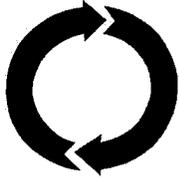


**CRRA  
BOARD MEETING**

**MAY 31, 2007**



**CONNECTICUT  
RESOURCES  
RECOVERY  
AUTHORITY**

**100 Constitution Plaza • Hartford • Connecticut • 06103 • Telephone (860)757-7700  
Fax (860)757-7745**

## **MEMORANDUM**

**TO:** CRRRA Board of Directors

**FROM:** Kristen Greig, Secretary to the Board/Paralegal

**DATE:** May 25, 2007

**RE:** Notice of Meeting

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There will be a regular meeting of the Connecticut Resources Recovery Authority Board of Directors held on Thursday, May 31, 2007 at 9:30 a.m. The meeting will be held in the Board Room of 100 Constitution Plaza, Hartford, Connecticut.

Please notify this office of your attendance at (860) 757-7787 at your earliest convenience.

Connecticut Resources Recovery Authority  
Board of Directors Meeting

Agenda  
May 31, 2007  
9:30 AM

I. Pledge of Allegiance

II. Public Portion

A ½ hour public portion will be held and the Board will accept written testimony and allow individuals to speak for a limit of three minutes. The regular meeting will commence if there is no public input.

III. Minutes

1. Board Action will be sought for the approval of the April 11, 2007 Special Board Meeting Minutes (Attachment 1).
2. Board Action will be sought for the approval of the April 26, 2007 Regular Board Meeting Minutes (Attachment 2).

IV. Finance

1. Finance Committee Update
2. Board Action will be sought regarding the Worker's Compensation Insurance Renewal (Attachment 3).

V. Project Issues

A. Mid-Connecticut

1. Board Action will be sought regarding Mid-Connecticut Resources Recovery Facility Process Residue and Non-Processible Waste Transportation Services (Attachment 4).
2. Board Action will be sought regarding Second Amendment to the Town of Southbury's Municipal Solid Waste Management Services Agreement (Attachment 5).

VI. Chairman's, President's and Committee Reports

- A. Chairman's Report
- B. President's Report
- C. Policies & Procurement Committee
  1. Policies & Procurement Committee Update

2. Board Action will be sought for Consulting, Engineering, and Land Surveying (Attachment 6)
3. Board Action will be sought regarding Development of an Ash Residue Landfill within the State of Connecticut (Attachment 7).
4. Board Action will be sought for Approval of Agreements for Landfill Environmental Monitoring, Laboratory Analysis and Reporting Services (Attachment 8).
5. Board Action will be sought regarding Expenditures for Odor Monitoring Services at the Mid-Connecticut Waste Processing Facility & Hartford Landfill (Attachment 9).
6. Board Action will be sought regarding Employment of HRP Associates, Inc. for Environmental Consulting Services in Support of the South Meadows Site Remediation (Attachment 10).
7. Board Action will be sought regarding Employment of DMJM+Harris, Inc. for Solid Waste Consulting Services (Attachment 11).
8. Board Action will be sought regarding a Hoist Crane Frame Agreement at the Power Block Facility (Attachment 12).
9. Board Action will be sought regarding the Purchase of Four Rubber Tire Loaders for the Mid-Connecticut Waste Processing Facility (Attachment 13).
10. Board Action will be sought regarding One-Year Contract Extension for Dozer Compaction Services for the Mid-Connecticut Waste Processing Facility (Attachment 14).
11. Board Action will be sought Adopting an Amendment to Section 4.1.4 of the Procurement Policy (Attachment 15).
12. Board Action will be sought regarding Additional Projected Legal Expenditures (Attachment 16).
13. Board Action will be sought regarding Projected Fiscal Year 2008 Legal Expenditures (Attachment 17).

## VII. Executive Session

An Executive Session will be held to discuss pending litigation, real estate acquisition and personnel matters with appropriate staff.

# TAB 1

**CONNECTICUT RESOURCES RECOVERY AUTHORITY**

**FOUR HUNDRED AND TWENTY-FIRST MEETING**

**APRIL 11, 2007**

A Special meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Wednesday, March 11, 2007. The meeting was held at 400 Grand Street, Waterbury Connecticut. Those present were:

Chairman Michael Pace

Directors: Edna Karanian  
Mark Laretti  
Theodore Martland  
Raymond O'Brien  
Linda Savitsky  
Timothy Griswold, Ad Hoc, Mid-Connecticut Project  
Elizabeth Horton Sheff, Ad Hoc, Mid-Connecticut Project

Present from the CRRA staff:

Tom Kirk, President  
Jim Bolduc, Chief Financial Officer  
Laurie Hunt, Esq., Director of Legal Services  
Kristen Greig, Secretary to the Board/Paralegal

Also present were: The Honorable Linda Munro, John Farley, Esq. of Halloran & Sage, Richard Goldstein, Esq. of Pepe & Hazard

Chairman Pace called the meeting to order at 11:35 a.m. and stated that a quorum was present.

**PLEDGE OF ALLEGIANCE**

Chairman Pace requested that everyone stand for the Pledge of Allegiance, whereupon, the Pledge of Allegiance was recited.

Judge Munro asked the Board if they are interested in entering into Executive Session to discuss pending litigation. Attorney Goldstein responded that he has conveyed to CRRA the Court's and Attorney General's desire to mediate. However, Attorney Goldstein pointed out that there are two conditions to negotiation outlined in CRRA's mediation statement that would have to be met by the Plaintiffs in order for CRRA to enter negotiations. Chairman Pace stated that he would prefer to transact CRRA's business with transparency in public session.

Judge Munro explained why she requested the presence of the full Board at the mediation. Chairman Pace stated that the Board has a responsibility to the company and the State to perform its mandates and stated that he feels this is a situation of public interests versus personal interests.

Director Laretti stated that it would be difficult to discuss this matter any further in light of the gag order. Judge Munro suggested entering into Executive Session to discuss pending litigation. Director Martland noted that no votes can be taken in Executive Session so a resolution would still have to happen in public session. After a brief discussion, Chairman Pace stated that he would like to discuss the litigation.

### EXECUTIVE SESSION

Chairman Pace requested a motion to enter into Executive Session to discuss pending litigation with appropriate staff. The motion made by Director O'Brien and seconded by Director Martland was approved unanimously. Chairman Pace requested that the following people be invited to the Executive Session in addition to the Directors:

Tom Kirk  
Jim Bolduc  
Laurie Hunt, Esq.  
John Farley, Esq. of Halloran & Sage  
Richard Goldstein, Esq. of Pepe & Hazard

The Executive Session began at 12:15 p.m. and concluded at 12:55 p.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 12:55 p.m.

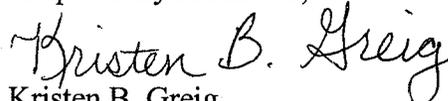
Following the Executive Session, Attorney Goldstein stated that the Board has carefully considered Judge Munro's comments, and outlined CRRA's offer to the Plaintiffs. Judge Munro restated the offer and, after a brief discussion, exited the meeting room to convey that to the Plaintiffs.

Chairman Pace requested a recess. The meeting was recessed at 1:05 p.m. and the meeting reconvened at 2:30 p.m.

Judge Munro returned and stated that the Plaintiffs would not agree to CRRA's offer. A short conversation followed, during which a quorum was lost.

The meeting ended at 2:50 p.m. when a quorum was no longer present.

Respectfully submitted,



Kristen B. Greig  
Secretary to the Board/Paralegal

## TAB 2

**CONNECTICUT RESOURCES RECOVERY AUTHORITY**

**FOUR HUNDRED AND TWENTY-SECOND MEETING**

**APRIL 26, 2007**

A Regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, April 26, 2007 at 100 Constitution Plaza, Hartford, Connecticut. Those present were:

Chairman Michael Pace

Directors: Mark Cooper (Present until 1:08 p.m.)  
James Francis (Present until 12:55 p.m.)  
Michael Jarjura (Present beginning at 11:20 a.m. until 12:55 p.m.)  
Edna Karanian  
Mark Lauretti (Present beginning at 9:40 a.m.)  
Theodore Martland (Present until 12:55 p.m.)  
James Miron (Present by telephone)  
Raymond O'Brien  
Linda Savitsky  
Stephen Edwards, Bridgeport Ad-Hoc (present until 11:05 a.m.)

Present from the CRRA staff:

Tom Kirk, President  
Jim Bolduc, Chief Financial Officer  
Michael Bzdya, Government Relations Liaison  
Robert Constable, Controller  
Peter Egan, Director of Environmental Affairs  
Floyd Gent, Director of Operations  
Laurie Hunt, Director of Legal Services  
Paul Nonnenmacher, Director of Public Affairs  
Michael Tracey, Operations Manager, Construction Management  
Donna Tracy, Executive Assistant  
Steven Yates, Air Compliance Manager  
Kristen Greig, Secretary to the Board/Paralegal

Also present were: Susan Hemenway of BRRFOC, Kathleen Henry of CCEJ, Margaret Japp of CCEJ, Allan Mercado of CCEJ, Mark Mitchell of CCEJ, John Pizzimenti of USA Hauling & Recycling, Matt Suffish of Covanta, Balbena Smickle of CCEJ, and Jerry Tyminski of SCRRA.

Chairman Pace called the meeting to order at 9:35 a.m. and stated that a quorum was present.

**PLEDGE OF ALLEGIANCE**

Chairman Pace requested that everyone stand for the Pledge of Allegiance, whereupon, the Pledge of Allegiance was recited.

**PUBLIC PORTION**

Chairman Pace said that the agenda allowed for a public portion in which the Board would accept written testimony and allow individuals to speak for a limit of three minutes.

Ms. Kathleen Henry and Dr. Mark Mitchell of Connecticut Coalition of Environmental Justice both addressed the Board. Ms. Henry asked why "Phillip D. Bag" had not been seen in Hartford. Mr. Nonnenmacher informed Ms. Henry that "Phillip D. Bag" made his debut in Hartford on April 19 at City Hall for the Earth Day celebration and met Mayor Perez. Mr. Nonnenmacher stated that Mayor Perez has asked "Phillip D. Bag" to make appearances at Hartford schools. Mr. Nonnenmacher added that "Phillip D. Bag" was also going to be appearing at the CPTV Science Expo in Hartford on April 26, 27 & 28. Mr. Nonnenmacher informed Ms. Henry that CRRA staff had also met with Hartford Public Works staff and were working on a pilot program to help residents of multi-family dwellings recycle. Ms. Henry asked why Ad Hoc Directors were not allowed in Executive Session. Chairman Pace replied that, per the Connecticut General Statutes, Ad Hoc Directors are only allowed to participate in Executive Session discussions pertaining to their specific project.

Dr. Mark Mitchell stated that it was his understanding that it was up to the Board of Directors as to whether the Ad Hocs could participate in Executive Session discussions. Dr. Mitchell added that he was not asking that Ad Hoc members vote, but that they be allowed to participate in Executive Session discussions. Chairman Pace answered that Dr. Mitchell was mistaken in his assumption as the legal requirements for who can participate in Executive Session are spelled out in the Freedom of Information Act.

**APPROVAL OF THE MINUTES OF THE MARCH 29, 2007 REGULAR BOARD MEETING**

Chairman Pace requested a motion to approve the minutes of the March 29, 2007 Regular Board Meeting. Director O'Brien made a motion to approve the minutes, which was seconded by Director Savitsky. Director O'Brien noted that one section of the minutes would be clarified in a subsequent vote. The minutes were approved unanimously by roll call.

<b>Eligible Voters</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Non Eligible Voters</b>			
Steve Edwards, Ad Hoc, Bridgeport			

**APPROVAL OF THE MINUTES OF THE APRIL 9, 2007 SPECIAL BOARD MEETING**

Chairman Pace requested a motion to approve the minutes of the April 9, 2007 Special Board Meeting. Director O'Brien made a motion to approve the minutes, which was seconded by Director Savitsky. The minutes were approved as presented by roll call. Directors Cooper, Francis and Miron abstained.

<b>Eligible Voters</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper			X
James Francis			X
Edna Karanian	X		
Theodore Martland	X		
James Miron			X
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Non Eligible Voters</b>			
Steve Edwards, Ad Hoc, Bridgeport			

**CLARIFICATION OF THE MINUTES OF THE MARCH 29, 2007 REGULAR BOARD MEETING**

Chairman Pace requested a motion to approve the clarification of the minutes of the March 29, 2007 Regular Board Meeting as presented in Tab 3 of the Board package. Director O'Brien made a motion to approve the minutes, which was seconded by Director Savitsky.

The minutes as clarified were approved unanimously by roll call.

<b>Eligible Voters</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Non Eligible Voters</b>			
Steve Edwards, Ad Hoc, Bridgeport			

## **FINANCE COMMITTEE UPDATE**

Director Francis stated that the Permit Renewal Changes would accomplish three things: 1) change the guarantee of payment from three months to two months for all projects; 2) allow for a single permit per vehicle; and 3) change the rate structure from \$100 per permit per vehicle per facility to one permit for each vehicle for all facilities for \$125. Director Francis added that this change will bring in approximately \$100,000. Director Edwards asked if this amount was an increase or decrease from the previous income. Mr. Constable stated that this change would be a decrease in income of approximately \$15,000, but added that there would be savings on the administrative side because of the efficiencies of using one permit for all facilities. Mr. Constable added that with the restructuring, haulers registering for more than one facility will be required to register all of their vehicles. Mr. Kirk noted that this is a customer friendly change.

Chairman Pace requested that management change GOP (Guarantee of Payment) to GoP so as not to confuse the terms.

## **RESOLUTION REGARDING THE ADOPTION OF THE REVISED FISCAL YEAR 2008 BRIDGEPORT PROJECT OPERATING BUDGET AND TIP FEE**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director Francis:

**WHEREAS:** The State Bond Commission has approved the \$3 million to cover the costs associated with the closure of the Shelton landfill; and

**WHEREAS:** The Authority will apply these funds when received against the Shelton Landfill post-closure reserve; and

**WHEREAS:** The fiscal year 2008 tip fees as proposed and as financially prudent can be reduced as a result of the receipt of these funds.

**THEREFORE BE IT RESOLVED:** That the fiscal year 2008 Bridgeport Project Budget be adopted substantially in the form as presented and discussed at this meeting and that a fiscal year 2008 member tipping fee of \$76.00 per ton for the component of the fee based on actual deliveries and \$5.00 per ton for the portion of the fee based on minimum commitment tonnage be adopted.

**FURTHER RESOLVED:** That the adoption of this resolution is based upon the recommendation of the Solid Waste Advisory Board and that the Solid Waste Advisory Board has been advised that the minimum commitment portion of the tip fee will be increased in fiscal year 2009 by whatever is required to permit the cessation of the project on December 31, 2008 in a fiscally sound manner. They further recognize that any increase to the market tip fee component is restricted by market forces.

The motion was seconded by Director Martland.

Director Francis stated that the Bridgeport tip fee will be reduced to \$76.00/\$5.00 per ton because the State Bond Commission has authorized a \$3 million bond for the Shelton Landfill closure. Director Edwards stated that there was a very lengthy discussion at the SWAB meeting on April 11 as to how to distribute the \$3 million. Director Edwards indicated that the consensus was to spread the \$3 million out against the minimum commitment fee rather than the per ton tipping fee. Director Edwards stated that the SWAB Board recognized that this tip fee may have a greater effect next year, but some of the towns felt that they had been hit hard by the minimum commitment fee and the \$76.00/\$5.00 tip fee will help. Director Edwards added that Mr. Constable was very careful to inform the SWAB Board that this tip fee is only for one year and may have to be adjusted next year.

Mr. Bolduc added that the next tip fee that is set for the Bridgeport Project will be the last tip fee and will be in effect for six months. Mr. Bolduc emphasized that at the conclusion of the Project there must be sufficient reserves on hand to cover any costs that occur at project's end and beyond. Mr. Bolduc reminded the Board that the last tip fee may be substantially higher if the Project is short on funds.

Director Martland asked if the \$3 million was guaranteed. Mr. Kirk replied in the affirmative.

Director Lauretti added that he was happy to support this resolution and that this resolution would prove very beneficial to the towns of the Bridgeport Project. Chairman Pace thanked Director Lauretti for his work at the State Capitol in getting this item onto the State Bond Commission agenda.

Mr. Kirk asked Mr. Gent to address some ongoing issues with the Bridgeport Project prior to the vote. Mr. Gent informed the Board that a decision in the arbitration hearing was received on April 23 and management is in the process of analyzing the decision. The Bridgeport Future Options Committee will be meeting on Monday April 30 to discuss this matter. Mr. Gent cautioned that there may be additional legal expenses as a result.

Mr. Gent stated that there may be a contract dispute with the operator of the Waterbury Landfill, and the operator has asked for an arbitration hearing. Mr. Gent indicated that he will be meeting with the operator later today to attempt to settle the dispute. Mr. Gent stated that he is hopeful that an agreement can be reached between both parties without going to arbitration. Mr. Gent noted that management agrees with the \$76.00/\$5.00 tip fee with the understanding and with SWAB's acknowledgement that the fee may go up substantially in the last six months of the project.

The motion previously made and seconded was approved unanimously by roll call.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		

Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Steve Edwards, Ad Hoc, Bridgeport	X		
<b>Non Eligible Voters</b>			
NONE			

**RESOLUTION REGARDING SOLID WASTE CONSULTING SERVICES TO SUPPORT PROCUREMENT OF TRANSPORTATION AND DISPOSAL SERVICES FOR PROCESS RESIDUE, NON-PROCESSIBLE WASTE, AND BYPASS WASTE**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:

**RESOLVED:** That the President is hereby authorized to amend a Request for Services with Alternative Resources, Inc., to increase the cost of performance, for solid waste consulting services to support procurement of transportation and disposal services, substantially as discussed and presented at this meeting.

The motion was seconded by Director Martland.

Mr. Kirk explained that this was being brought before the Board because the dollar value of the contract exceeds the \$50,000 limit. Mr. Egan explained that late in 2006 CRRA solicited bids to move process residue and non-processible waste from the Mid-Connecticut facility to an out-of-state location in the event that CRRA did not succeed in getting additional capacity at the Hartford Landfill. As it became clear that CRRA would be granted the permit, CRRA went back to the bidders and asked what affect it would have on their pricing if there were certain changes to the contract, including the effective date of the contract. Mr. Egan explained that those additional changes to the contract resulted in the "Additional Expenditure". Mr. Egan stated that management would come to the June Board with a recommended contract with one of the haulers and the services would go into effect in January of 2009. This contract would cover transportation of process residue, non-processibles and bypass waste out of the Mid-Connecticut system after the Hartford Landfill ceases to accept waste.

