

The Narragansett Bay Commission  
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Vincent J. Meselella  
Chairman

Raymond J. Marshall, P.E.  
Executive Director



**OFFICIAL MINUTES OF:**

Meeting of:	CEO Committee Meeting
Date:	December 3, 2012
Time:	8:15 a.m.

**MEMBERS PRESENT:**

Michael Salvatore, Chairman  
Jonathan Farnum  
John MacQueen  
Vincent Meselella  
Al Montanari  
Angelo Rotella  
Leo Thompson  
Richard Worrell

**MEMBERS ABSENT:**

Robert Andrade

**STAFF AND GUESTS PRESENT:**

Raymond J. Marshall, Executive Director  
Tom Uva, NBC  
Joe Pratt, Louis Berger Group  
Rich Bernier, NBC  
Karen Musumeci, NBC  
Jennifer Harrington, NBC  
Deborah Samson, NBC  
Jamie Leigh Overton, NBC  
Pam Ciolfi, NBC  
Karen Giebink, NBC

Tom Brueckner, NBC  
Joanne Maceroni, NBC

**1. Call to Order**

Recognizing a quorum, CEO Chairman Salvatore called the December 3, 2012 Construction/Engineering/Operations (CEO) Committee Meeting to order at 8:35 a.m.

**2. Approval of Minutes – September 25, 2012 CEO Committee**

CEO Chairman Salvadore asked for a motion to approve the September 25, 2012 CEO Committee Meeting minutes as written.

Commissioner Montanari moved to approve the minutes of the September 25, 2012 CEO Committee. Commissioners Farnum and MacQueen seconded the motion. The vote taken by the CEO Committee was unanimous. The motion carries.

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

#### **A. Review and Approval of Resolution 2012:40; Award of Contract 126.00C-Fields Point WWTF Land Acquisition/Site Demolition Recommendation for Award**

Mr. Marshall advised that Contract 303.02C – OF 106 was awarded and a Notice to Proceed issued on June 27, 2012 to J. H. Lynch & Sons, Inc. (Lynch) at a cost of \$3,688,936 to construct a storage facility, pump station, wetlands, overflow channel and surface restoration in Central Falls.

The project area was formerly a treatment plant site for Central Falls and a landfill. Once Lynch completed clearing and grubbing of the site they took soil samples at various locations to determine where the excess soil could be disposed. One of the samples came back positive for PCBs. DEM was notified. They concluded that the levels were so high that we would have to get EPA involved. We have received EPA's approval to have the soil removed. We are estimating approximately 1,200 cubic yards will have to be disposed of at an approved out of state disposal site. Lynch and the NBC are estimating the cost to be \$450,000. This includes an estimate for delay caused by this situation.

Per the NBC's approved COR procedures, the Chairman and Executive Director are authorized to approve CORs up to an aggregate amount of 5% of the Contract amount or \$184,446.80 for this Contract. We are requesting that the authorized limit be increased by \$450,000.

Based upon the above, it is recommended that the Chairman and Executive Director be authorized to approve COR for Contract 303.02C – OF 106 for an amount not to exceed \$450,000 over the 5% authorized limit and recommend approval of Resolution 2012:40.

Commissioner MacQueen made a motion to approve Resolution 2012:40; Award of Contract 126.00C-Fields Point WWTF Land Acquisition/Site Demolition Recommendation for Award. Commissioner Worrell seconded the motion and the vote taken by the CEO Committee was unanimous. The motion carries.

#### **B. Review and Approval of Resolution 2012:41: Contract 303.02C-OF 106 Facilities Authorization to Increase the Change Order Limit**

Mr. Marshall stated that the NBC's Field's Point Wind Energy Project was designed as an environmentally beneficial project that doubled as an economic benefit to NBC's ratepayers by producing energy from wind, a renewable energy source. At the end of October, the wind turbines will begin spinning and generating renewable energy. At this time, energy generated by the wind turbine project will produce Renewable Energy Credits (RECs), a potential source of revenue for the NBC.

