

**Town of Proctor Selectboard Special Meeting Minutes**  
**DRAFT**  
**December 21, 2011**  
**3:00 - 4:40 P.M.**

**Board Members Present**

Rick Anderson, Chair  
Bruce Baccei  
Susan Feenick  
Vincent Gatti  
Lloyd Hughes

**Employees Present**

Todd Blow, Chief Operator  
Stan Wilbur, Town Administrator

**Guests Present**

John Jozwiak  
Kevin Smith, Marble Valley Engineering  
Steffanie Bourque, Marble Valley Engineering  
Roger Bergeron, VT Water Supply Division

**Agenda Items**

**I. Call to Order**

The meeting was called to order at 3:07 p.m. by Chair Anderson

**Item III. Other New and/or Old Business**

Because John Jozwiak was present, Chair Anderson took agenda Item III out of order to discuss and act on Nancy Curtis's request for abatement of March/April 2010 water and sewer charges (\$405) at 21 Grove Street. Mr. Joziak and the Selectboard reviewed prior discussions and actions. Bruce Baccei made the motion not to abate the past due water and sewer charges. The motion was seconded by Vincent Gatti and was approved by majority (4-1).

**II. Water System Improvement Project**

**A. Field Street Well - Contract No. 3**

Chair Anderson noted asked if Board members had reviewed the December 16, December 19 and December 20 e-mail messages from Kevin Smith regarding his conversations with non-bidders and the low bidder include in the meeting packet.

Chair Anderson then noted that bids for Contract No. 3 were opened on December 2 and directed the Board's attention to the Bid Tabulation sheet that was included the meeting packet. The \$1,141,250 low bid submitted by Kingsbury Construction, LLC is almost a half a

million dollars (\$466,855) over the engineer's estimate. Chair Anderson stated that the Town can't do it and that he will not go before the Town for additional money. He also expressed his concern that we can't meet our December 2012 obligation date.

Referencing the "Enhanced Field Street Well Cost Reduction Analysis" prepared by Marble Valley Engineering, P.C. and presented October 26, 2011, he asked Kevin Smith to describe changes to the project from July 2010 cost estimate of \$415,040 to the Oct 2011 reduced scope cost estimate of \$644,241. The July 2010 estimate was based on a 690 sf single story building, 2 wells, pump controls and chlorination and PH control. The building was enlarged to a 766 sf single story building to allow the new well to be inside the building and to provide for an office and restroom. The current plan is a 766 sf two story building. The second story was added to provide space for transformers. A \$120,000 SCADA system was added. Other reasons for the scope/cost increase are outlined in the referenced "Analysis". Other reasons for the higher bid could be attributed to the bidding climate, complicated site and working in a swamp

Discussion centered on the changes to the building and site work and where change could be made that would reduce the costs. Although there didn't seem to be any major item that impacted the cost, the foundation concept was one area to revisit. Board members suggested several areas to be looked into and items that could be eliminated.

Roger Bergeron, VT Water Supply Division, noted that low bid greater than engineer's estimate is not uncommon and that the Division will be looking at the bid. He noted that the Engineering Agreement for the Construction has been approved as submitted and we should have formal notification this week.

The next step could be to negotiate with the contractor to reduce the scope and cost for the project. One item for discussion would be for the Town to accept some of the risks associated with the site. The Board is willing to accept risks associated with unforeseen hazardous materials at the site, but did not want to risk penetrating the protective clay layer with piles.

There was a consensus by the Board to have Kevin Smith negotiate with the low bidder to reduce the cost. Roger Bergeron will participate to be sure that any changes to the project will be approvable by the State. The goal is to have something to present to the Board by January 11. The contract documents require the bidder to hold his bid for ninety days. If an agreement cannot be reached, the project will have to be redesigned and put back out to bid.

## B. Project Financing

Chair Anderson noted that there was a report in the Herald regarding the negative interest rate that the amount to be repaid, but we have not received anything from the State. Bryan Redmond will be at December 28 meeting.

## C. Project Schedule

Concern about how a delay will affect the December 2012 compliance date. This will be asked at the 28ht meeting.

#### D. Bluff Street Tank Easement Plan

**Chair Anderson asked MVE to prepare a plan that will show how the access road will look from West Street to the proposed gate location. He also asked for a plan to use during easement discussions with Mr. Pockett.**

### **III. Other New and/or Old Business**

#### A. Watershed Signs

Susan Feenick asked if we have done all the things we need to do along Route 3. Todd Blow will check and report at the next meeting.

#### B. Outer District

Vincent Gatti excused himself as he has a conflict of interest. The Board discussed how delinquent bills for Outer District customers are to be handled. The list will be sent to our attorney for directions on to how to handle.

### **IV. Adjourn**

Lloyd Hughes made the motion to adjourn the meeting at 4:45 p.m. The motion was seconded by Susan Feenecki and was approved by majority.