Chairman Pace asked what the additional \$26,568.00 would be used for. Mr. Kirk explained that there is now a change in scope from the original contract. The original scope assured that a contract would be in place by March in the event CRRA was not successful in its negotiations with the City for additional capacity. However, since CRRA has been successful in its negotiations, the start date for exporting waste from the Hartford Landfill has been pushed back to January 2009. Mr. Kirk explained that rather than bringing in a new vendor to start the process from "scratch," management wanted to build and refocus the consultant on longer term projects to utilize contacts and work completed already so that CRRA could create an RFP

contract process for 2009. Chairman Pace asked if the full \$47,500 had been expended. Mr. Egan responded that the funds would be spent by the end of April 2007.

Mr. Egan indicated that this additional amount (\$26,568) would be spent during May and June of 2007. Mr. Egan explained that CRRA has spent the \$47,500 on additional tasks that flowed from the fact that CRRA did not have to execute a contract on or about March 1 but instead went back to the bidders for more information and additional financial modeling because the service start date would now be delayed until January 2009 with the additional capacity availability at the Hartford Landfill.

Director O'Brien asked what the risks (particularly fuel costs) were of entering into a contract that doesn't take effect for another eighteen months. Mr. Egan replied that there is a fuel surcharge and a rate schedule that the vendor will commit to at this time. Mr. Egan stated that CRRA went to the bidders and asked if they would keep their same fuel surcharge and rate schedule if the contract was pushed out for eighteen months. Each of the bidders has agreed to keep the pricing the same.

Director Martland asked what the guidelines were for determining fuel costs. Mr. Egan replied that the vendor would use a sliding scale to determine fuel costs and CRRA's cost will be adjusted with the price of fuel.

Chairman Pace asked how many bidders were involved. Mr. Kirk replied that five companies had submitted bids. Director Edwards asked if the intent was to rebid or to renegotiate with the current low bidder. Mr. Gent replied that it was uncertain at this point, but either way management would need ARI to assist in the process.

Mr. Egan reiterated that almost all the funds have been spent because this was such a fluid exercise given the circumstances involving the Hartford Landfill permit modification (particularly in February and March). Mr. Egan added that when CRRA was granted the permit, the consultant had to go back to the bidders with questions regarding mobilization, pricing and what type of exceptions would need to be made to the contract if changes are made. Mr. Egan stated that whatever funds were available had been used for this additional work. Mr. Egan added that the additional funds were needed to complete the project and recommend one of the contractors for transportation and disposal. Mr. Kirk concluded that basically the Board would be granting management permission to exceed the authorized amount of this agreement by \$26,568 in order to complete the project.

Director Karanian suggested that management submit a more detailed presentation for the May Board meeting so that the members of the Board could have a better understanding of the recommendations. Director O'Brien concurred and stated he felt a new bid was necessary. Director O'Brien added that management should do minimum work consistent with the notion that the work will likely be rebid. Mr. Gent suggested that the Board allow for an expenditure to continue the project until May 31, 2007. Mr. Gent added that management would then come back in May with more information.

Chairman Pace asked what the consultant would be doing over the next thirty days that could not be done by CRRA staff. Mr. Egan responded that the consultant would be performing additional economic modeling, working with Halloran & Sage on contracts with hauler and/or the landfill, communicating with bidders regarding questions that CRRA management had asked of the bidders. Mr. Egan added that management was going to identify the best qualified, lowest cost hauler/landfill. Mr. Gent noted that CRRA has limited staff and stated that there are several large projects that will be worked on over the next few weeks, such as the Wheelabrator arbitration, the Request for Proposals and selection of contractors for the Stratford IPC, upgrades at the Stratford museum, and the Waterbury landfill issue. These very important items are taxing CRRA staff resources. Mr. Gent added that CRRA staff does have the expertise to perform most of the services ARI is providing, but CRRA staff does not have the manhours to do it.

Chairman Pace asked why CRRA staff didn't communicate directly with Halloran & Sage on these items. Chairman Pace felt that CRRA was paying the consultant and the attorney at the same time. Chairman Pace noted that when the new Board was formed, one of the first items on their agenda was to bring more "CRRA product knowledge" back inside, rather than using consultants. Mr. Gent stated that normally this type of service would not be bid out to a consultant, but because of management's workload, a consultant was engaged. Mr. Egan stated that management is providing all the guidance and ARI is simply providing the legwork, which is a significant amount of work.

Chairman Pace stated that he was concerned about exporting internal knowledge to outside consultants. Mr. Kirk agreed, but reiterated that staff was just unable to accomplish this task in the limited time constraints. Mr. Kirk stated that CRRA does have staff in house to do the legwork, but if staff is working on this project, another project does not get done. Mr. Kirk stated that most of this type of work is done in house; but, occasionally, management will need to hire a consultant. This is one of those cases.

Director O'Brien indicated that he would support this resolution because he has full faith in the management team. Director O'Brien added that he understood that occasionally management would need to hire a consultant.

The motion previously made and seconded was approved unanimously by roll call.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		

<b>Non Eligible Voters</b>			
Steve Edwards, Ad Hoc, Bridgeport			

**RESOLUTION REGARDING THE STANDARD FORM MUNICIPAL SOLID WASTE DELIVERY AGREEMENT FOR THE BRIDGEPORT PROJECT**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:

**RESOLVED:** That the President is authorized to execute agreements for delivery of Acceptable Waste to CRRA's Bridgeport Project using the standard form hauler agreement substantially as presented and discussed at this meeting.

The motion was seconded by Director Lauretti.

Mr. Gent stated that there had been a lengthy discussion at the previous Board meeting regarding the standard hauler agreement. At that time, the Board tabled the motion, requesting that management discuss the Board's concern with SWAB. Mr. Gent indicated that management had met with the SWAB Board and SWAB's recommendation was to limit the amount of waste that comes in, but give CRRA the discretion on how this is done. Mr. Gent explained that Wheelabrator has made it clear that if CRRA brings in more waste than it is currently bringing in, Wheelabrator will be looking for additional costs from CRRA (approximately \$20/ton). Mr. Gent added that there may be some additional haulers who want to come into the facility but the SWAB towns would have to pay that additional fee. Mr. Gent stated that management's recommendation is to have a cap on tonnage for each hauler. Originally, management's thought was to have a cap on tonnage of 110% of FY06 deliveries. Some haulers tonnages have gone down and some have gone up. Management is proposing to meet with each hauler to set a cap depending on what their needs are. Mr. Gent added that allowing any new customers in would depend on the amount of tonnage being brought in by existing haulers.

Chairman Pace, referring to Item #12 on Page 3, asked if any hauler had been denied access to a facility. Mr. Gent indicated that individual drivers had been suspended, but that no hauler company had ever been suspended. Mr. Gent added that there is an appeal process for suspended drivers.

Director O'Brien asked how the tonnage would be monitored, monthly or quarterly. Mr. Gent replied that the tonnages are monitored annually and that each hauler would be responsible for monitoring their own tonnages. Director O'Brien asked at what point Wheelabrator would be able to ask for additional funds for excess tonnage. Mr. Gent explained that CRRA has access to 631,500 tons, and Wheelabrator must make a "reasonable" effort to take any amount above that. If Wheelabrator incurs additional costs because of their regular customers, Wheelabrator can pass those additional costs on to CRRA. Mr. Gent stated that CRRA has been bringing in 650,000 tons since Stamford joined the project, but that Wheelabrator had not passed on any additional costs to CRRA.

Director Edwards stated that this is compounded by the 18 member towns and this resolution refers to the contract haulers. Each municipality is a composite of the 631,500 tons. Mr. Edwards added that if a municipality had a sudden spike in their tonnage, that tonnage would go toward the overall composite. Mr. Edwards stated that the Board and management should not look at this as just seven haulers, but as 25, including the municipalities.

Mr. Kirk stated that management felt very comfortable with the caps that had been set and added that management closely monitors tonnages coming in. Director Edwards noted that these numbers were developed using history over the past seven years.

The motion previously made and seconded was approved unanimously by roll call.

<b>Eligible Voters</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Steve Edwards, Ad Hoc, Bridgeport	X		
<b>Non Eligible Voters</b>			
NONE			

### **CHAIRMAN'S REPORT**

Chairman Pace handed out a legal opinion from Attorney Peter Boucher of Halloran & Sage, CRRA's General Counsel, that he requested regarding the Board's responsibilities and liabilities. Chairman Pace asked the Board to review the hand-out. Upon completion of their review, Chairman Pace stated that he felt it was in the best interests of the Board to get some of these questions and concerns answered. Chairman Pace asked Attorney Hunt to summarize each question.

Regarding the first question, "What is the legal obligation of CRRA's Board to conduct CRRA business?" Attorney Hunt stated that Attorney Boucher set forth various statutory requirements for CRRA to conduct its business and stated that the statutes should be liberally interpreted. Attorney Hunt pointed out that the Board has a duty to the public to carry out its statutory obligations. Chairman Pace noted that the word "public" refers to the State of Connecticut. Attorney Hunt concurred. Chairman Pace asked if the "solid waste management plan" referred to in this legal opinion was the plan implemented by DEP. Attorney Hunt replied in the affirmative. Chairman Pace referred the Board to Section 22a-262 and asked Attorney Hunt to explain the term "construed liberally in furtherance of this intention". Attorney Hunt

stated that the statute sets out item by item the powers that CRRA is granted in order to carry out the purpose set forth in the statute. In order to carry out its purpose, the legislature empowered CRRA to interpret those powers broadly enough to allow CRRA to accomplish its purposes. Chairman Pace referred Attorney Hunt to Section 22a-265 and asked her to explain the term "catchall". Attorney Hunt stated that Attorney Boucher wanted to make it clear that the legislature did not want to "tie the hands" of the Board when it set forth the specific powers that CRRA has and the way the Board utilizes those powers to carry out its obligation. Chairman Pace asked Attorney Hunt if the intent of the legislature was to not only carry out its current obligations, but to also plan for the future. Attorney Hunt replied in the affirmative. Chairman Pace referred the Board to the phrase "CRRA is clearly charged with performing an essential government function", and stated that CRRA's government function is to dispose of garbage for the citizens of the State of Connecticut. Chairman Pace then referred the Board to the term "CRRA's directors could be deemed public officials with a fiduciary duty to the public". Chairman Pace stated that it was his interpretation that "the public" refers to the residents of the State of Connecticut. Attorney Hunt concurred.

Chairman Pace stated that it was important for the Board and the public to know exactly what the CRRA Board's function is.

The second question was, "What are the legal liabilities of the Board if it is judicially prohibited from conducting CRRA business?" Chairman Pace stated that he had asked for this opinion to protect the CRRA Board of Directors. Chairman Pace indicated that he wanted to be sure that the Board's interpretation of the statutes was correct. Chairman Pace referred the Board to the enclosed quote from a Connecticut Supreme Court ruling ". . . The duty to obey the injunction exists however erroneous the action of the of the court may be, even if the error be in the assumption of the validity of a seeming [sic] but void law going to the merits of the case . . .". Attorney Hunt indicated that she is waiting for opinions from Attorney Goldstein on several other questions posed by Chairman Pace.

Chairman Pace indicated again that his purpose for asking for these legal opinions was to protect the CRRA Board and be sure that the Board has written legal opinions on all the actions or non-actions of the CRRA Board.

Director Savitsky suggested that the Board forward these legal opinions to the Constitutional Officers of the State of Connecticut for an independent corroboration that these opinions are correct. Attorney Hunt indicated that she would pursue this request.

Chairman Pace informed the Board that Director Michael Cassella had handed in his resignation. Chairman Pace regrets his resignation, but understands and respects Director Cassella's decision.

## **PRESIDENT'S REPORT**

Regarding legislation, Mr. Kirk stated that there is bill before the legislature that would expand the bottle bill to include non-carbonated beverages. Mr. Kirk explained that CRRA has not taken an active position for or against the bill, but has made it clear to the legislature that the

bill, as presently written, would have a substantial impact to the revenue stream to the curbside recycling programs throughout the State. Mr. Kirk added that the planned \$10/ton rebate to the Mid-Connecticut towns for all recycling deliveries to CRRA's facilities is in jeopardy as a result of the loss of revenue associated with the loss of the non-carbonated bottles.

Mr. Kirk stated that the chance of the bill passing is quite good so CRRA has suggested to the legislators sponsoring the bill that an amendment be added that would address the public's concern. Mr. Kirk explained that the amendment would call for CRRA and other public recycling facilities to have the same rights as the private sector has. Specifically, to be able to redeem the non-carbonated bottles and to be paid the 1½¢ (soon to be 3¢) processing fee for essentially collecting, baling and selling the containers. Mr. Kirk stated that the public facilities should be able to benefit from the recycling. Mr. Kirk added that the amendment has received mixed reviews from the bill's sponsors because it would be problematic for the bottlers because it would cut into their revenue. Chairman Pace added that he was surprised that the sponsors of the bill would be more concerned with the bottlers than the public sector. Mr. Kirk stated that there are 169 towns in the State of Connecticut and 146 of those towns have curbside recycling programs. Mr. Kirk added that Connecticut is the envy of other States with these recycling participation numbers. Mr. Kirk stated that adding the non-carbonated beverages to the current bottle bill may have a beneficial impact on litter, but the cost to curbside recycling is not negligible. Mr. Kirk expressed hope that this amendment would be reviewed by the bill's sponsors.

Mr. Kirk stated that the results of the Bridgeport arbitration were in with some good news and some bad news. CRRA will begin negotiations with Wheelabrator in the very near future. The towns will likely be proceeding with Requests for Proposals. Mr. Kirk indicated that more details on the arbitration results will be discussed in the Executive Session.

## **POLICIES AND PROCEDURES COMMITTEE**

### **DISCUSSION REGARDING ENVIRONMENTAL EQUITY STATEMENT**

Director O'Brien referred the Board to Tab 8 of the informational packet, the Environmental Equity Statement. Mr. Kirk stated that management will email a "red-lined" copy to each director for their review. Director O'Brien requested that the Board review the statement and contact Paul Nonnenmacher with any revisions. The Statement, including any suggestions from the Board, will be brought back before the Policies and Procedures Committee for further review.

### **RESOLUTION REGARDING EXPENDITURE FOR RETROFIT OF DIESEL EQUIPMENT AT THE MID-CONNECTICUT WASTE PROCESSING FACILITY, RECYCLING FACILITIES & THE HARTFORD LANDFILL**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:

**RESOLVED:** That the President of CRRA be authorized to expend \$150,000 to be taken from the Mid-Connecticut Rolling Stock Reserve account, to retrofit 16 pieces of heavy-duty diesel equipment as required by the Host Community Agreement contained in the Settlement Agreement with the City of Hartford and the modification of the Solid Waste Permit to Operate the Hartford Landfill, substantially as presented and discussed at this meeting.

The motion was seconded by Director Martland.

Mr. Kirk stated that CRRA's agreement with the City of Hartford and the DEP for the closure of the Hartford Landfill requires CRRA to provide \$150,000 for improving the emissions performance of mobile equipment. Mr. Kirk explained that these funds will cover two modifications, 1) adding a special catalytic converter muffler and 2) when necessary, re-powering, or mechanically overhauling the equipment to improve efficiency and reduce emissions.

Director O'Brien stated that he supports the project. Director O'Brien referred the Board to the second paragraph of the Executive Summary. Director O'Brien asked if there was any demonstrative information from Caterpillar as to how much emissions would be reduced or if there were any documented fuel efficiencies. Mr. Yates stated that he will request this information from Caterpillar.

Director Karanian suggested that CRRA issue a press release. Chairman Pace agreed and asked Mr. Egan to let Ms. Henry of CCEJ know that this upgrade was being done. Chairman Pace added that management should also inform towns bordering Hartford that the upgrade was being done. Mr. Egan stated that as soon as the upgrade is completed, he will let all interested parties know.

The motion previously made and seconded was approved unanimously by roll call.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Non Eligible Voters</b>			
Steve Edwards, Ad Hoc, Bridgeport			

**RESOLUTION REGARDING RATIFICATION OF EMERGENCY PROCUREMENT CONTRACTS**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:

**RESOLVED:** That the Authority Board of Directors ratifies the Emergency purchase as substantially presented and discussed at this meeting.

The motion was seconded by Director Savitsky.

Director O'Brien indicated that this resolution was recommended by the Policies & Procurement Committee and additional supporting documentation was distributed to the Board.

The motion previously made and seconded was approved unanimously by roll call.

<b>Eligible Voters</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
<b>Non Eligible Voters</b>			
Steve Edwards, Ad Hoc, Bridgeport			

**RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENDITURES**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:

**WHEREAS**, CRRA has entered into Legal Service Agreements with various law firms to perform legal services; and

**WHEREAS**, the Board of Directors has previously authorized certain amounts for payment of fiscal year 2007 projected legal fees; and

**WHEREAS**, CRRA has incurred greater than anticipated legal expenses in connection with matters related to the Bridgeport Project contract renewal efforts;

**NOW THEREFORE, it is RESOLVED:** That the following additional amount be authorized for payment of projected legal fees and costs to be incurred through June 30, 2007:

<u>Firm:</u>	<u>Amount:</u>
Halloran & Sage	\$150,000

**Further Resolved:** That Management notify the SWAB Executive Committee immediately upon receipt of the panel's decision in the matter of Wheelabrator Bridgeport L.P. v. Connecticut Resources Recovery Authority, and include full discussion of the decision and its impacts on the agenda for SWAB's May meeting.

The motion was seconded by Director Savitsky.

Mr. Kirk stated that the Halloran & Sage fees and expenses for the Bridgeport Arbitration were higher than anticipated because Wheelabrator pushed for delays in additional motions and briefs that CRRA resisted at every opportunity. The additional \$150,000 is associated with new developments in the arbitration over the last month. Mr. Kirk added that Halloran & Sage did the work with CRRA management's permission, but did not keep CRRA informed of the costs as they were being incurred.

Director Lauretti suggested that the Board occasional review the legal bills. Chairman Pace concurred and added that perhaps Attorney Hunt could bring a "sampling" of some of the legal bills to the Finance Committee meetings for their review.

Director Jarjura stated that this matter was crucial to the Bridgeport project towns and that the costs were justified.

Director Edwards referred the Board to the Supplemental Package (Tab C). Director Edwards asked if the \$360,205 was already accounted for. Ms. Grieg stated that the \$360,205 includes anticipated expenses for all projects, not just Bridgeport. Director Edwards asked that SWAB be kept informed of legal costs going forward.

