



**WESTERN WAKE PARTNERS
Policy Advisory Committee**

MINUTES

Wednesday, July 13, 2011, 5:30 p.m.
Cary Town Hall, Conference Room #10035
316 N. Academy Street, Cary, North Carolina
www.westernwakepartners.org

Present: Apex: Mayor Keith Weatherly and Town Manager Bruce Radford; Cary: Mayor Harold Weinbrecht and Town Manager Ben Shivar; and Morrisville: Mayor Jackie Holcombe and Town Manager John Whitson

Others Present: Apex: Public Works Director Tim Donnelly; Cary: Public Works and Utilities Director Steve Brown, Public Utilities Leila Goodwin, Engineering Director Tim Bailey, Utilities Engineering Services Alexandra Jones, Deputy Town Clerk Karen Gray and Administrative Assistant Cindy Giebel

A. Commencement

Call to Order (Mayor Weatherly)

Mayor Weatherly called the meeting to order at 5:30 p.m.

B. Approval of the minutes of the Policy Advisory Committee meeting held on June 9, 2011

ACTION: Holcombe moved to approve the minutes of the June 9, 2011 meeting as submitted. Weinbrecht provided the second; the committee granted unanimous approval.

C. Consideration of approval of construction contractor for Contract 1 (this item will go to Apex Town Council on June 21 and Cary Town Council on July 14) (PAC12-01)

WESTERN WAKE PARTNERS

Report to the Policy Advisory Committee (PAC12-01)

Date: July 13, 2011
To: Policy Advisory Committee
From: Technical Advisory Committee (TAC)
Prepared by: Alexandra Jones, P.E., Project Manager, Town of Cary
Subject: Consideration of approval of construction contractor for Western Wake Regional Wastewater Management Facilities Contract 1

Background

Town of Cary staff report EN12-003, attached, presents background information. The recommendation was approved by the Apex Town Council on June 21, 2011 and by the Town of Cary Operations Committee on July 7, 2011. Pending approval by the Policy Advisory Committee, the Cary Town Council will consider taking action at its regular meeting on July 14, 2011.

Recommendation

The Technical Advisory Committee recommends the Policy Advisory Committee approve the Lead Agency awarding the project, with selected alternate bid items, to Crowder Construction Company.

STAFF REPORT

Operations Committee, July 7, 2011

Contract 1 – Treatment Works and Church Road Water Line Extension, Western Wake Regional Water Reclamation Facility (EN12-003)

Consideration of a Bid Award for the Western Wake Regional Wastewater Management Facilities Contract 1

Speaker: Tim Bailey

From: Tim Bailey, PE, Engineering Director
Prepared by: Alexandra Jones, PE, Engineer
Approved by: Benjamin T. Shivar, Town Manager
Approved by: Michael J. Bajorek, Assistant Town Manager

Executive Summary

The Town of Cary on behalf of the Western Wake Partners received bids for Contract 1 – Treatment Works and Church Road Water Line Extension, Western Wake Regional Water Reclamation Facility, Project SW1123, on Wednesday, June 15, 2011. The project includes site preparation and construction of major facilities for a new water reclamation facility, as well as a water line extension to provide water service to the site. Construction of this project is scheduled to start this fall and be completed by the fall of 2014. After reviewing the bid proposals staff recommends that the project be awarded to Crowder Construction Company for \$76,613,000.00.

Discussion

This project will provide construction of the major components of a new water reclamation facility for the Western Wake Partners. It is one of four construction contracts that will build the entire new Western Wake Water Reclamation Facility. Contract 1 includes the headworks, screening, biological treatment, filtration, and disinfection processes as well as providing an access road, water, power, clearing and grading on the site for the other three construction contracts; the engineer's estimate for this work was approximately \$100 million. The bid included prices on five alternate items, of which staff recommends selecting two (Alternate 4D -\$132,000 and Alternate 4E +\$995,000) on the basis of best capital cost and long-term operation and maintenance cost savings.

