

**Policies & Procurement Committee  
June 12, 2006 Meeting**

**Draft Minutes**

An Emergency Special telephonic meeting of the Policies & Procurement Committee of the Connecticut Resources Recovery Authority was held on Monday, June 12, 2006 at 100 Constitution Plaza, Hartford, Connecticut, due to an immediate need to review current and expiring contracts.

Members Present by Telephone:

Michael Pace, Board Chairman  
Benson Cohn, Committee Chairman  
Mark Cooper  
Michael Jarjura

CRRA Staff Present at 100 Constitution Plaza:

Tom Kirk, President  
Jim Bolduc, Chief Financial Officer  
Peter Egan, Director of Environmental Affairs & Development  
Floyd Gent, Director of Operations  
Laurie Hunt, Director of Legal Services  
Kristen Greig, Secretary to the Board/Paralegal

Also Present by Telephone:

Peter Boucher, Esq. of Halloran & Sage  
Dan LaBelle, Esq. of Halloran & Sage

Also Present at 100 Constitution Plaza:

Paul Hughes of the Republican-American

Chairman Cohn called the meeting to order at 1:04 p.m. and noted that there was a quorum.

**1. DISCUSSION REGARDING EXISTING AND POTENTIAL CONTRACTS AND RENEWALS**

Chairman Cohn informed the Committee that this meeting was called for reconsideration of business conducted at the previous meeting since conditions have changed. Chairman Cohn stated that the company that submitted the apparent winning bid for a hauling contract is at least 50% owned by an individual who was indicted for price-fixing in the trash hauling business. Chairman Cohn said that it would be highly impolitic and unwise for CRRA to recommend that bidder.

Mr. Kirk added that CRRA's Notice to Firms, which is included in the Request for Proposal, clearly gives CRRA the capability to award a contract to an organization, even if it is not the low bidder. Mr. Kirk read section (F) of the Notice to Firms, which states that CRRA reserves and may exercise the right "to reject any and all proposals, or parts thereof, and/or to waive any informality

or informalities in any of the proposals or the proposal process for the RFP, if such rejection or waiver is deemed in the best interests of CRRA.” Mr. Kirk said that CRRA is free to recommend the second lowest or any other bidder to the Board.

Chairman Pace said that historical record of this issue is important. Chairman Pace noted that he specifically asked if CRRA could find out who the principals are in the companies that CRRA does business with. Chairman Pace added that at the previous Policies & Procurement Committee meeting, there was considerable interest and concern regarding how CRRA would proceed with this matter so it was decided that all Board members would be involved. The matter would be brought before the Board for input and, if needed brought back to the Committee at a Special meeting. Chairman Pace said that people may have taken partial information that portrays CRRA in a bad light and supplied it to others.

Chairman Cohn pointed out that there were only two options in this situation: CRRA could accept the next lowest bid, which it has been determined that CRRA can do legally, or the current contract could be extended. Chairman Cohn said that management is recommending that CRRA award the contract to the next lowest bid. Chairman Pace noted that he supports management’s recommendation.

Director Jarjura asked why CRRA would be held in a bad light. Chairman Pace responded that there has been at least one phone call that was directed to the Governor’s office, but that contact only had part of the information available and did not know what the intentions of the Chairman of the Committee or the Chairman of the Board were. Director Jarjura said that he does not think CRRA will be portrayed negatively. Chairman Pace said that he would prefer that this Committee and the full Board have the opportunity to go through its full exercise before partial information is given to other entities. Chairman Pace noted that it is erroneous to think that a contract was awarded.

Director Jarjura pointed out that he was appointed later than most members of the current Board and said the Chairman and the Board have made significant accomplishments. Director Jarjura stated that he is proud to be a member of this Board because business is conducted “in the full light of day” and the Board is there for its member towns to help them control the costs of removing their waste. Director Jarjura said that the Board members should hold their heads high. Director Jarjura also recommended that CRRA maintain contact with the Governor’s office or the leadership at the legislature as the situation with the trash hauling industry in the State of Connecticut unfolds. Director Jarjura said that CRRA likely has existing contracts with some of the targets of the probe and CRRA will have to decide how to handle those.

Chairman Pace stated that this is why it is important for CRRA to have a business presence in that area of the State. Mr. Kirk added that he does not think it is a coincidence that this happened in the one area where the facilities are not publicly owned. Mr. Kirk said that is a strong argument why CRRA should be expanding its reaches to all ends of the State. CRRA, operating in the public trust, can provide advantages to its customers and citizens that the private sector may not be able to provide.

Chairman Cohn requested a motion regarding the above-captioned item. Chairman Pace made the following motion:

RESOLVED: That the Policies & Procurement Committee accepts management's recommendation to award the contract to second low bidder.

Director Cooper seconded the motion.

Director Jarjura noted that, although the Request for Proposal process is a good process, this is a situation where it is justified to take an action that is an exception to the process because of the information available to the Committee. Mr. Kirk noted that it is not CRRA's typical practice to choose a vendor other than the low bidder, but it is within the organization's authority and capability to choose someone other than the low bidder.

Chairman Pace asked for confirmation that the second lowest bidder is currently performing these services for CRRA. Chairman Pace asked if there was a track record of success and happiness with their performance. Mr. Gent responded in the affirmative. Mr. Gent noted that the Notice of Award, which is contingent upon Board approval, was sent to the low bidder and Friday, but would be rescinded.

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

## 2. **ADJOURNMENT**

With no other business to discuss, Chairman Cohn requested a motion to adjourn the meeting. The motion made by Director Jarjura and seconded by Director Cooper was passed unanimously.

The meeting was adjourned at 1:16 p.m.

Respectfully submitted,

Kristen B. Greig  
Secretary to the Board/Paralegal