Chairman Pace stated that the Bridgeport Future Options Committee will be meeting on Monday to discuss this matter.

Mr. Kirk commended Halloran & Sage for their work on the Bridgeport arbitration. Director Lauretti stated that their work is not what was at issue, but their billing practices and ultimately the "bottom line".

The motion previously made and seconded was approved unanimously by roll call.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		

Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		
Raymond O'Brien	X		
Linda Savitsky	X		
Steve Edwards, Ad Hoc, Bridgeport	X		
<b>Non Eligible Voters</b>			
NONE			

**RESOLUTION REGARDING THE PURCHASE OF A PRIMARY SHREDDER MOTOR RATED AT 500 HP AT THE MID-CONNECTICUT WASTE PROCESSING FACILITY**

Chairman Pace requested a motion regarding the above-captioned matter. The following motion was made by Director O'Brien:

**RESOLVED:** That the President is hereby authorized to execute an agreement with American Rotor Corporation to provide a primary shredder motor rated at 500 horsepower to be located at the Mid-Connecticut Waste Processing Facility, substantially as presented and discussed at this meeting.

The motion was seconded by Director Savitsky.

Director O'Brien stated that the Policies & Procedures Committee reviewed this item and agreed that this purchase was justified. American Rotor Corporation can deliver the shredder in 8-10 weeks and would provide a two-year warranty. The lowest bidder could not deliver the shredder for 40 weeks and would only offer a one-year warranty.

Director Savitsky added that if management has not chosen the lowest bidder because of the delivery time and warranty period, management should be sure they monitor the performance of this contract to ensure those services (delivery and warranty) are satisfied.

The motion previously made and seconded was approved unanimously by roll call.

<b>Eligible Voters</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>
Michael Pace, Chairman	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Mark Lauretti	X		
Theodore Martland	X		
James Miron	X		

Raymond O'Brien	X		
Linda Savitsky	X		
<b>Non Eligible Voters</b>			
Steve Edwards, Ad Hoc, Bridgeport			

**EXECUTIVE SESSION**

Chairman Pace requested a motion to enter into Executive Session to discuss pending litigation with appropriate staff. The motion made by Director O'Brien and seconded by Director Savitsky was approved by roll call. Chairman Pace requested that the following people be invited to the Executive Session in addition to the Directors:

Thomas Kirk  
James Bolduc  
Laurie Hunt, Esq.  
Floyd Gent

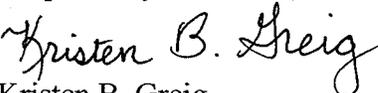
The Executive Session began at 11:35 a.m. and concluded at 1:35 p.m. Chairman Pace noted that no votes were taken in Executive Session.

The meeting was reconvened at 1:35 p.m.

**ADJOURNMENT**

Director O'Brien requested a motion to adjourn the meeting. The motion to adjourn made by Director Martland and seconded by Director Savitsky was approved unanimously.

There being no other business to discuss, the meeting was adjourned at 1:35 p.m.

Respectfully submitted,  
  
Kristen B. Greig  
Secretary to the Board/Paralegal

**TAB 3**

**RESOLUTION REGARDING THE PURCHASE OF WORKERS  
COMPENSATION/EMPLOYERS LIABILITY INSURANCE FOR THE  
PERIOD 4/1/07 – 4/1/08**

**RESOLVED:** That CRRRA purchase Workers Compensation/Employers Liability insurance with a statutory limit and \$1,000,000 limit for Employers Liability, for a premium of \$55,565 from Connecticut Interlocal Risk Management Agency (CIRMA) for the term 4/1/07 – 4/1/08, as discussed at this meeting.

**Connecticut Resources Recovery Authority  
Workers Compensation/Employers Liability Insurance  
5/31/07**

**I. Current Policy**

- Workers Compensation/Employers Liability Policy Expires – 7/1/07
- Statutory limit on Workers Compensation/ \$1 million limit on Employers Liability – premium was \$62,983 (prorated for 9 months to \$47,105)
- Insurer – Connecticut Interlocal Risk Management Agency (CIRMA)

**II. Renewal Policy**

- Aon contacted all of the insurers listed on the Exhibit A attached
- Only CIRMA provided a quote for the period 7/1/07 – 7/1/08 - the premium quoted is \$55,565
- CRRA has had a very long and beneficial relationship with CIRMA as our workers compensation insurer
- CIRMA has provided workers compensation insurance to CRRA when there were no other insurers willing to take on CRRA's exposures
- They provide safety and loss control services, free seminars on many work-related issues and cover all of CRRA's unique employee categories

**III. Management Summary & Recommendation**

- Workers Compensation insurance is designed to provide compensation for all work-related injuries and diseases. Employers Liability insurance, which is Part Two of the policy, applies to bodily injury by accident or bodily injury by disease. This part will pay all sums we become legally obligated to pay as damages and defense of lawsuits made against us by third parties (e.g., spouses, children siblings of injured employees) as they relate to employment. This Part II has a limit of \$1,000,000 each accident/disease.
- Aon recommends purchasing the Workers Compensation/Employers Liability insurance from the current carrier, CIRMA, as they know CRRA's business well and have provided a very favorable premium quote
- Management, in consultation with our broker, recommends securing the Workers Compensation/Employers Liability insurance from CIRMA for the period 7/1/07 – 7/1/08 for an annual premium of \$55,565
- This premium represents a \$7,418 (12%) decrease from the expiring annual premium
- CRRA's budget for this program covering FY'08 is \$68,200.

Program	Line of Business	Carrier	Intermediary, if applicable	Carrier Response	Carrier Declination Reason	Premium	ARS Commission (%/dollars)	Intermediary Commission (%/dollars)	ARS Fee (if applicable)	Total ARS Income	Total Cost to Client (Premium + Fee)
WC	WC	CIRMA	None	Quoted		\$55,565	0	n/a			55,565
		Assigned Risk Carrier to be determined		Premium Likely Higher - On-line Estimate Only		Est \$56,861	0	n			
		Wausua	None	DECLINED	Not writing landfill, garbage or recycling		0	n/a			0
		Chubb	None	DECLINED	Not writing landfill, garbage or recycling		0	n/a			0
		CNA	None	DECLINED	Too small, doesn't write monoline wc		0	n/a			0
		Travelers	None	DECLINED	Not writing monoline wc and needs loss pick >\$1m		0	N			0
		Old Republic	None	DECLINED	Requires loss sensitive with large deductible and 150k Min Prem.		0	n			0
		XL	None	DECLINED	Not writing monoline wc and too small						0
		One Beacon	None	DECLINED	Not writing standalone wc		0	n			0
		Crum	None	DECLINED	No landfill ops		0	n			0
		Firemans Fund	None	DECLINED	Not writing standalone wc		0	n			0
		Guard & Amtrust	All Risks	DECLINED	No garbage operations		0	unknown			0

Program	Line of Business	Carrier	Intermediary, if applicable	Carrier Response	Carrier Declination Reason	Premium	ARS Commission (%/dollars)	Intermediary Commission (%/dollars)	ARS Fee (if applicable)	Total ARS Income	Total Cost to Client (Premium + Fee)
		Zurich	None	DECLINED	Will only write WC with supporting Env. Business		0 n				0
		Hartford	None	DECLINED	Class of Business		0 n				0
		PMA	None	DECLINED	Too small, needes 250k deductible min.		0 n				0
		Great American	None	DECLINED	Excluded class of business		0 n				0
		ACE	None	DECLINED	Excluded class of business		0 n				0

ARS receives premiums Clients pay for remittance to insurers as well as refunds and claim payments by insurance companies for remittance to Client and deposits these payments into fiduciary accounts in accordance with applicable insurance laws until they are due to be remitted. ARS will retain the interest or investment income earned while such funds are on deposit pursuant to those laws and insurer agreements.

**TAB 4**

**Resolution Regarding Mid-Connecticut Resources Recovery Facility Process Residue and Non-Processible Waste Transportation Services**

**RESOLVED:** The President is authorized to enter into an agreement with CWPM, LLC, Inc. for Mid-Connecticut resources recovery facility Process Residue and Non-Processible Waste transportation services substantially as presented and discussed at this meeting.

**Connecticut Resources Recovery Authority  
Contract Summary**

Presented to Board: May 31, 2007

Vendor: CWPM, LLC

Contract Type: Transportation services

Facility: Mid-Connecticut Project WPF

Dollar Value: FY08 budgeted amount \$575,000 for Process Residue and \$211,000 for Non-Processible Waste transportation services.

Base Term: July 1, 2007 – December 31, 2008 (coterminous with the closure of the Hartford Landfill)

Term Extensions: Two 30-day extensions for transportation to the Windsor Landfill only exercisable at CRRA's sole discretion.

**Service Fee Structure:**

	<b>Process Residue To Hartford Landfill</b>	<b>Process Residue To Windsor Landfill</b>	<b>Non-Processible Waste To Hartford Landfill</b>
FY08	\$4.98	\$7.63	\$229.53
FY09 (6 months period)	\$4.98	\$7.63	\$229.53

**Scope of Service:** Contractor will provide transportation of the Process Residue and Non-Processible Waste generated at the Mid-Connecticut Waste Processing Facility. CRRA has the option, if needed, of directing Contractor to the Windsor Landfill for the disposal of small quantities of Process Residue (usually maximum of 5 loads/day).

**Executive Summary**

CRRA is recommending the Agreement for Process Residue and Non-Processible Waste Transportation Services be awarded to the low bidder, CWPM, LLC.

**Discussion**

On April 23, 2007, CRRA issued a request for proposals for Process Residue and Non-Processible Waste transportation services. The procurement was advertised in four Connecticut newspapers (including the New England Minority News), the State's web site and CRRA's web site. As part of the solicitation process firms interested in submitting proposals were required to attend a mandatory pre-proposal meeting. Four firms attended the mandatory meeting. Two

firms, CWPM, LLC and Copes Rubbish Removal subsequently submitted proposals on May 17 as summarized in Table 1.

**Table 1 - Cost Per Ton Bids Received**

Company		Per Ton Rate for Process Residue To Hartford Landfill	Per Ton Rate for Process Residue To Windsor Landfill	Per Load Rate for Non-Processible Waste To Hartford Landfill
CWPM	FY08	\$4.98	\$7.63	\$229.53
	FY09	\$4.98	\$7.63	\$229.53
Copes	FY08	\$8.24	\$8.65	\$335.31
	FY09	\$10.71	\$10.71	\$352.08

Tables 2 and 3 summarize the amount of Process Residue and Non-Processible Waste transported in FY06, and Table 4 provides a financial comparison of the bids received.

**Table 2 – Process Residue Transported July 1, 2005 – June 30, 2006**

Month	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>Tons</b>	11,001	10,860	11,183	11,554	10,285	8,896	8,391	6,026	7,288	8,677	8,465	8,064	<b>110,690</b>
<b>No. of Loads</b>	688	679	699	722	643	556	524	377	456	542	529	504	<b>6,918</b>

**Table 3 – Non-Processible Waste Transported July 1, 2005 – June 30, 2006**

Month	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>Tons</b>	379	751	652	888	785	498	546	535	851	891	815	872	<b>8764</b>
<b>No. of Loads</b>	37	75	65	88	78	49	54	53	85	89	81	87	<b>876</b>

**Table 4 – FY08 Bid Cost Comparison**

Material	CWPM	COPES	Difference
Process Residue	\$551,236	\$912,086	(\$360,850)
Non-Processible Waste	\$201,068	\$293,732	(\$92,664)
<b>TOTAL</b>	<b>\$742,304</b>	<b>\$1,205,818</b>	<b>(\$453,514)</b>

### Financial Summary

\$575,000 has been appropriated in the FY08 budget for the transportation of Process Residue and \$212,000 for the transportation of Non-Processible Waste.

**TAB 5**

**RESOLUTION REGARDING SECOND AMENDMENT TO THE TOWN OF  
SOUTHBURY'S MUNICIPAL SOLID WASTE MANAGEMENT SERVICES  
AGREEMENT**

**RESOLVED:** The President is authorized to execute the Second Amendment to the Town of Southbury's Solid Waste Management Services Agreement substantially as presented and discussed at this meeting.

**Connecticut Resources Recovery Authority  
Amendment Summary**

Presented to Board: May 31, 2007

Customer: Town of Southbury

Contract Type: Second Amendment to Solid Waste Management Services  
Agreement

Facility: Mid-Connecticut Project

Term, Original Contract: November, 2012

Term: July 1, 2007 – December 1, 2007  
Term coincides with the Town's service agreement with its current residential waste hauler

Transportation Subsidy: FY08 \$9.62

Comments: The purpose of this Second Amendment is to extend the Town's ability to haul MSW directly to the Mid-Connecticut WPF, thus by-passing the Watertown Transfer Station. Prior to September 2004, the Town of Southbury's residential waste – over 300 loads per year - was transported by its contract hauler to the Watertown Transfer Station. These loads were transported to the transfer station via 100 cubic yard trailers. The First Amendment redirected the Town's residential waste hauler to the Mid-Connecticut Project WPF in Hartford. By redirecting this waste to Hartford, the Mid-Connecticut Project saves the costs associated with the double handling of this waste (tipping 100 yard trailers only to have the transfer station operator reload the material into other 100 yard trailers for transport to Hartford) and reduces the wait times for other haulers using the transfer station.

The term of the First Amendment is June 30, 2007, however the Town's contract with its residential waste hauler does not expire until December 1, 2007 (Town will go out to bid for residential hauling services in the fall). In the interim, the Town wishes to continue the direct delivery of waste to the WPF.

**TAB 6**

# **RESOLUTION REGARDING CONSULTING, ENGINEERING AND LAND SURVEYING SERVICES**

**RESOLVED:** That the President is hereby authorized to enter into contracts with the following firms and individuals for Consulting, Engineering and Land Surveying Services, substantially as discussed and presented at this meeting:

## **Engineering Services**

### **Category I – General Engineering Services**

Diversified Technology Consultants, Inc.  
DMJM + Harris, Inc.  
HRP Associates, Inc.  
URS Corporation AES  
van Zelm, Heywood & Shadford, Inc.

### **Category II – Environmental Engineering**

Fuss & O'Neill, Inc.  
GZA GeoEnvironmental, Inc.  
HRP Associates, Inc.  
Kleinschmidt Associates  
Loureiro Engineering Associates, Inc.  
M. I. Holzman & Associates  
Sci-Tech, Inc.  
TRC Environmental Corporation

### **Category III – Resource Recovery and Recycling Engineering**

Camp Dresser & McKee, Inc.  
Dvirka & Bartilucci Consulting Engineers  
Grillo Engineering Co.  
Hatch Mott McDonald  
RRT Design & Construction  
R. W. Beck, Inc.  
STV Incorporated

### **Category IV – Landfill Engineering**

Fuss & O'Neill, Inc.  
Malcolm Pirnie, Inc.  
SCS Engineers, PC  
TRC Environmental Corporation

## **Land Surveying Services**

Conklin & Soroka, Inc.  
Dutton & Johnston, LLC

## **Solid Waste Consulting Services**

Alternative Resources, Inc.  
Gershman, Brickner, & Bratton, Inc.  
R. L. Banks & Associates, Inc.  
Camp Dresser & McKee, Inc.

# Connecticut Resources Recovery Authority

## Contract Summary for Contract entitled

### Consulting, Engineering and Land Surveying Services Agreement

Presented to the CRRRA Board on:	May 31, 2007
Vendor/ Contractor(s):	Various (See Attached)
Effective date:	July 1, 2007
Contract Type/Subject matter:	Three Year Services Agreement for Consulting, Engineering and Land Surveying Services
Facility(ies) Affected:	Not Applicable
Original Contract:	Not Applicable
Term:	July 1, 2007 through June 30, 2010
Contract Dollar Value:	Not Applicable
Amendment(s):	Not applicable
Term Extensions:	Not applicable
Scope of Services:	On-call consulting services in the Solid Waste Consulting, Engineering, and Land Surveying Services areas.
Other Pertinent Provisions:	Any work under the Agreements will be pursuant to a Request for Services ("RFS"). Any RFS in excess of \$50,000 per fiscal year will require approval by the Board of Directors.

# **Connecticut Resources Recovery Authority**

## **Consulting, Engineering and Land Surveying Services**

*May 31, 2007*

### **Executive Summary**

From time to time CRRA requires the assistance of firms and individuals to provide technical and professional consulting services in a variety of solid waste consulting, engineering and environmental areas. CRRA's "Procurement Policies and Procedures" establishes a "Request for Qualifications" ("RFQ") process to obtain such services.

The most recent CRRA agreements for solid waste consulting services expired on December 31, 2006. The current agreements for engineering services and land surveying services expire June 30, 2007. CRRA previously made the decision to conduct the solicitation for solid waste consulting services in conjunction with the solicitation for engineering and land surveying services.

CRRA issued an RFQ for consulting, engineering and land surveying services in February 2007 in order to solicit firms with which to contract for a new three-year period beginning July 1, 2007.

CRRA received responses to the RFQ from 45 firms and individuals. Operations and Environmental staff evaluated the responses. Based on those evaluations, the firms listed below have been selected for recommendation to the Board of Directors.

This is to request approval of the CRRA Board of Directors for the President to enter into agreements with the firms and individuals identified on the attached list to provide services as described below for the three-year period beginning July 1, 2007 and ending June 30, 2010. Any work performed under such an agreement will be pursuant to a Request for Services ("RFS"), and any RFS that is in excess of \$50,000 per year will require approval of the Board of Directors.

### **Discussion**

CRRA's "Procurement Policies and Procedures" establishes an RFQ process as "a process by which CRRA identifies persons to perform services on behalf of . . .

CRRA through the solicitation of qualifications, experience, [and] prices.” CRRA has historically used the RFQ process to pre-qualify firms for a variety of technical services that it requires (e.g., engineering services). In accordance with its Procurement Policy and Procedures and Connecticut State Statute, CRRA is required to solicit for technical and professional services once every three years. Agreements for solid waste consulting services expired on December 31, 2006 and agreements for engineering services and land surveying services that are currently in effect will expire on June 30, 2007. CRRA previously made the decision to conduct the solicitation for solid waste consulting services in conjunction with the solicitation for engineering and land surveying services.

CRRA issued an RFQ for consulting, engineering and land surveying on February 5, 2007. The availability of the RFQs was advertised in two national periodicals (Waste News and Waste Age), in five Connecticut newspapers (the Hartford Courant, the New Haven Register, the Connecticut Post, New England Minority News and La Voz Hispana) and on CRRA’s web site. Responses to the Consulting, Engineering and Land Surveying Services RFQ were due by March 21, 2007.

