

The Narragansett Bay Commission
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Vincent J. Mesoella
Chairman

Raymond J. Marshall, P.E.
Executive Director



OFFICIAL MINUTES OF:

Meeting of:	Executive Committee Meeting
Date:	December 10, 2013
Time:	9:30 a.m.

MEMBERS PRESENT:

Vincent Mesoella, Executive Committee Chairman
Robert Andrade
Angelo Rotella
Raymond Marshall, Executive Director

MEMBERS ABSENT:

STAFF AND GUESTS PRESENT:

Richard Bernier, NBC
Laurie Horridge, NBC
Tom Brueckner, NBC
Jamie Samons, NBC
Karen Giebink, NBC
Leo Thompson, NBC Commissioner
Thomas Uva, NBC
Karen Musumeci, NBC

1. Call to Order

Recognizing a quorum, Chairman Mesoella called the December 10, 2013 Executive Committee Meeting to order at 9:34 a.m.

2. Approval of Minutes – August 16, 2013

Executive Committee Chairman Mesoella asked for a motion to approve the August 16, 2013 Executive Committee Meeting minutes as written.

Commissioner Rotella moved to approve the August 16, 2013 Executive Committee meeting minutes as written. NBC Chairman Mesolella seconded the motion. The vote taken by the Executive Committee was unanimous. The motion carries.

3. Call for closed session in accordance with RIGL 42-46-5 (a) (2)

- A. Discussion related to potential and anticipated litigation relative to geotechnical issues on CSO Phase II Project.

At this time, the NBC Executive Committee sought to convene Executive Session pursuant to RIGL 42-46-5 (a) (2) to discuss Item 3A. Commissioner Rotella motioned to enter into Executive Session. Chairman Mesolella seconded the motion and the vote taken by the Executive Committee was unanimous. The Committee entered into Executive Session at 9:40 a.m.

Executive Session ended and the Open Meeting resumed at 10:05 a.m. Commissioner Rotella motioned to keep the Executive Session minutes sealed. Chairman Mesolella seconded the motion and the vote taken by the Executive Committee was unanimous. The motion carries.

- B. **Review and Approval of Resolution 2013:08-C; Contract 303.03C-WCSOI Main-Recommendation to Increase the Limit for Change Orders**

Mr. Marshall stated that Contract 303.03C – WCSOI Main was awarded to Barletta Heavy/Shank/Balfour Beatty (BH/S/BB) at a cost of \$59,995,000. Per the NBC's approved Change Order Request (COR) procedures, the Chairman and Executive Director are authorized to approve CORs up to an aggregate amount of 5% of the Contract amount or \$2,999,750 for this Contract. There have been several change orders under this contract that have increased the contract's authorized amount. The subject of those increases has been:

- Resolution 2013:07 the limit was increased by \$2,426,554 for CORs 8, 13, 16, 17, 19, 20 & 21 for jet grouting of micro-tunneling launching and receiving pits (see attached COR log);
- Resolution 2013:08 the Board vested authority for all future COR approvals and increases in the Executive Committee;
- Resolution 2013:08A (formerly known as 2013:23) the limit was increased by an additional \$1,433,622 for COR 15 the result of additional cost associated with the freeze wall installation for the drop shaft;
- Resolution 2013:08B the limit was increased by an additional \$1,200,000 for COR 22 incorporating the additional cost to excavate over frozen ground as a result of COR 15.

A summary of the cost impacts to date are:

Original Contract \$59,995,000
5% standard contingency \$ 2,999,750
Resolution 2013:07 \$ 2,426,554
Resolution 2013:08A \$ 1,433,622
Resolution 2013:08B \$ 1,200,000
Total Authorization \$68,054,926

When Resolution 2013:07 was approved on April 2, 2013 for jet grouting of several micro-tunneling launching and receiving pits it was known that additional pits potentially required the same treatment but needed further evaluation. After studying the problem in greater detail it was determined that the remainder of the pits needed similar action. The cost for that work is the subject of COR 21 in the amount of \$1,633,972.

Based upon the above, staff recommends that the Chairman and Executive Director be authorized to increase the authorization limit for Contract 303.03C – WCSOI Main for an additional amount not to exceed \$1,633,972 and recommend approval of Resolution **2013:08C** (copy attached).

Commissioner Rotella made a motion to approve Resolution 2013:08C Contract WCSOI Main-Recommendation to Increase the Limit for Change Orders. Chairman Mesoellea seconded the motion and the vote taken by the Executive Committee was unanimous. The motion carries.

4. Other Business

None.

5. Adjournment

A motion to adjourn was made by Chairman Mesoellea, seconded by Commissioner Andrade and the Executive Committee meeting adjourned at 10:10a.m.

Respectfully submitted,



Raymond J. Marshall, P.E.

Executive Director/Secretary