The following contractors submitted bid proposals for the project:

Contractor	Bid Price
Crowder Construction Company	\$76,613,000.00
PC Company (Pizzagalli)	\$76,760,000.00
Archer Western Contractors	\$78,978,060.00
Western Summit Constructors, Inc.	\$80,087,500.00
English Construction Co., Inc.	\$82,283,000.00
Balfour Beatty Infrastr., Inc.	\$83,530,000.00
Brasfield & Gorrie	\$83,625,000.00
Skanska USA Civil Southeast	\$85,429,491.00
Ulliman Schutte Construction Co.	\$87,389,000.00
PCL Water Infrastructure Group/ Lane Construction (Joint Venture)	\$90,821,556.29

Timely selection of the contractor is required to meet the NCDENR Division of Water Quality, Construction Grants and Loans Section (CG&L), schedule for accessing \$52.5 million (\$35 million for Cary/Morrisville and \$17.5 million for Apex) in State Revolving Fund loans for the project. As required by the loan approval process, the Apex Town Council voted to approve the Resolution of Tentative Award on June 21, 2011. Separate approval by the Morrisville Town Council is not required due to the Cary-Morrisville utility merger agreement. The Western Wake Partners Policy Advisory Committee (PAC) is scheduled to consider the recommendation of award on July 13, 2011. Before award of contracts, the PAC advises the Lead Agency on selection of outside consultants and contractors. Following submittal of appropriate forms to CG&L with bid results and contractor selection, the schedule requires CG&L's Authority to Award to be issued by August 1, 2011, and an executed construction contract by September 1, 2011.

Fiscal Impact

Operating:

This project is the first of eight major construction contracts for the Western Wake Regional Wastewater Management Facilities (WWRWMF). Once the new WWRWMF begin operation Cary, as Lead Agency, will include all operating costs in the Town's annual budget, with recognition of revenue from Apex reimbursement as outlined in the Interlocal Agreement between the Western Wake Partners (Towns of Apex, Cary, and Morrisville).

Funding:

A total of \$152,983,000 has been appropriated to date to the Contract 1 – Treatment Works and Church Road Water Line Extension, Western Wake Regional Water Reclamation Facility, Project SW1123 by the Western Wake Partners (Town of Cary share of appropriations to date is \$99,501,509). A total of \$8,005,578 has been encumbered/expended to date; the remaining balance of \$144,977,422 is adequate to cover the total bid of \$76,613,000. It is anticipated that the remaining balance will also cover Contracts 2 and 3 which will be bid later as part of the ongoing Western Wake Regional Wastewater Management Facilities construction. The construction administration and inspections associated with this project will be provided by a consultant and specialty testing firm paid for by other funding within SW1123.

Staff Recommendation

Staff recommends awarding the project, with selected alternate bid items, to Crowder Construction Company for \$76,613,000.00. Staff also recommends that Council authorize the Mayor to sign the Resolution of Tentative Award for submittal to the NCDENR Division of Water Quality, Construction Grants and Loans Section. The recommendation of award by Council represents a preliminary determination as to the qualifications of the bidder and no legally binding acceptance of the bid or offer occurs until the Town has executed a written agreement.

Jones presented staff's report herein.

ACTION: Weinbrecht moved to approve the Lead Agency awarding the project, with selected alternate bid items, to Crowder Construction Company. Holcombe provided the second; the committee granted unanimous approval.

D. Consideration of consultant selection for construction management services (PAC12-02)

WESTERN WAKE PARTNERS

Report to the Policy Advisory Committee (PAC12-02)

Date: July 13, 2011
To: Policy Advisory Committee
From: Technical Advisory Committee (TAC)

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Prepared by: Alexandra Jones, P.E., Project Manager, Town of Cary
Subject: Consideration of Consultant Selection for Western Wake Regional Wastewater Management Facilities Construction Management Services

Background

Town of Cary staff report EN12-005, attached, presents background information. The recommendation was approved by the Town of Cary Operations Committee on July 7, 2011. Pending approval by the Policy Advisory Committee, the Cary Town Council will consider taking action at its regular meeting on July 14, 2011.

Recommendation

The Technical Advisory Committee recommends the Policy Advisory Committee approve the Lead Agency awarding the project to Hazen and Sawyer. If for any reason the Lead Agency cannot successfully negotiate a contract with Hazen and Sawyer, the Policy Advisory Committee authorizes the Lead Agency to award the project to the second choice consultant, Brown and Caldwell.

STAFF REPORT

Operations Committee, July 7, 2011

Construction Management, Administration and Engineering Services for the Western Wake Regional Wastewater Management Facilities (EN12-005)

Consideration of Consultant Selection for Western Wake Regional Wastewater Management Facilities Construction Management Services

Speaker: Tim Bailey

From: Tim Bailey, PE, Engineering Director
Prepared by: Alexandra Jones, PE, Engineer
Approved by: Benjamin T. Shivar, Town Manager
Approved by: Michael J. Bajorek, Assistant Town Manager

Executive Summary

Staff received proposals on May 19, 2011 for Construction Management, Administration and Engineering Services for the Western Wake Regional Wastewater Management Facilities (WWRWMF). Proposals were received from seven firms: ARCADIS, Black & Veatch, Brown and Caldwell, Gilbane/CDM, Hazen & Sawyer, Jacobs, and URS. After extensive consideration and discussion, the selection committee recommends selecting Hazen & Sawyer for this project.