A total of 45 firms responded to the RFQ. Table 1 below indicates the categories of services for which each of the respondents to the RFQ requested consideration.

The responses were first evaluated for administrative sufficiency, and then evaluated for technical merit. CRRA Operations and Environmental staff conducted the evaluations. Responses were evaluated based on the respondent’s qualifications and experience, the experience of the individuals who would be assigned to do work, the respondent’s fee structure, organization and approach and the respondent’s Connecticut presence.

Firms meeting the requirements of a small business enterprise (SBE), or a woman/minority/disabled person-owned business enterprise (W/M/DP BE) were also considered in the review process. Eleven respondents indicated that they were SBEs and four indicated that they were W/M/DP BEs. Of the 26 firms that are being recommended for selection, 2 firms are currently registered with the State of Connecticut as SBEs (4 recommended firms qualify) and no firms are currently registered as W/M/DP Bes (no recommended firms qualify). It is CRRA’s intention to request that those firms that are qualified to register with the State as a SBE pursue such registration with the State immediately upon contract award.

Based on the evaluation conducted by CRRA staff, the following firms/individuals were selected for recommendation to the Board of Directors in each of the following service categories:

## **Engineering Services**

### **Category I – General Engineering Services**

Diversified Technology Consultants, Inc.  
DMJM + Harris, Inc.  
HRP Associates, Inc.  
URS Corporation AES  
van Zelm, Heywood & Shadford, Inc.

### **Category II – Environmental Engineering**

Fuss & O'Neill, Inc.  
GZA GeoEnvironmental, Inc.  
HRP Associates, Inc.  
Kleinschmidt Associates  
Loureiro Engineering Associates, Inc.  
M. I. Holzman & Associates  
Sci-Tech, Inc.  
TRC Environmental Corporation

### **Category III – Resource Recovery and Recycling Engineering**

Camp Dresser & McKee, Inc.  
Dvirka & Bartilucci Consulting Engineers  
Grillo Engineering Co.  
Hatch Mott McDonald  
RRT Design & Construction  
R. W. Beck, Inc.  
STV Incorporated

### **Category IV – Landfill Engineering**

Fuss & O'Neill, Inc.  
Malcolm Pirnie, Inc.  
SCS Engineers, PC  
TRC Environmental Corporation

## **Land Surveying Services**

Conklin & Soroka, Inc.  
Dutton & Johnston, LLC

## **Solid Waste Consulting Services**

Alternative Resources, Inc.  
Gershman, Brickner, & Bratton, Inc.  
R. L. Banks & Associates, Inc.  
Camp Dresser & McKee, Inc.

The agreements that are to be executed with these firms will have an effective date of July 1, 2007 and will extend through June 30, 2010.

For the Board of Directors information, included herewith as Table 2 is a list of the firms with which CRRA has had a three year engineering services agreement during the current term (expiring June 30, 2007), showing the number of assignments that each firm has received during this current three year term.

### **Financial Summary**

CRRA makes no financial commitment to any firm or individual in the three year services Agreements. This selection simply qualifies a firm or individual as eligible to undertake work for CRRA at a later date, when a specific need is actually identified. Any such future work would be procured through an RFS, and any RFS for more than \$50,000 per fiscal year would require prior approval by the CRRA Board of Directors.

It should be noted that the cost for any particular task specific RFS that is negotiated with any particular engineering firm pursuant to these three year service agreements will be based on the hourly rates for time (i.e., professional labor rates) and materials (e.g., daily rental rate for water sampling equipment) that are pre-established in these three year service agreements.



Table 2

<b>ENGINEERING AND LAND SURVEYING SERVICES 2004-2007 CONTRACT ASSIGNMENTS</b>	
<b>NAME</b>	<b>NUMBER OF ASSIGNMENTS</b>
<b>I. GENERAL ENGINEERING</b>	
Diversified Technology Consultants	1
DMJM Harris, Inc.	4
Fuss & O'Neill, Inc.	12
HRP Associates, Inc.	13
R. W. Beck, Inc.	2
URS Corporation	17
<b>II. ENVIRONMENTAL CONSULTING AND ENGINEERING</b>	
Environmental Risk Limited	0
Fuss & O'Neill, Inc.	12
GZA GeoEnvironmental, Inc.	3
HRP Associates, Inc.	13
Malcolm Pirnie, Inc.	7
M. I. Holzman & Associates	1
Sci-Tech Consulting Environmental Engineers	1
TRC Environmental	22
<b>III. RESOURCE RECOVERY &amp; RECYCLING CONSULTING AND ENGINEERING</b>	
Camp Dresser & McKee, Inc.	2
Dvirka & Bartilucci	2
Grillo Engineering	2
RRT Design & Construction	1
R. W. Beck, Inc.	2
<b>IV. LANDFILL CONSULTING AND ENGINEERING</b>	
Camp Dresser & McKee, Inc.	3
SCS Engineers	5
TRC Environmental	22
URS Corporation	17
<b>V. LAND SURVEYING SERVICES</b>	
Conklin & Soroka, Inc	6
Dutton & Jonston, LLC	4
<b>VI. ANALYTICAL LABORATORY SERVICES</b>	
Analytical Consulting Technology, Inc.	3
Connecticut Testing Laboratories, Inc.	2

**TAB 7**

**RESOLUTION REGARDING  
DEVELOPMENT OF AN ASH RESIDUE LANDFILL WITHIN  
THE STATE OF CONNECTICUT**

**RESOLVED:** That the President is hereby authorized to enter into a Request for Services with TRC Environmental Corporation to provide engineering and environmental consulting support associated with development of an ash residue landfill in the State of Connecticut, substantially as discussed and presented at this meeting.

# **Connecticut Resources Recovery Authority**

## **Contract Summary for Contract entitled**

### **Support for Development of an Ash Residue Landfill**

Presented to the CRRA Board on: May 31, 2007

Vendor/ Contractor(s): TRC Environmental Corporation

Effective date: June 1, 2007

Contract Type/Subject matter: Request for Services ("RFS")

Facility(ies) Affected: All Four CRRA Projects

Original Contract: Three-Year Engineering Services Agreement, Number 050101

Term: June 1, 2007 through June 30, 2007 Pursuant to Contract 050101.  
July 1, 2007 through June 30, 2008 pursuant to new 3 year Engineering Services Agreement, Contract No. to be assigned.

Contract Dollar Value: Not to Exceed \$495,000

Amendment(s): Not applicable

Term Extensions: Not applicable

Scope of Services: To provide engineering and environmental permitting support associated with the development of an ash residue landfill in the State of Connecticut.

Other Pertinent Provisions: The estimated time of performance of the Project is June 2007 through December 2010. However, there will be numerous opportunities for significant delays to occur in the ash residue landfill development process. CRRA's intent is to retain the Consultant for the duration of the process. This RFS is to cover the first 13 months of site investigation work. Subsequent RFS's will be developed as the project moves along.

**Connecticut Resources Recovery Authority**

**Engineering and Environmental Permitting Support  
Associated with Development of an Ash Residue  
Landfill within the State of Connecticut**

*May 31, 2007*

**Executive Summary**

Several years ago CRRA undertook a comprehensive, definitive statewide study to identify possible sites within the State of Connecticut on which a landfill could be developed which would be capable of accepting ash residue, municipal solid waste, construction and demolition debris (bulky waste), and special waste.

The study has been completed and has revealed several sites in the state that appear suitable for location of a landfill from a technical siting criteria standpoint.

CRRA is now ready to develop site specific investigation plans and begin on-site field investigation activities at two of the sites with the intent of developing an ash residue landfill in Connecticut to provide disposal capacity for ash generated by its own and other resource recovery facilities located in the state.

In order to undertake the onsite field investigation work, CRRA must engage a professional engineering firm to provide support in the development activity.

This is to request Board of Directors approval to employ TRC Environmental Corporation to assist and support CRRA in this initiative.

**Discussion**

***Landfill Siting Study***

Several years ago CRRA undertook a comprehensive, definitive statewide study to identify possible sites within the State of Connecticut on which a landfill could be developed which would be capable of accepting ash residue, municipal solid waste, construction and demolition debris (bulky waste), and special waste.

CRRA's Landfill Siting Study utilized a Geographic Information System (GIS) to query existing databases (e.g., environmental, land use, demographic, agricultural, etc.) to perform a statewide screening against various criteria primarily based on the Connecticut Department of Environmental Protection's ("CTDEP") regulations and policies which govern landfill siting, development, construction and operation.

Examples of the technical siting criteria used to screen the state were:

- Location relative to receiving water bodies, both ground & surface
- Geology and Hydrogeology
- Potential leachate generation and hydrologic assessment
- Proximity to POTW
- Nearby Drinking Water Supplies and Aquifer Protection Issues
- Surrounding Land Use
- Local Zoning classification
- Property Owner(s)
- Potential Land Use Conflicts
- Proximity to Utilities
- Flood Plains, Wetlands
- Airport Safety
- Fault Area, Seismic Impact Zones, Unstable Areas
- Endangered, Threatened, Protected Species
- Potential development costs
- Potential Traffic Issues and Patterns
- Infrastructure, transportation, and accessibility assessment.

CRRA's landfill siting study was substantially a "table top" study. Although the sites were visited by motor vehicle and aircraft, no on-site surface or subsurface field investigations were conducted.

### ***Selection of Prospective Sites***

The siting study revealed several favorable locations. At this time, CRRA management intends to proceed with on-site field investigation at two sites that appear to have the greatest potential for development from a technical siting criteria standpoint.

The consultant retained pursuant to this Supplemental RFQ will support CRRA in conducting the necessary on-site field work, site investigation and testing activities to determine the suitability of one or more of the preferred sites. Subsequent to CRRA's selection of its preferred site(s), the consultant will assist CRRA in undertaking all of the testing required to obtain the information necessary to prepare applications for any permits needed for the development of an ash residue landfill. The consultant will assist CRRA in preparing the permit applications and will provide support during the review of the permit applications by the CTDEP and any other federal, state and local agencies whose approval is required.

### ***Supplemental Request for Qualification Process***

CRRA solicited supplemental Requests for Qualifications from four of the engineering firms with which CRRA has three year engineering services agreements with the intent of identifying a firm to support CRRA in this landfill development initiative.

The four firms were:

- Fuss & O'Neill, Inc.
- GZA GeoEnvironmental, Inc.
- Malcolm Pirnie, Inc.
- TRC Environmental Corporation

CRRA staff invited these four firms to submit a supplemental request for qualifications, and subsequently interviewed each of the four firms.

In the supplemental Request for Qualifications, CRRA asked each firm to provide the following:

- A description of the firm's experience in providing engineering and environmental services associated with the selection, permitting and development of solid waste landfills. Specifically addressing:
  - Any experience with ash residue landfills;
  - Any experience with landfills in Connecticut; and
  - Any experience with other types of landfills and with landfills in other states/countries.
- An indication of which of the firm's personnel would have key management roles for this project, the name of each such individual and his/her title and salary grade, and brief descriptions of the background of each such individual (including, but not limited to a brief resume), his/her probable areas of responsibility and the percentage of his/her time that would be available to assist CRRA.
- The names of three references not affiliated with CRRA that CRRA may call and for whom you have performed services similar to those encompassed by this Supplemental RFQ.
- A critique of the attached proposed Scope of Services with commentary as to how the document should be modified.
- Because this will be a substantial, intensive, extensive and long-term project, CRRA asked each firm whether it would provide preferred and discounted rates that are

lower than the rates specified in the three-year Engineering Services Agreement. If offered, CRRA requested that the preferred and discounted rates for this project be specified by title and salary grade.

### *Scope of Services*

CRRA provided a Scope of Services for the project to each firm. A copy is attached.

### *Evaluation Process*

CRRA, assisted by Brown Rudnick, evaluated the supplemental RFQs and evaluated each firm based on the following list of criteria:

- Knowledge, capability and experience of the firm and the proposed project “team” regarding permitting and constructing lined landfills, both in Connecticut and in other states;
- Quality and depth of the team members with regard to solid waste landfill engineering; groundwater investigation and permitting; and air modeling and permitting;
- Team members experience testifying in state agency adjudicatory hearings, court proceedings, and speaking/presenting at public meetings;
- Local Presence (how much of the team is based in or close to Connecticut);
- Understanding of the issues involved with this initiative;
- Degree to which the firm intends to rely on outside resources (subcontractors);
- Quality of presentation at the interview.
- Rates

CRRA solicited supplemental Requests for Services on March 26, 2007 and requested that they be submitted by April 16, 2007. The Qualification packages were reviewed by CRRA’s evaluation panel, which consisted of Peter Egan, David Bodendorf, Christopher Shepard and Ron Gingerich of CRRA’s Environmental Division, and Attorney Douglas Cohen of Brown Rudnick Berlack Israels LLP, CRRA’s legal counsel on this development initiative.

CRRA invited each firm to a face-to-face interview. Interviews were conducted on April 23<sup>rd</sup>, 24<sup>th</sup>, and 25<sup>th</sup>. CRRA asked each firm to bring to the interview those key personnel that it would assign to the project. Each firm was given one and one-half hours to present its qualifications and to respond to questions from CRRA staff and CRRA’s legal counsel.

Following the interviews, CRRA allowed each firm to provide a followup letter to CRRA, if the firm was so inclined, providing additional information that was requested

during the interview, or providing clarifications to any matters discussed during the interviews. These letters were submitted by the firms no later than April 30, 2007.

A scoring matrix comparing the relative ranking of each of the four firms, based on the consensus of CRRA's interview panel, was developed by the panel and used to identify the most qualified firm for this particular project. A copy of the scoring matrix is included herewith.

### ***Recommendation***

Based on the evaluation criteria listed above, its written proposal, its oral presentation, and its response to questions from CRRA staff and CRRA's legal counsel, CRRA staff recommends that CRRA engage TRC Environmental Corporation to provide the engineering and environmental consulting assistance to CRRA for this project.

### **Financial Summary**

The funds for this effort will be taken from CRRA's Landfill Siting Reserve. At its November 2006 meeting CRRA's Board of Directors approved the use of \$495,000 from this reserve for this purpose.

The estimated time of performance of the Project is from May 2007 through December 2010. However, CRRA recognizes that there are numerous opportunities for significant delays to occur in the ash residue landfill development process. CRRA's intent is to retain the Consultant for the duration of the process, regardless of how long it takes.

Upon receiving Board approval to employ TRC Environmental Corporation, CRRA will negotiate a specific Request for Services (RFS) with TRC Environmental Corporation for this undertaking. The RFS will have a specific scope of work, an estimated time of performance, and an estimated cost. The initial RFS activity will be for the period through June 30, 2008. The estimated cost will be negotiated with TRC based on the preferred rates provided in the supplemental RFQ submitted by TRC for consideration for this activity. CRRA will provide CRRA's Board of Directors with the Request for Services once it has been developed.

# **EXHIBIT A**

## **SCOPE OF SERVICES**

This Scope of Services is intended to provide a greater understanding of the type of services that will be required in connection with completing the Project. Proposers are reminded that the Scope of Services is subject to further negotiation, and proposals should include a critique of the Scope of Services with commentary as to how, if at all, this document should be modified

CRRA's general approach, with the projected role of the Consultant, for the development of an ash residue landfill is summarized below.

One decision that has not yet been made by CRRA that will have a significant impact on the approach has to do with the ash residue landfill development process made available to CRRA by Section 22a-285 et seq. of the Connecticut General Statutes. The Section 285 process provides CRRA with certain condemnation powers, places constraints on the DEP permit review process and allows CRRA to bypass local planning and zoning requirements in exchange for a process whereby the Connecticut Siting Council would establish the compensation to be paid to the host municipality. While CRRA does not desire to acquire land for the ash landfill through condemnation and would prefer to use the established local planning and zoning process, it recognizes that it may not be possible to develop an ash landfill without resorting to the Section 285 process. CRRA expects to have made a decision on whether or not to use the Section 285 process subsequent to the initiation of Preliminary Site Investigations, but prior to the initiation of Site Investigations, as described below.

### **1. PRELIMINARY SITE INVESTIGATION PLAN**

The Consultant will be required to prepare a Site Investigation Plan prior to initiating any on-site work. The purpose of the Preliminary Site Investigation Plan will be to guide the fatal flaw/due diligence investigation of the proposed site(s).

#### **1.1 Obtain and Review Materials**

Consultant will obtain from CRRA and others information that reflects data and conditions with regard to the potential site(s) and to solid waste, ground water, water discharge and air permitting.

#### **1.2 Prepare Updated Permit Analysis**

Consultant will review the applicable regulations and make a preliminary determination of anticipated permit applicability and submittal requirements.

### **1.3 Prepare Preliminary Site Investigation Plan**

Consultant, in consultation with CRRA and Brown Rudnick, will prepare a Preliminary Site Investigation Plan. The Plan will be based on the information provided to the Consultant by CRRA and on the updated permit analysis. Preparation of the Plan will involve at least two review and comment iterations by CRRA and Brown Rudnick. If there is more than one proposed site still being considered, separate Plans will be developed for each.

## **2. PRELIMINARY SITE INVESTIGATION**

Following the directions provided in the Preliminary Site Investigation Plan, Consultant will undertake preliminary investigations at the potential site(s). The purpose of the Preliminary Site Investigation is to identify any flaw in the site that might be of sufficient magnitude to cause CRRA to abandon consideration of the site(s).

As the Preliminary Site Investigation proceeds, Consultant will keep CRRA informed on its findings.

CRRA anticipates that the Preliminary Site Investigation will take approximately 90 days.

## **3. SITE INVESTIGATION PLAN**

The purpose of the Site Investigation Plan is to provide a roadmap for site investigations subsequent to the conclusion of the Preliminary Site Investigation through the preparation, submittal and consideration of permit applications.

### **3.1 Prepare Draft Site Investigation Plan**

Consultant will prepare a draft Site Investigation Plan. Preparation of the Plan will involve at least two review and comment iterations by CRRA and Brown Rudnick.

The Draft Site Investigation Plan must include consideration of the following, as appropriate, for the selected site(s):

- Potential fugitive air emissions;
- Potential environmental equity issues;
- Potential traffic impacts;
- Consideration of health impacts;
- Consideration of visibility and landscape issues; and
- Final use of the landfill.

### **3.2 Consult with DEP**

The Consultant shall provide support to CRRA for and shall participate in a meeting(s) with DEP to obtain DEP's review and comment on the Draft Site Investiga-

tion Plan. DEP's input will also be sought on Consultant's and CRRA's initial conclusions regarding permit applicability and application requirements.

