

a. E-Waste Collection and Recycling Services

Resolution: Be it resolved that the Board of Commissioners authorizes the Executive Director to exercise the first option to renew RFQ/RFP No. 898 – Electronic Waste Collection and Recycling Services, between the Rhode Island Resource Recovery Corporation and RMG Enterprise LLC, of Londonderry, NH for an amount not to exceed \$650,000.00. The renewal term shall begin on March 1, 2013 and continue until no later than February 28, 2014 under the same terms, conditions and pricing. Motion to accept made by Commissioner DiPaolo and seconded by Commissioner Dormody. Passed 6-0.

6. Contract Increases or Extensions

None.

7. Executive Session

Motion to move to Executive Session under 42-46-4 and 42-46-5. Roll call taken. Passed 6-0.

Motion to approve the executive session meeting minutes from 11/28/12 made by Commissioner Sabitoni. Seconded by Commissioner DiPaolo. Passed 6-0.

Motion to seal the executive session meeting minutes from 11/28/12 made by Commissioner Lombardi Seconded by Commissioner Sabitoni. Passed 4-0.

Motion to return to regular session made by Commissioner Sabitoni and seconded by Commissioner Lombardi. Passed 4-0.

8. Investment Advisor Interviews/Selection

Resolution: Be it resolved that the Board of Commissioners authorizes the Executive Director to enter into a contract with Meketa Investment Group to provide investment consulting services for landfill trust funds in the amount of \$70,000 annually. Motion made by Commissioner Kirkman and seconded by Commissioner Lombardi. Passed 3-0. Commissioner Sabitoni recused himself.

9. Next Meeting Date

Wednesday, February 13, 2013 at 8:00 A.M.

10. Establish Meeting Calendar for 2013

Publish current calendar on the SOS website and update it as necessary.

Motion to adjourn made by Commissioner, Sabitoni and seconded by Commissioner Kirkman.
Motion passed 4-0.

Adjourned at 7:25 P.M.