Discussion

Staff received proposals on May 19, 2011 for Construction Management, Administration and Engineering Services for the Western Wake Regional Wastewater Management Facilities (WWRWMF). The services requested include providing a constructability review and master scheduling for all WWRWMF construction projects, providing construction administration and full-time inspection services for the Western Wake Regional Water Reclamation Facility (WWRWRF), conducting monthly coordination meetings for all WWRWMF projects, and creating a startup and commissioning plan for the new WWRWMF.

The Town of Cary has exempted this project from the provisions of North Carolina General Statute 143-64.31 as it is in the best interests of its citizens to procure these services through a process of open competition. Therefore, cost proposals were considered in making the final selection.

The RFP indicated that the key factors used to evaluate the proposals would be:

- Firm experience/reputation/workload;
- Experience of personnel assigned to the project team;

- Response to objectives outlined in the RFP;
- Schedule;
- Price proposal; and
- In-person interview.

Proposals were received from seven firms: ARCADIS Malcom Pirnie, Black & Veatch, Brown and Caldwell, Gilbane/CDM, Hazen & Sawyer, Jacobs, and URS. A nine-member selection committee of staff from the Towns of Apex and Cary was assembled to review all the proposals and conduct interviews with select firms.

Members of the committee have previous experience with most of the firms and personnel proposed to be responsible for the work. The committee placed a high value on the firm's and personnel's past experience on similar wastewater projects as well as the understanding for and vision of the WWRWMF projects as stated in the proposal. The committee also placed a high value on the firm's approach to dealing with multiple contractors on complicated projects, as demonstrated in their proposals and during the interviews. The overall value stated in the cost proposal for the scope of services provided was also considered.

The selection committee reached consensus in its deliberations that the Brown and Caldwell and Hazen & Sawyer proposals demonstrated a more complete understanding of the aspects of the project most important to the committee, and these two firms were invited to a follow up interview. The interview was formatted to evaluate and compare how the proposed project teams worked together to complete a specific task and to observe the role of the Construction Manager in that effort. The committee used observations from these interviews along with the overall proposal and committee members' past experience with each of the firms to make a final evaluation. Cost was also considered in the evaluation.

The Town of Cary has had very good past experiences with both Hazen & Sawyer and Brown and Caldwell. While both firms demonstrated an excellent understanding of the WWRWMF project and proposed a very similar level of service with an almost identical number of hours, Hazen & Sawyer's proposed cost (\$5,339,210) was significantly less than Brown and Caldwell's (\$6,738,300), even after accounting for slight differences in the proposed approach to the project (approximately \$300,000, leaving an approximately \$1,000,000 price difference). After extensive consideration and discussion, the selection committee reached a consensus to recommend awarding the contract to Hazen & Sawyer.

Timely selection of the consultant is needed to provide services for the Western Wake Regional Water Reclamation Facility Contract 1, which is anticipated to begin construction in September 2011. Separate approval from the Towns of Apex and Morrisville is not needed per the Western Wake Partners Interlocal Agreement, but the Policy Advisory Committee (PAC) is scheduled to consider the consultant selection on July 13, 2011. Before award of contracts, the PAC advises the Lead Agency on selection of outside consultants and contractors.

Fiscal Impact

A total of \$152,983,000 has been appropriated to date to the Western Wake Regional Water Reclamation Facility, Project SW1123 by the Western Wake Partners (Town of Cary share of appropriations to date is \$99,501,509). A total of \$8,005,578 has been encumbered/expended to-date; the remaining balance of \$144,977,422 is adequate to cover the proposed price of \$5,339,210 and any value-added services which may be added during construction or startup of the WWRWMF. It is anticipated that the remaining balance will also cover the three construction contracts which are part of the ongoing Western Wake Regional Wastewater Management Facilities construction under SW1123.

Staff Recommendation

Staff recommends that Council approve the selection committee's recommendation to negotiate an engineering services contract with Hazen & Sawyer for Construction Management, Administration and Engineering Services for the Western Wake Regional Wastewater Management Facilities, with an option

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for staff to authorize additional value-added services during construction and startup at a later date as a contract amendment. This award represents a preliminary determination as to the qualifications of this consulting firm and no legally binding acceptance of this award occurs until the Town of Cary has executed a written agreement.