### **3.3 Consult with Other State and Local/Municipal Agencies**

The Consultant shall provide support to CRRA for and shall participate in meetings with other state agencies that might be involved in the landfill siting process and with local/municipal agencies that might be involved. Where appropriate, Consultant and CRRA will seek review and comment by these agencies of the Draft Site Investigation Plan. Consultant and CRRA will also solicit comments from these agencies on Consultant's and CRRA's initial conclusions regarding permit applicability and application requirements.

### **3.4 Complete Site Investigation Plan**

Consultant shall, as directed by CRRA, revise the Draft Site Investigation Plan to reflect DEP's comments and the comments obtained from other state agencies and local/municipal agencies.

## **4. SITE INVESTIGATION**

Following the directions provided in the Site Investigation Plan, Consultant will continue investigations at the potential site(s). The purpose of the continued Site Investigation is to gather all of the data necessary to develop and support applications for all necessary permits.

CRRA anticipates that the Site Investigation will last approximately 270 days beyond the 90 days anticipated for Preliminary Site Investigation.

Preliminary Site Investigation is to identify any flaw in the site that might be of sufficient magnitude to cause CRRA to abandon consideration of the site(s).

Contractor shall maintain all necessary environmental investigation and monitoring activities at the site throughout the preparation of permit applications and the application review process.

## **5. DRAFT PERMIT APPLICATIONS**

As sufficient information is developed through the Site Investigation, Consultant shall prepare and provide to CRRA a fully compliant draft permit application for each relevant permit that is required for the ash landfill. Consultant will compile and produce a complete draft permit application using information provided by CRRA as well as exhibits and documentation prepared by Consultant. The permit application will comply with the requirements of DEP's current applicable permits, including but not limited to, the "Application for Construction and Operation of a Solid Waste Facility" (form DEP-WEED-APP-100, revised 06/02/98), and "Permit Application for Wastewater Discharges" (form DEP-PERD-APP-100, revised 08/21/03 (for both discharges to groundwater, and discharges to a publicly operated treatment works)). Consultant will also address any other

requests of the DEP staff attributable to the site(s) that emerge during the pre-application process.

Consultant will provide CRRA with copies of all required forms and suggested contents for all appendices, including the Executive Summary. In addition, upon compilation of the draft permit application, the Consultant will provide two copies to CRRA for review and comment. Consultant shall also prepare drafts of any plans required to meet regulatory and/or probable permit requirements.

Of particular importance in preparing draft permit applications will be the following:

- (a) The Consultant will assist CRRA in preparing a Determination of Need document in accordance with Connecticut law;
- (b) The Consultant will work with CRRA to develop an Operation and Management (O&M) Plan and fill sequence drawings to define O&M activities at the proposed ash landfill and meet applicable state and/or municipal requirements. Consultant will ensure that the O&M Plan documents the operation of the site to minimize the size of the working face, provide for adequate cover, minimize erosion, run-on and stormwater infiltration (thereby minimizing generation of leachate) and maximize the runoff of stormwater which has not been in contact with any waste. Consultant will also be responsible for assembly and document production in connection with the development of the O&M Plan.

## **6. FINAL PERMIT APPLICATIONS**

The Consultant will compile and produce the final permit applications for submittal to DEP and to any other state and/or municipal agency whose approval is required for development of an ash residue landfill at the selected site(s). The final application to DEP will include the solid waste permit application and water discharge application, and all other permits as required, each with updated material and incorporating CRRA review comments. The final permit applications will be provided to CRRA for submittal to DEP and the other relevant state and/or municipal agencies. CRRA will submit all applications and permit fees to DEP and the other relevant state and/or municipal agencies. The consultant will assist CRRA in meeting public notification requirements associated with the DEP permit submittals.

## **7. APPLICATION REVIEW PROCESS**

The Consultant shall, as requested by CRRA, provide support to CRRA during the review of the applications by DEP and other state and/or municipal agencies.

## **8. CONTRACTOR SELECTION**

The Consultant will assist CRRA in preparing a Request for Bids to obtain bids to construct the ash residue landfill. The Consultant will assist CRRA in evaluating the bids received.

CRRA has not yet decided whether it will operate the landfill itself or retain the services of a contractor to do so. If CRRA decides to use a contractor, the Consultant will assist CRRA in preparing a Request for Bids for such work and shall assist CRRA in evaluating the bids received.

## **9. LANDFILL CONSTRUCTION**

The Consultant will assist CRRA in overseeing the construction of the ash residue landfill to ensure that such construction meets the requirements of the permits issued for the landfill and the plans prepared by the Consultant.

## **10. PUBLIC OUTREACH AND INFORMATION**

The development of an ash residue landfill will involve significant public outreach and information. CRRA will retain a separate consultant to provide such services, but the Consultant will be required to participate in such efforts as directed by CRRA. Such participation will involve attending and making presentations at public meetings and providing technical assistance to the public outreach consultant in developing public outreach materials.

**SUPPLEMENTAL QUALIFICATIONS PACKAGES  
PROPOSED ASH LANDFILL**

EVALUATION ITEM	WEIGHTING VALUE (Out of 1,000)	Fuss & O'Neill		GeoEnvironm ental, Inc.		Malcom Pirnie		TRC Environmental Corp.		COMMENTS
		RATING	SCORE	RATING	SCORE	RATING	SCORE	RATING	SCORE	
1 Knowledge, capability & experience of firm/team with lined landfills <i>in Connecticut</i>	130	8	1.04	5	0.65	4	0.52	10	1.30	
2 Knowledge, capability & experience of firm/team with lined landfills <i>in other states</i>	75	9	0.68	8	0.60	10	0.75	9	0.68	
3 Quality/depth of solid waste/ landfill engineering team	100	10	1.00	8	0.80	10	1.00	10	1.00	
4 Quality/depth of ground water team	100	10	1.00	8	0.80	7	0.70	10	1.00	
5 Quality/depth of air team	50	6	0.30	10	0.50	8	0.40	10	0.50	
6 Reliance on outside resources (outside contractors for ecological assessment, traffic analysis, etc.)	20	8	0.16	7	0.14	7	0.14	10	0.20	
<b>TOTAL CATEGORY 1</b>	<b>475</b>		<b>4.18</b>		<b>3.49</b>		<b>3.51</b>		<b>4.68</b>	
7 Team members' experience testifying <i>in Connecticut</i>	130	9	1.17	8	1.04	5	0.65	10	1.30	
8 Team members' experience testifying <i>in other states</i>	55	7	0.39	6	0.33	8	0.44	8	0.44	
9 Quality/depth of team in community outreach/local approval analysis	50	10	0.50	8	0.40	8	0.40	9	0.45	
10 Local presence (i.e., how much of the team is based in or close to Connecticut)	100	10	1.00	8	0.80	6	0.60	9	0.90	
11 Understanding of issues involved (as demonstrated in interview and submission)	70	10	0.70	9	0.63	9	0.63	9	0.63	

**QUALIFICATIONS  
EVALUATION SCALE**

RATING NUMBER	RATING DESCRIPTION
10	Excellent
8	Very Good
6	Good
4	Acceptable
2	Poor
0	Unacceptable

EVALUATION ITEM	WEIGHTING VALUE (Out of 1,000)		Fuss & O'Neill		GeoEnvironm ental, Inc.		Malcom Pirnie		Environmental Corp.		COMMENTS
	RATING	SCORE	RATING	SCORE	RATING	SCORE	RATING	SCORE	RATING	SCORE	
12 Quality of presentation at interview	10	0.70	5	0.35	7	0.49	9	0.63			
TOTAL CATEGORY 2	475	4.46	3.55	3.21	4.35						
13 Rates	50	0.45	10	0.50	5	0.25	8	0.40			
TOTAL	1,000	9.08	7.54	6.97	9.43						

Review performed by: \_\_\_\_\_  
 \_\_\_\_\_

**TAB 8**

**RESOLUTION REGARDING APPROVAL OF AGREEMENTS  
FOR LANDFILL ENVIRONMENTAL MONITORING,  
LABORATORY ANALYSIS AND REPORTING SERVICES**

**RESOLVED:** That the President of CRRA be authorized to enter into agreements for Environmental Monitoring, Laboratory Analysis and Reporting Services, substantially as presented at this meeting, as follows:

<b>Vendor</b>	<b>Amount</b>	<b>Facility</b>
CME Associates, Inc.	\$ 285,840	Hartford Landfill
Fuss & O'Neill, Inc.	\$ 276,750	Shelton Landfill
HRP Associates, Inc.	\$ 236,940	Wallingford Landfill

# Connecticut Resources Recovery Authority

## Contract Summary for Contract entitled

### Environmental Monitoring, Laboratory Analysis, and Reporting Services – Hartford Landfill

Presented to the CRRA Board on: May 31, 2007

Vendor/ Contractor(s): CME Associates, Inc.

Effective date: July 1, 2007

Contract Type/Subject matter: Three Year Services Agreement

Facility (ies) Affected: Hartford Landfill

Original Contract: This is original contract

Term: July 1, 2007 through June 30, 2010

Contract Dollar Value: \$285,840

Amendment(s): Not applicable

Term Extensions: Not applicable

Scope of Services:

- To perform quarterly sampling and reporting associated with the following environmental media: groundwater, surface water, and leachate;
- To perform annual sampling and reporting associated with stormwater discharges;
- To perform quarterly monitoring and annual reporting of the South Meadows Flood Control Dike.

Other Pertinent Provisions: None

# Connecticut Resources Recovery Authority

## Contract Summary for Contract entitled

### Environmental Monitoring, Laboratory Analysis, and Reporting Services – Shelton Landfill

Presented to the CRRA Board on: May 31, 2007

Vendor/ Contractor(s): Fuss & O'Neill, Inc.

Effective date: July 1, 2007

Contract Type/Subject matter: Three Year Services Agreement

Facility (ies) Affected: Shelton Landfill

Original Contract: This is original contract

Term: July 1, 2007 through June 30, 2010

Contract Dollar Value: \$276,750

Amendment(s): Not applicable

Term Extensions: Not applicable

Scope of Services:

- To perform quarterly sampling and reporting associated with the following environmental media: groundwater, surface water, and leachate;
- To perform additional monthly sampling of treated leachate;
- To perform annual sampling and reporting associated with stormwater discharges;
- To perform annual habitat assessment inspection and reporting.

Other Pertinent Provisions: None

# **Connecticut Resources Recovery Authority**

## **Contract Summary for Contract entitled**

### **Environmental Monitoring, Laboratory Analysis, and Reporting Services – Wallingford Landfill**

Presented to the CRRA Board on: May 31, 2007

Vendor/ Contractor(s): HRP Associates, Inc.

Effective date: July 1, 2007

Contract Type/Subject matter: Three Year Services Agreement

Facility (ies) Affected: Wallingford Landfill and Former Barberino Property

Original Contract: This is original contract

Term: July 1, 2007 through June 30, 2010

Contract Dollar Value: \$236,940

Amendment(s): Not applicable

Term Extensions: Not applicable

Scope of Services:

- To perform quarterly groundwater sampling and reporting;
- To perform semi-annual surface water sampling and reporting;
- To perform annual sampling and reporting associated with stormwater discharges.

Other Pertinent Provisions: None

# Connecticut Resources Recovery Authority

## Contract Summary for Contract entitled

### Environmental Monitoring, Laboratory Analysis, and Reporting Services – Ellington Landfill

Presented to the CRRRA Board on: May 31, 2007

Vendor/ Contractor(s): Sound Environmental Solutions

Effective date: July 1, 2007

Contract Type/Subject matter: Three Year Services Agreement

Facility (ies) Affected: Ellington Landfill

Original Contract: This is original contract

Term: July 1, 2007 through June 30, 2010

Contract Dollar Value: \$70,755

Amendment(s): Not applicable

Term Extensions: Not applicable

Scope of Services:

- To perform quarterly sampling and reporting associated with the following environmental media: groundwater and surface water;
- To perform quarterly sampling and reporting associated with off-site drinking water wells;
- To perform annual sampling and reporting associated with stormwater discharges.

Other Pertinent Provisions: None

# Connecticut Resources Recovery Authority

## Contract Summary for Contract entitled

### Environmental Monitoring, Laboratory Analysis, and Reporting Services – Waterbury Bulky Waste Landfill

Presented to the CRRRA Board on: May 31, 2007

Vendor/ Contractor(s): Diversified Environmental Services, Inc.

Effective date: July 1, 2007

Contract Type/Subject matter: Three Year Services Agreement

Facility (ies) Affected: Waterbury Bulky Waste Landfill

Original Contract: This is original contract

Term: July 1, 2007 through June 30, 2010

Contract Dollar Value: \$12,201

Amendment(s): Not applicable

Term Extensions: Not applicable

Scope of Services: • To perform quarterly groundwater sampling and reporting.

Other Pertinent Provisions: None

**Connecticut Resources Recovery Authority  
Bridgeport Project  
Mid-Connecticut Project  
Wallingford Project**

**Service Agreements for Conducting Environmental  
Monitoring Activities at CRRA's Five Landfills**

*May 31, 2007*

**Executive Summary**

CRRA's Environmental Services Division has completed the review process for the selection of environmental engineering consultants to perform quarterly environmental monitoring activities at the five CRRA landfills (Ellington, Hartford, Shelton, Wallingford, and Waterbury Bulky Waste). These environmental monitoring activities are required by various solid waste, groundwater and wastewater regulations and permits that apply to each landfill. CRRA will enter into agreements with each of the approved consultants for a period of three years commencing on July 1, 2007 and terminating on June 30, 2010. This resolution is to request Board approval for the award of the environmental monitoring contracts for the Hartford Landfill, Shelton Landfill and Wallingford Landfill. Because the annual consideration for the environmental monitoring contracts at the Ellington Landfill and the Waterbury Bulky Waste Landfill is less than \$50,000 per year, award of these two contracts is not included in this resolution, but these two contracts are included in the Discussion and Financial Summary that follow for the Board's information.

**Discussion**

***Request for Bids Process***

On February 4, 2007, CRRA published a public notice requesting bids from qualified environmental engineering consulting firms to furnish all materials, labor, equipment, and incidentals associated with environmental monitoring, laboratory analysis, and reporting at the five CRRA landfills. This Request for Bids (RFB) was published in the following seven (7) newspapers:

- Hartford Courant
- New Haven Register
- Connecticut Post
- Journal Inquirer
- Waterbury Republican
- Il Tiempo
- Northeast Minority News

Each landfill was bid separately, and firms were invited to bid on any or all of the landfills. Copies of the Contract Documents were available at CRRA's headquarters for prospective bidders to pick-up free of charge. CRRA also posted all Contract Documents on the World Wide Web at <http://www.crra.org> under the "Business Opportunities" page for prospective bidders to review and download.

CRRA conducted one mandatory pre-bid conference plus one mandatory tour at each landfill at the times and dates specified in the public notice. On March 14, 2007, CRRA issued one set of addenda to answer questions posed by prospective bidders at the mandatory pre-bid conference, the site tours or submitted in writing to CRRA by the deadline specified in the RFB. There was one and only one addendum issued for each of the five landfills.

***Scope of Services***

The scope of services varies by landfill, but generally includes the sampling of environmental media (groundwater, surface water, stormwater, drinking water, and/or leachate), analysis of the samples by a State-certified environmental testing laboratory, and generation of quarterly and annual reports for submission to regulatory agencies (DEP, EPA, local Departments of Health). The following table offers an overall, though not necessarily all-inclusive, summary of the scope of work for each landfill:

<b>Summary of Scope of Services for Each Environmental Monitoring Program</b>					
<b>Requirements</b>	<b>Ellington LF</b>	<b>Hartford LF</b>	<b>Shelton LF</b>	<b>Wallingford LF</b>	<b>Waterbury LF</b>
# of Groundwater Wells to Sample Quarterly	12	25	30	35	4
# of Surface Water Samples to Collect Quarterly	6	13 <sup>a</sup>	12 <sup>a</sup>	10 <sup>b</sup>	0
# of Drinking Water Wells to Sample Quarterly/Annually	5/3	0	0	0	0
# of Annual Stormwater Samples to Collect	2	4	5	3	0
# of Additional Wells to Inspect Semi-Annually	23	28	29	10	0
Training Required Under 29 CFR 1910.120? <sup>c</sup>	No	No	Yes	Yes	No
Annual Dioxin/Furan	No	Yes	Yes	Yes	No

<b>Summary of Scope of Services for Each Environmental Monitoring Program</b>					
<b>Requirements</b>	<b>Ellington LF</b>	<b>Hartford LF</b>	<b>Shelton LF</b>	<b>Wallingford LF</b>	<b>Waterbury LF</b>
Monitoring Required?					
Supplemental Compliance Monitoring Required?	No	Yes	Yes	No	No
Sampled in Accordance with Low Flow Protocols?	No	Yes	Yes	Yes	No
Laboratory Analytical Services Included?	Yes	Yes	Yes	Yes	Yes
Dike Stability Monitoring and Reporting? <sup>d</sup>	No	Yes	No	No	No
Monthly Leachate Sampling and Reporting?	No	No	Yes	No	No
Notes:					
<sup>a</sup> Surface water sampling at the Hartford LF and the Shelton LF requires use of a boat.					
<sup>b</sup> Surface water sampling at Wallingford LF is conducted semi-annually.					
<sup>c</sup> Sampling personnel at Shelton LF and Wallingford LF must be trained in accordance with the OSHA standard for Hazardous Waste Operations and Emergency Response (29 CFR 1910.120) due to the presence of RCRA hazardous waste disposal cells at these two landfills.					
<sup>d</sup> Dike stability monitoring entails quarterly surveying, measurement of pore pressures, and measurement of ground deflection at five locations.					

### ***Bid Evaluation Process and Recommended Awards***

To assist CRRA in its evaluation of bids, CRRA requested that each bidder assemble a separate, stand-alone bid for each landfill monitoring project on which it was bidding. CRRA developed standard forms and schedules for bidders to summarize proposed monitoring costs and payment rates. CRRA also developed twelve "Issues and Questions to be Addressed" by bidders to assist CRRA in evaluating each bidder's understanding of the Scope of Services, as well as the overall knowledge, experience, and ability of each bidder company, its staff, and any proposed subcontractors.

Bidders were also required to complete and submit a "Questionnaire Concerning Affirmative Action, Small Business Contractors, and Occupational Health and Safety." Each bidder received a score on this Questionnaire, with points awarded to companies that qualified as small contractors and/or minority/woman/disable person-owned firms (M/W/DP Business Enterprises). Bidders were also awarded points for having Affirmative Action Plans, apprenticeship programs, no OSHA citations for serious or willful violations, no criminal convictions related to employee injuries or deaths, and no ethics violations.