RECs, also known as Green Tags or Renewable Energy Certificates, are tradable, non-tangible energy commodities that represent proof that 1 megawatt-hour (MWh) of electricity was generated from an eligible renewable energy resource. RECs represent the environmental attributes of the power produced

from renewable energy projects and can be sold separately from the actual electricity produced. The purchaser of a REC receives a certificate representative of the environmental benefits of the renewable energy purchased.

The Rhode Island Public Utilities Commission (PUC) certifies renewable resources in the State of Rhode Island and the New England Power Pool Generation Information System (NEPOOL GIS) creates and monitors the sale/trade of RECs. According to the PUC, the NBC's Fields Point Wind Farm must become certified as a generator of renewable energy prior selling any renewable energy credits. This requires submittal of a completed Renewable Energy Resource Eligibility form that must be approved by the PUC. Part of the application requires our Board to authorize the certification process.

I recommend the Board approve Resolution Number 2012:42 giving the NBC the authority to submit the completed Renewable Energy Resource Eligibility form to the PUC, and when approved by the PUC, authorize the NBC to solicit proposals from various power distribution companies interested in buying the renewable energy credits generated by NBC's Wind Farm.

Commissioner Montanari made a motion to approve Resolution 2012:41; Contract 303.02C-OF 106 Facilities Authorization to Increase the Change Order Limit. Commissioners Thompson and MacQueen seconded the motion and the vote taken by the CEO Committee was unanimous. The motion carries.

C. Review and Approval of Resolution 2012:44: Contract 303.08C-Sewer Separation/Flow Modification OF-037 North Recommendation for Award

Five bids for construction Contract 303.08C – Sewer Separation/Flow Modification OF – 037 North were received by the Commission's Procurement Section on October 31, 2012. The contractors and their bids are:

DiGregorio, Inc.	\$7,367,301.20
Cardi Corporation	\$7,631,000.00
J. H. Lynch & Sons, Inc.	\$7,674,880.53
John Rocchio Corporation	\$8,395,600.00
C.B. Utility Company, Inc.	\$9,522,006.50

This contract is the twelfth contract to be bid under the DEM mandated Phase II CSO Program. It entails sewer separation east of North Main Street in Providence from Fifth Street to Hillside Ave. It is the installation of approximately 9,450 feet of new drain pipe, 70 drain manholes, 97 catch basins, 7,000 feet of water line relocation and street paving upon completion.

DiGregorio, Inc. (DiGregorio) submitted the low bid of \$7,367,301.20. This bid is 3.6% lower than the second low bid.

DiGregorio is presently working on Contract 303.11C – WCSOI West and 303.14C – OF 054 and is performing well.

The Contractor must adhere to the Contract requirements for MBE/WBE compliance, including state approval of his MBE/WBE Plan.

As with all projects of this size and complexity there will be ancillary costs associated with the project including but not limited to: advertising, printing, police details, specialty engineering consultants

(maximum contract ceiling of \$20,000), material/soil testing firm and staff time associated with contract inspection and administration.

Louis Berger Group (LBG) has evaluated the qualifications and the bid proposal of the low bidder and has checked references for the purpose of establishing the firm's capability to successfully complete this construction project. LBG has recommended that the Commission award the Contract for the construction of Contract 303.08C - Sewer Separation/Flow Modification OF – 037 North to DiGregorio, Inc. of Smithfield, RI because LBG has determined that DiGregorio, Inc. is the lowest, responsive, responsible bidder (see Attachment #1).

We respectfully request your approval of the attached Resolution 2012:44 Authority to Award Contract 303.08C - Sewer Separation/Flow Modification OF – 037 North to DiGregorio, Inc. for a cost not to exceed \$7,367,301.20 subject to the approval of the Contractor's MBE/WBE plan and EEO requirements by the Rhode Island Department of Administration.

Commissioner Farnum made a motion to approve Resolution 2012:44; Contract 303.08C-Sewer Separation/Flow Modification OF-037 North Recommendation for Award. Commissioner Thompson seconded the motion and the vote taken by the CEO Committee was unanimous. The motion carries.

**4. Other Business**

None.

**5. Adjournment**

A motion to adjourn was made by NBC Chairman Mesolella seconded by Commissioner Montanari and the CEO Committee meeting adjourned at 8:52 a.m.

Respectfully submitted,



Raymond J. Marshall, P.E.

*Executive Director/Secretary*