Jones presented the staff report herein.

ACTION: Holcombe moved to approve the Lead Agency awarding the project to Hazen and Sawyer. If for any reason the Lead Agency cannot successfully negotiate a contract with Hazen and Sawyer, the Policy Advisory Committee authorizes the Lead Agency to award the project to the second choice consultant, Brown and Caldwell. Weinbrecht provided the second; the committee granted unanimous approval.

E. Consideration of approval of consultant for community outreach and related services (PAC12-03)

WESTERN WAKE PARTNERS

Report to the Policy Advisory Committee (PAC12-03)

Date: July 13, 2011
To: Policy Advisory Committee
From: Technical Advisory Committee (TAC)
Prepared by: Alexandra Jones, P.E., Project Manager, Town of Cary
Subject: Consideration of approval of consultant for community outreach and related services

Background

In 2007, Brown and Caldwell were selected to perform engineering services related to permitting assistance (PAC07-17). Brown and Caldwell has been performing a variety of engineering services for the Partners' under that contract since 2007, including planning and support of the Technical Advisory Committee meetings, engineering support of the Environmental Impact Statement (EIS) process, community outreach activities, and serving as a technical resource and advocate for the Partners.

Because of their ongoing work for the Partners and familiarity with the EIS and Western Wake projects, Brown and Caldwell is uniquely qualified to provide ongoing community outreach assistance as well as support for EIS and other permit related reporting tasks for the Partners during upcoming construction activities. The Town of Cary believes that Brown and Caldwell will continue to provide services timely, cost-effective manner consistent with their previous work.

The Town of Cary proposes to enter into a contract with Brown and Caldwell based on the following anticipated Scope of Services:

- **Plan and attend Technical Advisory Committee Meetings** – Appropriate consultant staff will attend TAC meetings, held once a month at Cary Town Hall. Consultant will take the lead in working with Town of Cary (as Lead Agency) to develop and distribute an agenda for each meeting, make copies of any handout materials, and prepare and distribute meeting summaries.
- **Community outreach support** – Includes tracking and reporting on commitments made during the EIS process; providing assistance with the complex communication process for eight major and several minor overlapping construction projects; and updating and maintaining the Partners' website.
- **Engineering Report Amendments** – Prepare and submit amendments to the WWRWMF Engineering Report as needed in support of State Revolving Fund Loan and other permit requirements.

- **Additional Meetings** – Additional meetings with the Partners may be needed in support of community outreach activities, providing technical advice to the Partners with regard to implementing permit requirements, and in support of implementing the Water & Sewer Extension Policy project.

The contract will be on a cost-reimbursable basis and specific task requests of Brown and Caldwell will be reviewed by the Technical Advisory Committee. Costs are anticipated to be approximately \$300,000 over three years and fall within existing project budgets.

Recommendation

The Technical Advisory Committee recommends the Policy Advisory Committee approve that the Lead Agency to enter into a contract with Brown and Caldwell for ongoing services in support of community outreach and related activities during construction of the WWRWMF.

Jones presented the staff report herein. She said Brown and Caldwell has been performing work for the Partners since 2007. This will be a new contract to do similar work during the construction phase.

Weatherly asked the scope of duties and responsibilities pertaining to the contract. Jones stated Brown and Caldwell's representatives attend the monthly Technical Advisory Committee meetings; they prepare agendas, support materials, and minutes; and they maintain the Western Wake Partners' website with updates and formatting of material. They also have a consultant that has forged relationships with the New Hill community members and leaders, which helps with our communications effort.

Weatherly stated the approximated yearly cost of \$100,000 seems excessive. Jones said this amount is significantly less than before. Donnelly stated the TAC considers the consultant's consistent communication with the New Hill neighborhood a decrease in the burden on Apex in regards to easements.

The committee requested more detail on the duties and responsibilities pertaining to the contract.