Each bidder was required to complete, properly-execute and submit an "Affidavit of Third Party Fees (Form A2)" to ascertain if the bidder had made or promised any payment to a third party attributable to the contract award. Each bidder was also required

to disclose the existence of certain criminal investigations, civil investigations and/or debarments from bidding by the State (or any other governmental authority) by completing, properly-executing and submitting a "Bidder's/Proposer's Background Questionnaire."

Bids were received and opened privately after the bid submission deadline. The proposed costs from every bid were then entered into spreadsheets to determine bidder rankings for each landfill based solely on proposed costs. Mr. Ronald Gingerich of the CRRA's Environmental Services Division developed the cost summary spreadsheet and entered the proposed cost information for each bid. The cost summary spreadsheet for each of the five landfill environmental monitoring programs is attached at the end of this summary.

As indicated in the attached cost summary spreadsheets, the following firms were ranked in the lowest three bids for more than one landfill's environmental monitoring program:

<b>Proposing Firm (Listed Alphabetically)</b>	<b>Landfills Where Proposed Cost Was in Lowest Three (Cost Rank in Parentheses)</b>
Anchor Engineering Services, Inc.	Ellington (2 <sup>nd</sup> ), Wallingford (3 <sup>rd</sup> )
HRP Associates, Inc.	Hartford (3 <sup>rd</sup> ), Shelton (1 <sup>st</sup> ), Wallingford (1 <sup>st</sup> )
Sound Environmental Solutions	Ellington (1 <sup>st</sup> ), Hartford (2 <sup>nd</sup> ), Shelton (2 <sup>nd</sup> ), Wallingford (2 <sup>nd</sup> ), Waterbury (2 <sup>nd</sup> )

After the bids were evaluated based on cost, Mr. Christopher Shepard of CRRA's Environmental Services Division evaluated the details of the three lowest-cost bids on the Ellington, Hartford, Shelton, and Wallingford Landfills. These evaluations included contacting professional references, as provided by the bidders, for those bidders that were not current CRRA consultants. The purpose of the bid evaluations was to confirm that bidders invited for interviews were both responsive and qualified before the interviews were scheduled.

Following the detailed evaluations of the bids and contacting the professional references provided by the bidders, CRRA invited the following firms to CRRA's headquarters for interviews (firms listed in alphabetical order):

1. CME Associates, Inc.
2. Fuss & O'Neill, Inc.
3. HRP Associates, Inc.
4. Sound Environmental Solutions

A summary of the bid evaluations is as follows:

Hartford Landfill: A total of eleven (11) bids were received before the submission deadline. An evaluation of these 11 firms based solely on proposed costs is attached at the end of this summary.

CME Associates, Inc. (CME) submitted the lowest cost proposal. Following the detailed evaluation of the bids, CRRA invited CME, Sound Environmental Solutions, and HRP Associates, Inc. to interview for the Hartford Landfill environmental monitoring project. Peter Egan and Christopher Shepard of CRRA conducted the interviews. Mr. Shepard also contacted three professional references provided by CME to verify the historical quality and performance of CME's work for others. Based upon information conveyed in the bid documents, during the interviews, and by the professional references, Mr. Egan and Mr. Shepard believe CME to be qualified and responsive, and, therefore, recommend that the Hartford Landfill project be awarded to CME. CME is a registered Small Business Enterprise with the State of Connecticut Department of Administrative Services.

CME has proposed the use of one subcontractor: Phoenix Environmental Laboratories to analyze groundwater, surface water, leachate and stormwater samples.

Shelton Landfill: A total of eleven (11) bids were received before the submission deadline. An evaluation of these 11 firms based solely on proposed costs is attached at the end of this summary.

HRP Associates, Inc. (HRP) submitted the lowest cost proposal; however, the three-year cost difference between HRP's bid (\$275,430) and bids received from Sound Environmental Solutions (\$275,670) and Fuss & O'Neill, Inc. (\$276,750) was noted to be very low (less than 0.5%). Following the detailed evaluation of the bids, CRRA invited HRP, Sound Environmental Solutions (Sound), and Fuss & O'Neill, Inc. (F&O) to interview for the Shelton Landfill environmental monitoring project. Peter Egan and Christopher Shepard of CRRA conducted the interviews. Based upon information conveyed in the bid documents and during the interviews, Mr. Egan and Mr. Shepard recommend that the Shelton Landfill project be awarded to F&O. Although the costs proposed by HRP and Sound were slightly less than the costs proposed by F&O, HRP and Sound are proposed to be awarded two other significant landfill monitoring projects (Wallingford Landfill and Ellington Landfill, respectively). It is therefore recommended that the Shelton Landfill project be awarded to F&O.

F&O has proposed the use of one subcontractor: Premier Laboratory, LLC (Premier) for analysis of all environmental samples (groundwater, surface water, leachate, and stormwater). Premier is a registered Small Business Enterprise with the State of Connecticut Department of Administrative Services.

Wallingford Landfill: A total of thirteen (13) bids were received before the submission deadline. An evaluation of these 13 firms based solely on proposed costs is attached at the end of this summary.

HRP Associates, Inc. (HRP) submitted the lowest cost proposal. Following the detailed evaluation of the bids, CRRA invited HRP and Sound Environmental Solutions (Sound) to interview for the Wallingford Landfill environmental

monitoring project. Peter Egan and Christopher Shepard of CRRA conducted the interviews. Based upon information conveyed in the bid documents and during the interviews, Mr. Egan and Mr. Shepard believe HRP to be qualified and responsive, and, therefore, recommend that the Wallingford Landfill project be awarded to HRP.

HRP has proposed the use of one subcontractor: Phoenix Environmental Laboratories for analysis of all environmental samples (groundwater, surface water, and stormwater).

Ellington Landfill: A total of twelve (12) bids were received before the submission deadline. An evaluation of these 12 firms based solely on proposed costs is attached at the end of this summary.

Sound Environmental Solutions (Sound) submitted the lowest cost proposal. Peter Egan and Christopher Shepard of CRRA interviewed Sound and its primary subcontractor identified in its bid, R&C Formations, Ltd. Mr. Shepard also contacted three of Sound's professional references to verify the historical quality and performance of Sound's work for others. Based upon information conveyed in the bid documents, during the interviews, and by the professional references, Mr. Egan and Mr. Shepard believe Sound to be qualified and responsive, and, therefore, recommend that the Ellington Landfill project be awarded to Sound. Sound qualifies as a Small Business Enterprise in Connecticut, and, per language in the environmental monitoring agreement, Sound agreed during the interview that it would apply to the State of Connecticut Department of Administrative Services and do all that is necessary to become a registered Small Business Enterprise in the State.

Sound has proposed the use of two subcontractors: R&C Formations, Ltd. to assist with field sampling efforts, and Phoenix Environmental Laboratories for analysis of all environmental samples (groundwater, surface water, drinking water, and stormwater).

Waterbury Bulky Waste Landfill: The total value of the contract to be awarded for the three-year monitoring program at the Waterbury Bulky Waste Landfill is well below \$50,000. Therefore, the Board of Directors is not required to approve the environmental monitoring contract for the Waterbury Bulky Waste Landfill. The following summary of this landfill's monitoring program bid information is being provided to the Board of Directors for informational purposes.

A total of ten (10) bids were received before the submission deadline. An evaluation of these 10 firms based solely on proposed costs is attached at the end of this summary.

Diversified Environmental Services, Inc. (DES) submitted the lowest cost proposal (\$12,201 total for the three-year contract period). DES is the firm that performed the environmental monitoring at the Waterbury Bulky Waste Landfill during

FY'05-FY'07. DES has performed well under its existing environmental monitoring contract, and the evaluation of the next two low bids did not reveal a more responsive or qualified firm. CRRA has therefore selected DES for award of this contract.

DES has proposed the use of one subcontractor: York Analytical Laboratories, Inc. for analysis of all environmental samples (groundwater, surface water, and stormwater).

**Financial Summary**

Sufficient funds have been included in each Landfill's Environmental Testing budget for fiscal year 2008 to cover the proposed monitoring costs. Sufficient funds will be included in subsequent fiscal year budgets for each facility to cover the proposed costs.

The following table summarizes the proposed costs for the FY'08-FY'10. For comparative purposes, the following table also presents the FY'05-FY'07 monitoring costs.

<b>Summary of Environmental Monitoring Costs</b>		
<b>Facility</b>	<b>FY'08-FY'10</b>	<b>FY'05-FY'07</b>
Hartford Landfill	\$ 285,840	\$ 285,525
Shelton Landfill	\$ 276,750	\$ 286,177
Wallingford Landfill and Former Barberino Property	\$ 236,940	\$ 245,799
Ellington Landfill	\$ 70,755	\$ 66,245
Waterbury Bulky Waste Landfill	\$12,201	\$12,549

**RFB FOR ENVIRONMENTAL MONITORING, LABORATORY ANALYSIS AND  
REPORTING SERVICES FOR CRRA LANDFILLS  
HARTFORD LANDFILL  
BID PRICE EVALUATION**

Bidder	FY 08	FY 09	FY 10	Total	Rank
CME Associates, Inc.	95,280	95,280	95,280	285,840	1
Sound Environmental Solutions	95,910	95,910	95,910	287,730	2
HRP Associates, Inc.	100,040	100,040	100,040	300,120	3
Environmental Compliance Services	104,939	104,939	104,939	314,817	4
Fuss & O'Neill, Inc.	103,500	105,300	107,200	316,000	5
Terrasyn Environmental Corp.	107,470	107,470	107,470	322,409	6
Loureiro Engineering Associates, Inc.	108,936	108,936	108,936	326,808	7
Leggette, Brashears & Graham, Inc.	109,155	109,155	109,155	327,465	8
GZA GeoEnvironmental, Inc.	112,976	116,252	119,879	349,107	9
EnviroTrac, Ltd.	165,160	165,160	165,160	495,480	10
Conestoga-Rovers & Associates, Inc.	192,601	198,375	204,331	595,307	11

**RFB FOR ENVIRONMENTAL MONITORING, LABORATORY ANALYSIS AND  
REPORTING SERVICES FOR CRRA LANDFILLS  
SHELTON LANDFILL  
BID PRICE EVALUATION**

Bidder	FY 08	FY 09	FY 10	Total	Rank
HRP Associates, Inc.	91,810	91,810	91,810	275,430	1
Sound Environmental Solutions	91,890	91,890	91,890	275,670	2
Fuss & O'Neill, Inc.	91,150	92,150	93,450	276,750	3
Leggette, Brashears & Graham, Inc.	100,250	100,250	100,250	300,750	4
Loureiro Engineering Associates, Inc.	100,984	100,984	100,984	302,952	5
Terrasyn Environmental Corp.	101,372	101,372	101,372	304,117	6
GZA GeoEnvironmental, Inc.	102,608	104,909	107,303	314,820	7
Environmental Compliance Services	105,910	105,910	105,910	317,729	8
Anchor Engineering Services, Inc.	129,750	129,080	130,830	389,660	9
EnviroTrac, Ltd.	211,000	211,000	211,000	633,000	10
Conestoga-Rovers & Associates, Inc.	221,125	227,759	234,590	683,474	11

**RFB FOR ENVIRONMENTAL MONITORING, LABORATORY ANALYSIS AND  
REPORTING SERVICES FOR CRRA LANDFILLS  
WALLINGFORD LANDFILL  
BID PRICE EVALUATION**

Bidder	FY 08	FY 09	FY 10	Total	Rank
HRP Associates, Inc.	78,980	78,980	78,980	236,940	1
Sound Environmental Solutions	83,590	83,590	83,590	250,770	2
Anchor Engineering Services, Inc.	83,410	84,285	85,260	252,955	3
diversified environmental services, inc.	88,195	88,195	88,195	264,584	4
Environmental Compliance Services	89,705	89,705	89,705	269,116	5
Loureiro Engineering Associates, Inc.	90,509	90,509	90,509	271,527	6
GZA GeoEnvironmental, Inc.	91,735	93,211	95,287	280,233	7
Leggette, Brashears & Graham, Inc.	93,600	93,600	93,600	280,800	8
Fuss & O'Neill, Inc.	97,900	97,950	99,900	295,750	9
Terrasyn Environmental Corp.	106,533	106,533	106,533	319,599	10
Conestoga-Rovers & Associates, Inc.	188,711	194,372	200,206	583,289	11
EnviroTrac, Ltd.	288,600	288,600	288,600	865,800	12
EnviroMed Services, Inc.	290,284	290,284	290,284	870,852	13

**RFB FOR ENVIRONMENTAL MONITORING, LABORATORY ANALYSIS AND  
REPORTING SERVICES FOR CRRA LANDFILLS  
ELLINGTON LANDFILL  
BID PRICE EVALUATION**

<b>Bidder</b>	<b>FY 08</b>	<b>FY 09</b>	<b>FY 10</b>	<b>Total</b>	<b>Rank</b>
Sound Environmental Solutions	23,585	23,585	23,585	70,755	1
Anchor Engineering Services, Inc.	25,040	25,430	25,840	76,310	2
Terrasyn Environmental Corp.	28,015	28,015	28,015	84,046	3
diversified environmental services, inc.	29,148	29,148	29,148	87,443	4
Fuss & O'Neill, Inc.	35,250	35,850	36,300	107,400	5
Environmental Compliance Services	38,150	38,150	38,150	114,449	6
Loureiro Engineering Associates, Inc.	38,415	38,415	38,415	115,245	7
Leggette, Brashears & Graham, Inc.	40,475	40,475	40,475	121,425	8
CME Associates, Inc.	42,930	42,930	42,930	128,790	9
Conestoga-Rovers & Associates, Inc.	67,211	69,227	71,304	207,742	10
EnviroMed Services, Inc.	85,820	85,820	85,820	257,460	11
EnviroTrac, Ltd.	99,100	99,100	99,100	297,300	12

**RFB FOR ENVIRONMENTAL MONITORING, LABORATORY ANALYSIS AND  
REPORTING SERVICES FOR CRRA LANDFILLS  
WATERBURY LANDFILL  
BID PRICE EVALUATION**

<b>Bidder</b>	<b>FY 08</b>	<b>FY 09</b>	<b>FY 10</b>	<b>Total</b>	<b>Rank</b>
Diversified Environmental Services, Inc.	4,067	4,067	4,067	12,201	1
Sound Environmental Solutions	5,025	5,025	5,025	15,075	2
Loureiro Engineering Associates, Inc.	5,091	5,091	5,091	15,273	3
Terrasyn Environmental Corp.	6,164	6,164	6,164	18,492	4
Environmental Compliance Services	7,156	7,156	7,156	21,468	5
Fuss & O'Neill, Inc.	8,900	9,100	10,200	28,200	6
Leggette, Brashears & Graham, Inc.	11,410	11,410	11,410	34,230	7
Conestoga-Rovers & Associates, Inc.	16,929	17,434	17,960	52,323	8
EnviroTrac, Ltd.	18,400	18,400	18,400	55,200	9
EnviroMed Services, Inc.	25,040	25,040	25,040	75,120	10

# TAB 9

**RESOLUTION REGARDING EXPENDITURES FOR ODOR  
MONITORING SERVICES AT THE MID-CONNECTICUT  
WASTE PROCESSING FACILITY & HARTFORD LANDFILL**

**RESOLVED:** That the President of CRRA be authorized to execute a Request For Services with TRC Environmental Corporation for Odor Monitoring Support at the Mid-Connecticut Waste Processing Facility and Hartford Landfill, substantially as presented and discussed at this meeting.

# **Connecticut Resources Recovery Authority**

## **Request For Services for**

### **Odor Hotline Response and On-Call Services – Mid-CT Waste Processing Facility and Hartford Landfill**

Presented to the CRRRA Board on: May 31, 2007

Vendor/ Contractor(s): TRC Environmental Corporation

Effective date: Upon Execution

Contract Type/Subject matter: Request for Services pursuant to  
Three Year Engineering Services  
Agreement

Facility (ies) Affected: Mid-CT Waste Processing Facility,  
Hartford Landfill

Original Contract: Three Year Engineering Services  
Agreement; contract no. to be assigned

Term: 7/1/07 through 6/30/08

Contract Dollar Value: \$56,500.00

Amendment(s): Not applicable

Term Extensions: Not applicable

Scope of Services:

- To provide on-site odor monitoring at the Mid-CT WPF, as directed;
- To provide on-call odor hotline response at the Mid-CT Waste Processing Facility and Hartford Landfill;

Other Pertinent Provisions: None

# **Connecticut Resources Recovery Authority Mid-Connecticut Project**

## **Odor Hotline Response and On-Call Services – Mid-CT Waste Processing Facility & Hartford Landfill**

*May 31, 2007*

### **Executive Summary**

For several years CRRA has utilized a team of trained odor specialists from TRC Environmental Corporation to respond to all calls to CRRA's two odor hotlines, one for the Waste Processing Facility (WPF) and one for the Hartford Landfill. In addition to this work, CRRA has also utilized TRC personnel to perform on-site odor monitoring at the WPF on Fridays, Saturdays and Sundays of holiday weekends during the warm weather months. This involves stationing an observer at the WPF to perform an hourly check that doors are closed, exhaust fans are turned off and process residue is properly stored from 4pm until midnight. In CY2004, CY2005, and CY2006 there were no confirmed odor complaints during periods when TRC on-site monitoring was in place. CRRA management believes that having this visible presence at the facility serves to remind MDC operational personnel to keep doors closed, roof fans off, and to be more mindful of the potential impact an action taken at the WPF can have on CRRA neighbors downwind. CRRA management believes that there is value in having TRC, as a third-party, perform this monitoring. However, in order to minimize the cost of this odor monitoring, CRRA utilized available CRRA Scale/Enforcement personnel on approximately 39 days and utilized TRC personnel for this function on approximately 13 days during the summer of 2006. In order to further reduce the cost of this odor monitoring for CY2007 and in view of CRRA's improved relationship with MDC, CRRA plans to utilize MDC operational personnel for odor monitoring, employing TRC personnel on only approximately 10 days (2 – 4 days, from 4:00 pm to midnight, each of 3 holiday weekends).

This is to request that the Board approval of this Request for Services for \$56,500 to cover TRC's on-call response to CRRA's two odor hotlines and TRC's WPF odor monitoring services for FY2008, that is from July 1, 2007 through June 30, 2008.

