

OCB WASTEWATER COMMITTEE STUDY COMMITTEE

Minutes of January 18, 2011

In attendance: Joel Weisman, Frank Noe, Don DuBaldo, Frank Nicotera, Don Brodeur, and Joani Byer. Absent: Lenny Gregorian, Joe Cancelliere, and Vic Strazdas.

All members of the committee were forwarded the contract, scope of services, DEP requirements, and schedule before the meeting. The DEP has approved the wording of the contract and these provisions are nonnegotiable.

Much of the contract contains boilerplate language, but we discussed the following changes we would like to see.

The schedule when we will receive updates is very nebulous and should be tightened up. We would also like a status report with every monthly bill. We should be named as additional insured with any subcontractors hired by RFP containing liability, workers compensation, and errors and omissions insurance. If Rob doesn't pay a subcontractor, we should get a lien waiver before the next payment is issued. The subs will also furnish lien waivers to Rob before they are paid. The lien waivers will be furnished by Rob within 30 days of payment. If he does not comply, we will not pay the next installment.

Most of the discussion centered around the schedule to complete the job. Under the present terms RFP has one and a half years to complete the job or a date of April 2012. That would mean the membership could not vote on the next phase of the project at the September 2011 meeting. We could not vote until June 2012. Even with that date, we would not have enough time to get the final report and the public hearing necessary. We might also lose the advantage of a poor economy to get fair prices for the next phase of the project. Joel and Frank will negotiate with the contractor to tighten up the schedule to get it finished sooner as other bidders had tighter schedules in their proposals. A comment was made that perhaps Rob was anticipating getting the Old Lyme Shores contract too and would have too much work to finish our project earlier. If he says no to our request, we could go to another contractor, but that would require another meeting and a vote to go to another proposal.

We all agreed with the cost of the contract of \$86,000. Our portion will be \$38,700 and the rest will be covered by DEP.

Sincerely,

Joani K. Byer, Clerk