F. Consideration of changes to Effluent Conveyance Facilities (PAC12-04)

WESTERN WAKE PARTNERS

Report to the Policy Advisory Committee (PAC12-04)

Date: July 13, 2011
To: Policy Advisory Committee
From: Technical Advisory Committee (TAC)
Prepared by: Alexandra Jones, P.E., Project Manager, Town of Cary
Subject: Consideration of revisions to Effluent Conveyance Facilities

Background

The technical memorandum "Effluent Conveyance Facilities Impact of Holly Springs Withdrawal with Scenario 3 and Scenario 4" prepared by Hazen and Sawyer, attached, presents detailed information. The Effluent Pump Station and Effluent Pipeline projects (also referred to as the Effluent Conveyance Facilities) were originally designed to convey treated wastewater from the Western Wake Regional Water Reclamation Facility (WWRWRF) as well as treated wastewater from the Utley Creek Wastewater Treatment Plant in Holly Springs. With the withdrawal of the Town of Holly Springs from the Western Wake Partnership, it is only necessary for the Effluent Pump Station and Pipeline to convey flows contributed by the Towns of Apex, Cary, and Morrisville at the WWRWRF.

Four different scenarios for modifying the design of the Effluent Conveyance Facilities to account for the withdrawal of Holly Springs from the Partnership were evaluated. Scenario 1 includes relatively

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straightforward design changes to reduce the capacity of pumping equipment and the pipeline. Scenario 2 includes the same changes as the first scenario with the addition of more complex design revisions to reduce the size of the pump station building. Scenario 3 includes design changes to reduce the capacity of pumping equipment as well as significant design changes to reduce the pipeline capacity to handle Phase 1 flows only with Phase 2 flows to be handled by a future, parallel pipeline. Scenario 4 includes only the design changes needed to reduce the capacity of pumping equipment with no changes made to the pipeline.

Recommendation

The Technical Advisory Committee recommends the Policy Advisory Committee approve modifying the design of the effluent pipeline and pump station projects with the changes described in Scenario 1 of the technical memorandum "Effluent Conveyance Facilities Impact of Holly Springs Withdrawal with Scenario 3 and Scenario 4" prepared by Hazen and Sawyer. (See **Exhibit A** attached to and incorporated herein.)

Jones presented the staff report herein. She stated staff recommends Scenario 1 as the best deal for capital cost reduction changes to the effluent pump station. It will also continue the phase-to-capacity goal for the three remaining partners without having extra capacity levels.

Radford asked for the difference in the associated cost of leaving the pipeline at 60 inches and making the adjustment to the pumping facilities. Jones said Scenario 4 has a savings of 1.9 million, and there is approximately a \$4 million capital cost savings with Scenario 1.

Radford asked for the approximate cost of repairing a parallel line at the beginning of Phase 2. Jones stated the present worth of the future cost is \$17 million, without consideration of the additional cost for easement acquisition that would be needed. Donnelly added that a 54-inch pipeline includes the anticipated expansion of the plant.

Jones explained that a 54-inch pipeline would accommodate future flows of the three remaining Partners. The 48-inch pipeline would only accommodate Phase 1 flows.

Radford asked if the 54-inch pipeline would accommodate the future flows from Chatham County. Jones stated there are options to include future flows from Chatham County. The most excess capacity will be in the southerly portion of the pipeline based on the size of the tap required by the agreement with Chatham County, which can be accommodated during Phase 1. She stated as Phase 2 approaches, the Partners would be using full capacity with no excess capacity to sell to Chatham County.

Jones stated the larger the pipeline, the more range of connection points are available to Chatham County without also putting in additional pumping equipment to accommodate that flow.

Weinbrecht asked if there was more flexibility with Scenario 1; Jones stated yes; excess capacity would still be present in Phase 2.

Bailey said staff's discussions with Chatham County have always been to provide them connection at Highway 42 or closer to the river, which will not impact our system. He said Scenario 1 will meet that commitment.

Weatherly asked if there is gravity flow at that point of connection. Bailey said yes.

Weinbrecht asked about a 60-inch pipeline. Bailey stated a 60-inch pipeline would provide excess capacity that would not be needed.

Holcombe asked if the Partners would be compensated if Chatham County wants to connect at a location without gravity flow. Bailey stated there would be additional costs that would have to be compensated in some manner.

Radford asked if there is provision made for a sampling station on Chatham County's effort. Bailey said it would depend on how the state required the permits. He said sampling would have to be done separately and state requirements will have to be followed. He said the location and how it will be done would be negotiated in an agreement.

ACTION: Weatherly moved to approve modifying the design of the effluent pipeline and pump station projects with the changes described in Scenario 1 of the technical memorandum "Effluent Conveyance Facilities Impact of Holly Springs Withdrawal with Scenario 3 and Scenario 4" prepared by Hazen and Sawyer. Weinbrecht provided the second; the committee granted unanimous approval.

G. Adjourn

ACTION: At 5:54 p.m. Holcombe moved to adjourn; Weinbrecht provided the second. The committee granted unanimous approval.