## Discussion

CRRA has employed odor specialists from TRC Environmental Corporation to perform on-call responses to all odor complaints received by CRRA's Odor Hotlines. TRC maintains a staff of trained individuals who carry pagers 24 hours a day, seven days a week, and follow a protocol that includes meeting with the complainant, attempting to track the odor to its source and reporting to CRRA staff on their findings. They typically respond to a complainant's call within thirty to sixty minutes.

TRC responds to all odor hotline calls from the WPF and Hartford Landfill in an attempt to confirm whether the odor emanates from one of CRRA's facilities. There were three (3) confirmed WPF odor complaints and one (1) confirmed landfill odor complaint in CY2006.

### CRRA Hartford Landfill / Waste Processing Facility Odor Complaint History

<u>Year</u>	<u>Total Hotline Calls</u>	<u>Total Confirmed Odors</u>
2000	232	155
2001	64	25
2002	20	7
2003	16	13
2004	33	7
2005	26	1
2006	11	4

Since the installation of the Mid-Connecticut Air Processing System (MCAPS) at the WPF, the number of odor complaints has dropped by over 90%. CRRA staff believes that odor complaints may still result from isolated, short-term events at the WPF such as unauthorized opening of doors, running of exhaust fans, or improper handling of process residue. In order to prevent these occurrences, or to catch and immediately correct them, an on-site presence, over and above the MDC supervision, was utilized on weekend evenings over the past several summers. These times were selected to coincide with the times that a restaurant establishment located across the Connecticut River from the WPF offers outdoor entertainment.

In order to reduce the cost of this program of on-site odor monitoring and in view of CRRA's improved relationship with MDC, CRRA plans to utilize MDC operational personnel for odor monitoring, employing TRC personnel only on the three summer holiday weekends.

The on-site odor monitoring includes an hourly check to confirm that all doors are closed in the maneuvering hall, MSW, processing, and RDF areas. An hourly visual check is also made of the number of roof vent fans operating, if any. A check is made to verify proper operation of the odor control enzyme pump system and first-in, first-out operation in both the MSW and RDF areas. Finally, an hourly note is made of the number of trailers of residue and ferrous metal staged in the yard, of general facility cleanliness and the weather conditions.

## Financial Summary

The cost to provide on-call response for CRRA's Odor Complaint Hotlines (WPF and Hartford Landfill) from July 1, 2007 through June 30, 2008, is comprised of a fixed cost of \$32,270 and a variable cost component estimated to be \$11,230, as tabulated below.

TRC to provide <i>weekday</i> on-call odor hotline coverage from July 1, 2007 through June 30, 2008 at \$50.00 per day.	\$12,750
TRC to provide <i>weekend/holiday</i> on-call odor hotline coverage from July 1, 2007 through June 30, 2008 at \$100.00 per day.	\$11,000
TRC Project Management (42 hours at \$155.25 per hour)	\$6,520
TRC Other Direct Costs (two cellphones and two beepers)	\$2,000
<b>Total Fixed Costs for On-call Odor Complaint Hotline Response for FY2008</b>	<b>\$32,270</b>
Estimated Total cost for 24 responses and follow-up investigation	\$11,230
<b>Total Variable Costs for On-call Odor Complaint Hotline Response for FY2008</b>	<b>\$11,230</b>
<b>WPF Odor Monitoring by TRC (10 holiday weekend days, eight hours/day)</b>	<b>\$13,000</b>
<b>Total for this Request For Services</b>	<b>\$56,500</b>

The variable cost of \$11,230 covers approximately 24 anticipated odor hotline complaint investigations from July 1, 2007 through June 30, 2008, which equates to approximately \$500.00 per response. The average time to undertake an investigation is approximately 4 hours.

Please note that the cost for this service for FY08 is \$8700 less than for FY07. This is due to a decrease in the anticipated number of responses required from 35 to 24 and a decrease in the number of holidays for which TRC will supply odor monitoring coverage from 12 to 10.

This expenditure will be funded from the Engineering account (Account No. 41-001-601-52858) in the Waste Processing Facility budget, which is contained within the larger Mid-Connecticut Project budget. This expenditure was contemplated when the FY 2008 Mid-Connecticut Project budget was developed; sufficient funds are contained in the budget.

**TAB 10**

**RESOLUTION REGARDING EMPLOYMENT OF HRP  
ASSOCIATES, INC. FOR ENVIRONMENTAL CONSULTING  
SERVICES IN SUPPORT OF THE SOUTH MEADOWS SITE  
REMEDATION**

**RESOLVED:** That the President of CRRA be authorized to execute a Request For Services with HRP Associates, Inc. for environmental consulting services in support of the South Meadows site remediation, substantially as presented and discussed at this meeting.

# Connecticut Resources Recovery Authority

## Request For Services Environmental Consulting Services in Support of the South Meadows Site Remediation

Presented to the CRRA Board on: May 31, 2007

Vendor/ Contractor(s): HRP Associates, Inc.

Effective date: Upon Execution

Contract Type/Subject matter: Request for Services pursuant to  
Three-Year Engineering Services  
Agreement

Projects Affected: Mid-Connecticut

Original Contract: Three Year Engineering Services  
Agreement; contract no. to be assigned

Term: 7/1/07 through 6/30/08

This RFS will be executed pursuant to the  
three-year services agreement, the  
term of which is 7/1/2007 – 6/30/2010

Contract Dollar Value: \$80,000.00 for FY 2008

Amendment(s): Not applicable

Term Extensions: Not applicable

Scope of Services:

- To provide third party review and provide technical comments or opinions on submittals, plans and reports prepared by TRC, CRRA and others;
- To attend regular project meetings to discuss environmental issues and project progress;
- To monitor site investigation and/or remedial activities.

Other Pertinent Provisions: None

# Connecticut Resources Recovery Authority Mid-Connecticut Project

## Request For Services Environmental Consulting Services in Support of the South Meadows Site Remediation

May 31, 2007

### Discussion

On December 22, 2000 CRRA and TRC Companies, Inc. executed a contract entitled *Exit Strategy™ Contract For South Meadows Station Site Between Connecticut Resources Recovery Authority And TRC Companies, Inc.* (the "Exit Strategy™ Contract"). The Exit Strategy™ Contract was a prerequisite to the transfer of the South Meadows property and the Electric Generating Facility (EGF) from Connecticut Light & Power to CRRA in early CY 2001. The purpose of the Exit Strategy™ Contract was to establish TRC as the "Certifying Party" under the Connecticut Transfer Act, thereby shifting the environmental remediation responsibility to TRC following transfer of the property from CL&P to CRRA. TRC is therefore responsible for remediation of pre-existing pollution conditions at, under or migrating from the site as required by applicable law, including, but not limited to, the Transfer Act.

Under the Exit Strategy™ Contract, CRRA has the right to inspect and review progress of the remediation. CRRA also has the right to review, comment and object to any aspects of the proposed remedial actions that may adversely affect current or future operations at the site. Under the Exit Strategy™ Contract, CRRA also has the right to employ consultants to assist CRRA in the inspection and review processes.

Given these rights, CRRA has employed HRP Associates, Inc. (HRP) to assist CRRA in the inspection and review of proposed remedial action plans and active remediation. Prior to execution of the Exit Strategy™ Contract, HRP provided associated environmental consulting support to CRRA, including completion of environmental investigations at the South Meadows site. Following execution of the Exit Strategy™ Contract, HRP has provided CRRA with environmental consulting support when requested by CRRA. This support is provided in consideration of requirements of the Connecticut Remediation Standard Regulations and CRRA's current and future operations at the site.

Specific tasks that HRP has performed include, but are not necessarily limited to, the following:

- Review and offer technical comments on site environmental investigation data, characterization reports, and proposed remedial actions. For example, HRP's recommendation for additional investigation in certain areas along the Gate 20 access road identified an additional area of contamination that had to be remediated by TRC during the access road reconstruction.
- Review and offer technical comments on characterization data for off-site soils proposed by TRC for use at the site for backfilling excavations and/or isolating on-site contaminated soil. To date, over 68,000 cubic yards of off-site soil has been approved for use at the South Meadows site for remediation purposes.
- Review and offer comments on potential environmental liabilities and transfer issues associated with the transfer of "Parcel 3" from CL&P to CRRA. HRP has reviewed and provided comments on the switchyard characterization report and proposed remedial action. HRP has also provided CRRA with guidance and opinion regarding other potential options for managing the "Parcel 3" remediation, such as managing it through the State's Voluntary Remediation Program.
- Assist CRRA and CRRA's counsel in interpretation of, and drafting correspondence regarding, "Pre-existing Pollution Conditions," "New Pollution Conditions," and "Excluded Matters," as those terms are defined in the Exit Strategy™ Contract. Two examples of on-going issues about which HRP has provided assistance include the status of underground piping at the site, and the remediation of buried asbestos-containing materials discovered at the site.
- Assist CRRA in identifying any potential data gap issues regarding the remediation activities as they relate to compliance with the Connecticut Remediation Standards Regulations, and that may possibly impact final certification of the site by TRC's Licensed Environmental Professional (LEP).
- Assist CRRA and its legal counsel with regard to matters involving the filing of environmental land use restrictions on the site.
- Participate in monthly project status meetings with CRRA and TRC.

Under this Request for Services HRP will continue to provide support for those matters listed above, as well as other support that may be requested by CRRA that relates to remediation of the South Meadows parcel. The activities contemplated under the contract are approximately 83% complete. HRP will continue to provide support during FY2008 and likely into FY2009. Although the majority of field remediation activity is completed, there is still significant work to be undertaken by TRC to demarcate and record "Environmental Land Use Restrictions" (ELURs) on the site, an activity necessary to comply with the Connecticut Remediation Standard Regulations. HRP will provide oversight support to CRRA as ELURs are developed by TRC for the site.

### **Financial Summary**

This expenditure will be funded from the Engineering account (Account No. 41-001-952-52858) in the Energy Generating Facility budget, which is contained within the larger Mid-Connecticut Project budget. This expenditure was contemplated when the Mid-Connecticut Project budget was developed; sufficient funds are contained in the budget.

**TAB 11**

**RESOLUTION REGARDING EMPLOYMENT OF  
DMJM+HARRIS, INC. FOR SOLID WASTE CONSULTING  
SERVICES**

**RESOLVED:** That the President of CRRA be authorized to execute a Request For Services with DMJM+Harris, Inc. for solid waste consulting services associated with the preparation of a site re-use feasibility study of the Shelton Landfill property, substantially as presented and discussed at this meeting.

# **Connecticut Resources Recovery Authority**

## **Contract Summary for RFS entitled**

### **Preparation of a Site Re-use Feasibility study of the Shelton Landfill Property**

Presented to the CRRRA Board on: May 31, 2007

Vendor/ Contractor(s): DMJM+Harris, Inc.

Effective date: Upon Execution

Contract Type/Subject matter: Request for Services pursuant to a three-year solid waste consulting services agreement

Projects Affected: Mid-CT, Wallingford, Bridgeport

Original Contract: 050104

Term: June 30, 2007  
(the original three-year services agreement term is 7/1/2004 – 6/30/2007)

Contract Dollar Value: \$21,925.00

Amendment(s): Not applicable

Term Extensions: Not applicable

Scope of Services: Preparation of a Site re-use feasibility study of the Shelton Landfill property

Other Pertinent Provisions: None

# Connecticut Resources Recovery Authority

## Non-Budgeted Expenditures

*May 31, 2007*

### **Discussion**

Section 3.3 of CRRA's Procurement Policies & Procedures, Non-Budgeted Expenditures, states that any non-budgeted expenditure in excess of \$5,000 for acquisition of real or personal property or Personal Services shall require CRRA board approval.

At this time, it is believed that Personal Services includes Professional & Technical Services, such as the engineering and environmental consulting services provided under the three year engineering services and solid waste consulting services agreements that CRRA has with a number of engineering and solid waste consulting firms.

At this time, CRRA management seeks Board approval for a Request for Services (RFSs) for which funds are not currently available in the specific project account from which these activities would typically be paid.

This RFS is less than \$50,000 in consideration, and typically would not be presented to the Board of Directors for approval; however, because the funds are not currently available in the specific account from which these expenditures would typically be paid, CRRA management believes it is prudent to present this RFS to the Board of Directors for approval pursuant to Section 3.3 of CRRA's Procurement Policies & Procedures.

### **Financial Summary**

The RFS with DMJM+Harris Inc., for the preparation of a site re-use feasibility study of the Shelton Landfill property will be funded from the General Fund budget, using anticipated surplus funds from the Fiscal Year 2007 operating budget. Specifically, this initial study will identify and evaluate potential uses of the property including the feasibility of siting a regional transfer station.

**TAB 12**

**RESOLUTION REGARDING A HOIST CRANE FRAME  
AGREEMENT AT THE POWER BLOCK FACILITY**

**RESOLVED:** That the President is hereby authorized to execute an agreement with Matrix Power Services, Inc. to furnish and install two (2) fan motor trolley hoist cranes to be located at the Mid Connecticut Power Block Facility, substantially as presented and discussed at this meeting.

**Connecticut Resources Recovery Authority  
Contract Summary for Contract  
Entitled**

**PBF Warehouse  
Trolley Hoist Cranes**

Presented to the CRRA Board on:	May 31, 2007
Vendor/ Contractor(s):	Matrix Power Services, Inc.
Effective date:	Upon Execution
Contract Type/Subject matter:	Public Bid/Construction
Facility (ies) Affected:	Power Block Facility
Original Contract:	NA
Term:	60 days from Notice to Proceed
Contract Dollar Value:	\$99,200.00
Amendment(s):	NA
Term Extensions:	N/A
Scope of Services:	Installation of two fan motor trolley hoist cranes at the Power Block Facility Warehouse
Bid Security	Bid Bond
Contract Security	Construction Performance Bond, Construction Payment Bond – Amount of Contract
Other Pertinent Provisions:	None

**Connecticut Resources Recovery Authority  
Mid-Connecticut Project – Power Block Facility  
PBF Warehouse  
Fan Motor Trolley Hoist Cranes**

**May 31, 2007**

**Executive Summary**

This is to request approval of the CRRRA Board of Directors for the President to enter into an agreement with Matrix Power Services, Inc. to furnish and install two (2) electrified 10-ton fan motor trolley hoist cranes with steel framing on an existing mechanical platform over the PBF Warehouse Facility at Reserve Road, Hartford, CT.

**Discussion**

The purpose of this project is to facilitate the removal and/or replacement of mechanical equipment associated with the Mid CT Air Processing System (“MCAPS”). The hoist cranes will be located on the existing mechanical platform over the PBF Warehouse.

The scope of work for this project is as follows:

- Demolish and remove designated portions of the existing platform steel, steel grating, handrails, and other materials as shown.
- Furnish and erect bolted and welded structural systems as indicated within the Contract documents.
- Provide and install handrails, gratings, kick plates and other fittings which are required to support the miscellaneous metal construction.
- Furnish and install two (2) monorails and two (2) ten ton electrified hoists with power trolleys in accordance with the Contract Documents.
- Provide the electric services and systems to support the installation of the two (2) motorized hoists.

**Financial Summary**

The project was solicited through a public procurement process. Sealed public bids were received on May 2, 2007. The project was advertised in the Hartford Courant, the New Haven Register, the Connecticut Post, the New England Minority News, and on the World Wide Web. Bids were received from 4 bidders, and are tabulated as follows:

Bidder	Bid Price
Matrix Power Services, Inc.	\$ 99,200.00
Gardner Construction Inc.	\$118,500.00
Proiron LLC.	\$175,303.00
Delray Contracting, Inc.	\$219,499.00

The work for the project was bid as a lump sum. CRRA has met with the low bidder on the project, Matrix Power Services, Inc. and per discussions with them CRRA management is satisfied that they can complete the work as specified in the contract documents. Additionally, CRRA has previously employed Matrix Power Services, Inc. on similar projects and has found their performance to be satisfactory. Tasks that this firm has performed for CRRA in the past include mechanical maintenance for the MCAPS System, overhaul of the Ellington Landfill Thermal Oxidizer and as a subcontractor to CRRA's Resources Recovery Operators during major outages.

The project will be funded from the Facility Modification Reserve as planned for in the fiscal year 2008 Mid-Connecticut capital improvement budgets.

**TAB 13**

**RESOLUTION REGARDING THE PURCHASE OF  
FOUR (4) RUBBER TIRE LOADERS FOR  
THE MID-CONNECTICUT WASTE PROCESSING FACILITY**

**RESOLVED:** That the Board of Directors, in accordance with the Connecticut Resources Recovery Authority's Procurement Policy, hereby approves the procurement of (4) four new rubber tire loaders from H. O. Penn Machinery Co. Inc. to be used at the Mid-Connecticut Waste Processing Facility, substantially as presented and discussed at this meeting.

# **Connecticut Resources Recovery Authority**

## **Purchase of four (4) new Rubber Tire Wheel Loaders Mid-Connecticut Waste Processing Facility**

Presented to the CRRRA Board:	May 31, 2007
Vendor/ Contractor(s):	H. O. Penn Machinery Co.
Effective date:	June 1, 2007
Contract Type/Subject matter:	Purchase Order/Bill of Sale
Facility:	Mid-CT Waste Processing Facility
Original Contract:	Not applicable
Term:	Not applicable
Contract Dollar Value:	\$1,477,544.00
Amendment(s):	Not applicable
Term Extensions:	Not applicable
Scope of Services:	Provision of four (4) new 966H waste handling loaders
Other Pertinent Provisions:	None

# Connecticut Resources Recovery Authority Mid-Connecticut Project

## Purchase (4) New Rubber Tire Wheel Loaders Mid-CT Waste Processing Facility

*May 31, 2007*

### Executive Summary

Four of the seven loaders currently in use at the WPF have run times in excess of 40,000 hours each; the useful operating life recommended by the manufacturer. Because these units exceed the 40,000 hours of use, future transmission and engine rebuild work performed on them will not be guaranteed by the manufacturer. These units are in need of additional major maintenance and recondition work estimated at \$135,000 per unit. Since the manufacturer will no longer guarantee/certify this work it does not make economic sense to put this amount of money into them. Therefore CRRA is requesting Board of Directors approval for the purchase of four (4) new Rubber Tire Wheel Loaders – Caterpillar 966H waste handlers for \$1,477,544.00.

### Discussion

The Metropolitan District (“MDC”) operates and maintains a fleet of seven rubber tire loaders for use in processing waste at the Mid-Connecticut Waste Processing Facility. The loaders are used to push, stack and feed municipal solid waste, refuse derived fuel and bulky / non-processible waste and have been retrofitted by the manufacturer with a special package of components to handle this specialized work.

In March 2007 CRRA issued an RFB for the purchase of four rubber tire loaders. As part of the equipment specifications contained in the RFB, CRRA required that the new equipment contain upgraded environmental emissions and fire suppression systems. Four firms requested a copy of the RFB. Two firms, H.O. Penn (Caterpillar) and W.I. Clark (John Deere) submitted bids as summarized in the following tables.

### **Bid Evaluation Comparison:**

<b>Technical</b>	<b>H.O. Penn</b>	<b>W.I. Clark Company</b>
<b>Model</b>	Caterpillar 966H	John Deere 744J
<b>Delivery in Days</b>	215	90-120
<b>Extended Warranty</b>	Yes	Yes
<b>Achieved Bid Specification</b>	Complete	Partial

Both CRRA and MDC personnel reviewed the bids received for compliance with the bid and equipment specifications. Based on the review it was determined that H.O. Penn, while not the low bidder, offered equipment and services more in line with the bid specifications. More specifically, W.I. Clark equipment offering failed to meet:

- Tier 3 emissions requirements;
- Filter requirements for premium lubricants;
- Fuel priming requirements;
- Transmission controls as specified;
- Brake wear indicator (to reduce labor cost);
- Body specifications (to mitigate body deterioration);
- Requested bucket controls; and
- Axle locking design specifications.

**Bid Evaluation Comparison:**

Economic	H.O. Penn	W.I. Clark Company	Difference
<b><u>Bid Price</u></b>			
Per Unit	\$369,386	\$348,845	(\$20,541)
<b>Total(4 units)</b>	\$1,477,544	\$1,395,380	(\$82,164)
<b><u>NPV Of Life Cycle</u></b>			
Per Unit	\$1,787,000	\$2,122,000	\$335,000
<b>Total(4 units)</b>	\$7,149,000	\$8,490,000	\$1,341,000

\* Costs of maintenance and operation were supplied by MDC based on historical data.

\* See attached Cost Comparison for the complete lifecycle analysis.

Over the useful life of the loaders, H.O. Penn offers a more cost-effective major component rebuild program. A comparative lifecycle analysis is provided with this board package. Examples of the major cost components represent in Net Present Value (“NPV”) are as follows:

During the normal service life of a loader, the transmission and engine will be rebuilt or reconditioned every 10,000 to 12,000 hours. While H.O. Penn will rebuild these major components at a cost of approximately \$65,000 each occurrence, W.L. Clarke would purchase remanufactured components and install them at a cost of approximately \$100,000 each occurrence. Each loader will require a minimum of two compete rebuilds during its useful life. In addition, each loader will require one certified rebuild during its expected useful life. Both the John Deere and the Caterpillar have a similar cost structure for the certified rebuild. On average, each Caterpillar will save \$62,000 on major services over its useful life. This represents a NPV savings of \$250,000 for the four Caterpillar.

The historical O&M cost per hour for the Caterpillar loaders is \$24.35 compared to John Deere at \$30.71. This represents a cost difference of \$6.36 or 26%. During the useful life of these units the Caterpillar will cost \$213,000 less per unit which equates to a NPV savings of \$852,000 for all four units. It should be noted that CRRA/MDC have experienced a large amount of “down time” with the John Deere currently at the RRF.

Historical fuel consumption data for the loaders currently in use at the WPF (4 Cats and 1 John Deere unit) show that the Cats consume on average 4.87 gallons per hour compared to 6.07 gallons per hour by the John Deere; a 25% higher fuel consumption rate. Assuming fuel costs of \$2.00/gallon, purchasing the Cats will save CRRA approximately \$80,000 over the useful life of each unit. This represents a NPV savings of \$320,000 for all four units.

John Deere will provide the GPS link to monitor the equipment at an additional cost of \$2,860; Caterpillar has that functionality included in the cost.

It is believed that both machines are capable of performing within the Waste Processing Facility, however the cost per hour to operate the equipment, rebuild cost per component, the availability to provide a factory rebuild program, and failure to meet specifications, overwhelmingly out weighs the \$82,164 base cost savings up front. Purchasing the John Deere equipment will not provide economic benefits at this time for CRRA.

The above base prices include a 60 month / 7,500 hour extended power train warranty with oil sampling provided at no charge during the warranty period. The purchase of new rubber tire wheel loaders based on upgrades specification is the most cost effective solution in meeting the WPF site waste handling equipment requirements.

### **Financial Summary**

The Purchase of four (4) new "Caterpillar" Rubber Tire Loader from H. O. Penn Machinery Co. Inc will be funded from the WPF Rolling Stock budget (Account # 41-202-601-54428) as adopted for fiscal year 2008 Mid-Connecticut budget. The adopted WPF Rolling Stock budget for fiscal year 2008 is \$1,570,000.00.

# Rubber Tire Loader Lifecycle Cost Comparison

## Assumptions

Annual Operating Hours/ Unit	6000	Operational Costs per hr:	
Reconditioning/ Rebuilds in hrs	12000	JD	\$30.71
Rebuild Costs:		Cat	\$24.35
JD	\$100,000	Fuel Costs:	
Cat	\$65,000	Gallons/ Hr	
		JD	6.07
Complete Certified Rebuild		Cat	4.87
JD	\$180,000	Price Per Gallon	\$2.00
Cat	\$180,000	Discount Rate	6.00%

\* All maintenance costs associated with the John Deere and the Caterpillar have been provided by the MDC

## Expenses Per Year For Life Of A Rubber Tire Loader

Cost Per Unit	Year							NPV		
	Initial	1	2	3	4	5	6		7	Total
<b>Caterpillar (Cat)</b>										
Purchase Price	\$369,386									\$369,386
Annual Fuel cost		\$58,440	\$58,440	\$58,440	\$58,440	\$58,440	\$58,440	\$58,440	\$58,440	\$409,080
Other Operational Costs		\$146,100	\$146,100	\$146,100	\$146,100	\$146,100	\$146,100	\$146,100	\$146,100	\$1,022,700
Major Maintenance (Overhauls)		\$65,000	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000	\$310,000
<b>Total</b>										<b>\$2,279,166</b>
<b>John Deere (JD)</b>										
Purchase Price	\$348,845									\$348,845
Annual Fuel cost		\$72,840	\$72,840	\$72,840	\$72,840	\$72,840	\$72,840	\$72,840	\$72,840	\$509,880
Other Operational Costs		\$184,260	\$184,260	\$184,260	\$184,260	\$184,260	\$184,260	\$184,260	\$184,260	\$1,289,820
Major Maintenance (Overhauls)		\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$380,000
<b>Total</b>										<b>\$2,528,545</b>

## NPV Savings

Unit Savings Cat Over JD **\$335,275**

Savings for Contract **\$1,341,098**

**TAB 14**

RESOLUTION REGARDING THE ONE YEAR CONTRACT  
EXTENSION FOR DOZER COMPACTION SERVICES FOR  
THE MID CONNECTICUT PROJECT WASTE PROCESSING FACILITY

**Resolved:** That the Board of Director, in accordance with the Connecticut Resources Recovery Authority's Procurement Policy, hereby approves the one year contract extension for dozer compaction services with AAD Associates LLC, to be performed at the Mid-Connecticut Waste Processing Facility, substantially as presented and discussed at this meeting.

# **Connecticut Resources Recovery Authority**

## **One Year Contract Extension Dozer Compaction Services Mid-CT Waste Processing Facility**

Presented to the CRRA Board on: May 31, 2007

Vendor/ Contractor(s): AAD Associates LLC

Effective date: May 1, 2007

Contract Type/Subject matter: Purchase Order/Bill of Sale

Facility (ies) Affected: Mid-CT Waste Processing Facility

Original Contract: Yes

Term: One Year

Contract Dollar Value: \$ 300,000.00

Amendment(s): Not applicable

Term Extensions: Yes – One Year

Scope of Services: Dozer Compaction Services

Other Pertinent Provisions: None

**Connecticut Resources Recovery Authority  
Mid-Connecticut Project**

**One Year Contract Extension  
Dozer Compaction Services  
Mid-CT Waste Processing Facility**

*May 31, 2007*

**Executive Summary**

This is to request approval by the Board of Directors for a one year contract extension to be in effect from May 1, 2007 through April 30, 2008 for dozer compaction services to be provided by AAD Associates LLC at the CRRA Waste Processing Facility (WPF). Given the specific needs of the Waste Processing Facility (WPF) to provide adequate space for both MSW and RDF during planned and unplanned outages, minimize the amount of wait time for our hauler customers and provide the Mid Connecticut operations group with the ability to handle daily municipal solid waste at the facility as described hereafter, the extension of this service is recommended.

**Discussion**

The Metropolitan District ("MDC") as the contract operator and maintainer of the Mid Connecticut Project Waste Processing Facility does not have the equipment or ability to compact MSW or RDF as required, in order to maintain space and keep a steady flow of processing. During both planned and unplanned outages at the PBF along with unanticipated down time at the WPF the availability of space on both the MSW and RDF tip floors may become critical to the operation. By using an on call outside contractor with his equipment for compact services insures that space will be available in RDF so to continue processing plus floor space on the MSW tip floor to insure that CRRA customers, municipalities and private haulers have sufficient space and minimal wait times. The contractor for dozer services has 2 dozers staged at the WPF ready when called to perform compaction. The contractor is responsible for maintenance and fuel of his equipment.

Dozer compaction services have been used for the past 10 years as tonnage numbers and hauler traffic increased. CRRA has always gone out to bid for a 2 year contract along with a possible one year extension. The average compaction services have run from 1700 to 2000 hours per year based mostly on outages and need to maintain floor space. For each bid process at least 3 bids have been received. AAD Associates has always met of specifications regarding dozer type, weight and availability.

## **Financial Summary**

Dozer compaction services provide the Mid Connecticut Project with the benefit of being able to continue with daily processing, not impact municipalities or haulers with site delays plus having to divert at time waste form the facility.

- The project for Fiscal year 2008 will utilize approximately 2000 hours of compaction services at a cost of \$145.00 per hour.
- The annual cost based on 2000 hours @ \$145 / hr is \$290,000.00.

The service contract extension for one additional year with AAD Associates LLC will be funded from the WPF Other Operating Charges budget (Account # 41-001-601-52709) as adopted for fiscal year 2008 Mid-Connecticut budget.

**TAB 15**

**RESOLUTION OF THE CONNECTICUT RESOURCES RECOVERY  
AUTHORITY ADOPTING AN AMENDMENT TO SECTION 4.1.4 OF  
THE PROCUREMENT POLICY**

RESOLVED: That the Board hereby adopts the amendment to Section 4.1.4 of the Procurement Policy substantially as presented and discussed at this meeting;

**Connecticut Resources Recovery Authority**

**Change to CRRA Procurement Policy Section 4.1.4**

May 31, 2007

**Executive Summary**

This is to request that the CRRA Board of Directors adopt a clarifying change to the Procurement Policy.

**Discussion**

The P&P Committee at its April meeting discussed Section 4.1.4 of the Procurement Policy, *Multiple RFSs with One Service Provider during the Same Fiscal Year*, and determined that it does not address the reporting requirement applicable to situations where one or more of the individual RFSs with a particular service provider in a given fiscal year have exceeded \$50,000 and have received board approval, but the cumulative value of other RFSs (each individually less than \$50,000) with the same service provider in the same fiscal year exceeds \$50,000. Suggested revisions to Section 4.1.4 are attached.

#### 4.1.4 Multiple RFSs with One Service Provider During the Same Fiscal Year

##### 4.1.4.1 Conditions

If all of the following conditions have been met, the requirements of Section 4.1.4.2 shall apply:

- (a) CRRA has entered into an RFS pursuant to Section 4.5.1 for services during a Fiscal Year;
- (b) CRRA enters into a subsequent RFS with the same service provider for the same or other services in the same Fiscal Year;
- (c) Either
  - (i) None of the RFSs individually is in excess of \$50,000 per Fiscal Year; or
  - (ii) All of the RFSs individually in excess of \$50,000 have received board approval;
- (d) The cumulative value of all of the RFSs which have not received board approval exceeds \$50,000 in the Fiscal Year.

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##### 4.1.4.2 Report to Be Submitted

If all of the conditions specified in Section 4.1.4.1 have been met, a report shall be submitted to the appropriate committee(s) of the Board of Directors documenting the multiple RFSs and expenditures thereunder. Board of Directors approval is not required for the initial or subsequent RFSs in a Fiscal Year when all of the conditions specified above are met. RFSs may not be split in amount or duration in order to evade the intent of the Act or the Policies And Procedures.

**TAB 16**

**BOARD RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENDITURES**

**WHEREAS**, CRRA has entered into Legal Service Agreements with various law firms to perform legal services; and

**WHEREAS**, the Board of Directors has previously authorized certain amounts for payment of fiscal year 2007 projected legal fees; and

**WHEREAS**, CRRA has incurred greater than anticipated legal expenses in connection with General Fund and Mid-Connecticut Project matters;

**NOW THEREFORE, it is RESOLVED:** That the following additional amounts be authorized for payment of legal fees and costs to be incurred through June 30, 2007:

<u>Firm:</u>	<u>Amount:</u>
Halloran Sage,	\$350,000
Pepe & Hazard	\$150,000

## CONNECTICUT RESOURCES RECOVERY AUTHORITY

### Request regarding Authorization for Payment of Projected Additional Legal Expenses

May 31, 2007

#### **Executive Summary**

This is to request Board authorization for payment of additional projected fiscal '07 legal expenses.

#### **Discussion:**

We are seeking approval to incur and pay for potential additional services from our general counsel, and potential additional expenses incurred in the Enron Global lawsuit.

Additional projected Halloran & Sage expenses result from involvement by counsel in CRRA's future planning and insurance matters with regard to the Mid Connecticut Project, and in tax, legislative, and DPUC matters on behalf of the Authority generally.

Additional Pepe & Hazard expenses may result from mediation efforts in the Global Lawsuit.

#### **Impact**

Note that these authorizations may or may not actually be necessary in order to pay actual costs incurred in the remaining months of fiscal year '07. CRRA's Controller has confirmed that the funds are available from Mid CT Project budget surplus funds.

**TAB 17**

**BOARD RESOLUTION REGARDING FY 2008 PROJECTED LEGAL  
EXPENDITURES**

**WHEREAS**, CRRA has negotiated three-year Legal Service Agreements with various law firms for the provision of legal services from July 1, 2005 through June 30, 2008; and

**WHEREAS**, CRRA now seeks Board authorization for projected legal expenditures during the third year of the term of said Agreements;

**NOW THEREFORE, it is RESOLVED:** That the following amounts be authorized for projected legal fees to be incurred during fiscal year 2008:

<u>Firm:</u>	<u>Amount:</u>
Brown Rudnick	\$ 825,000
Cohn Birnbaum & Shea	75,000
Halloran & Sage	1,965,000
Heneghan Kennedy & Doyle	65,000
Kainen, Escalera & McHale	40,000
McCarter & English	85,000
Perakos & Zitser	60,000
Pepe & Hazard	800,000
Pullman & Comley	225,000
Sidley Austin	265,000

**Further RESOLVED:** That the President be authorized to expend up to \$500,000 from the Landfill Development Reserve Account for payment for legal fees incurred in fiscal year 2008 in connection with the Authority's development of a new ash landfill in the State of Connecticut.

## **Connecticut Resources Recovery Authority**

### **AUTHORIZATION TO PAY FY 2008 PROJECTED LEGAL EXPENDITURES**

May 31, 2007

#### **Executive Summary**

This is to request that the Board authorize the payment of FY 2008 projected legal expenditures for the firms and in the amounts set forth in the attached resolution.

#### **Discussion**

We are bringing this to the Board in May due to uncertainty regarding the logistics of the June board meeting.

As requested by the P&P Committee, attached please find a comparison of requested 2008 authorizations with total 2007 authorizations and amounts actually invoiced by each firm for the period from July 1, 2006 through March 31, 2007 (to the extent available).

# CONNECTICUT RESOURCES RECOVERY AUTHORITY FISCAL YEAR 2008 LEGAL EXPENDITURE SUMMARY REPORT

Halloran & Sage	Policy and CRRRA Board matters, Wallingford Policy Board matters, Future planning, Insurance coverage issues, FOIA matters, Legislative and regulatory issues, Real estate matters, General matters
Heneghan Kennedy & Doyle	Contract counsel, General matters
Kainen Escalera & McHale	Personnel issues, HR Committee matters, Employee training, ERISA matters
Perakos & Zitser	SWEROC and SWAB matters, Recycling compliance/litigation matters
Cohn Birnbaum & Shea	Environmental issues (South Meadows Remediation)
Pepe & Hazard	Enron global case, New Hartford litigation
Brown Rudnick Berlack Israels	Environmental issues and compliance; landfill matters; local zoning matters
McCarter & English	Solid Waste counsel; arbitration/litigation matters
Pullman & Comley	Enron related matters, FASB78 issues, bond indenture covenants, Trustee & State Treasurer related matters, Quarterly Financial Mitigation Plan Filings, Future financing matters, Bond Commission matters, New Hartford litigation issues
Sidley Austin	Enron related matters, FASB78 issues, bond indenture covenants, Trustee & State Treasurer related matters, Quarterly Financial Mitigation Plan Filings, Future financing matters
Cohen & Wolf	Bridgeport Project real estate and PILOT issues

## Fiscal Year 2007 and 2008 Comparison

<u>Law Firm</u>	<u>FY 08 Requested Authorization</u>	<u>FY 07 Authorization</u>	<u>Additional FY 07 Request</u>	<u>FY 07 Total Invoiced through 3/31/07</u>
Brown Rudnick	\$ 825,000.00	\$ 550,000.00		\$ 310,784.00
Cohn Birnbaum & Shea	\$ 75,000.00	\$ 75,000.00		\$ 37,632.00
Halloran & Sage	\$ 1,965,000.00	\$ 2,500,000.00	\$ 350,000.00	\$ 2,195,236.00
Heneghan Kennedy & Doyle	\$ 65,000.00	\$ 115,000.00		\$ 40,298.00
Kainen, Escalera & McHale	\$ 40,000.00	\$ 40,000.00		\$ 10,572
McCarter & English	\$ 85,000.00	\$ 180,000.00		\$ 48,799.00
Perakos & Zitser	\$ 60,000.00	\$ 120,000.00		
Pepe & Hazard	\$ 800,000.00	\$ 920,000.00	\$ 150,000.00	\$ 862,514.00
Pullman & Comley	\$ 225,000.00	\$ 105,000.00		\$ 36,453.00
Sidley Austin	\$ 265,000.00	\$ 85,000.00		\$ 49,495.00