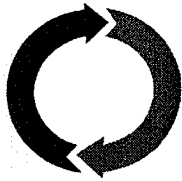


**CRRA
BOARD MEETING
APRIL 27, 2006**



**CONNECTICUT
RESOURCES
RECOVERY
AUTHORITY**

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

MEMORANDUM

TO: CRRA Board of Directors
FROM: Kristen Greig, Secretary to the Board/Paralegal
DATE: April 21, 2006
RE: Notice of Meeting

There will be a regular meeting of the Connecticut Resources Recovery Authority Board of Directors held on Thursday, April 27, 2006 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

April 27, 2006

9:30 AM

- I. Pledge of Allegiance
- II. Presentation of Governor Rell Letter of Recognition to Stephen T. Cassano (Attachment 1).
- III. 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.
- IV. Executive Session to discuss pending litigation related to the Mid-Connecticut Project.
- V. Minutes
 1. Board Action will be sought for the approval of the March 30, 2006 Regular Board Meeting Minutes (Attachment 2).
- VI. Project Issues
 - A. Mid-Connecticut
 1. Board Action will be sought regarding Delivery of Cover Soils to the Hartford Landfill (Attachment 3).
 2. Board Action will be sought regarding Operation and Maintenance of the Hartford Landfill Groundwater Flow Control System for Fiscal Years 2006 (Partial), 2007, 2008, 2009, 2010 (Option Year) and 2011 (Option Year) (Attachment 4).
 - B. Bridgeport
 1. Board Action will be sought regarding Bridgeport Standard Hauler Agreement (Attachment 5).
- VII. Legal
 1. Board Action will be sought regarding Appointment of Ethics Compliance Officer (Attachment 6).

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

A. Chairman's Report

B. President's Report

1. Update regarding MDC Appeal of 2005 Arbitration Ruling (Attachment 7).

B. Organizational Synergy & Human Resources Committee

1. The Organizational Synergy & Human Resources Committee will report on its April 27, 2006 meeting.

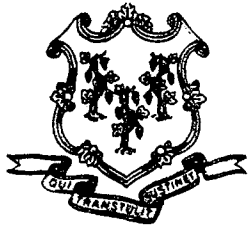
IV. Executive Session

An Executive Session will be held to discuss pending litigation related to the Bridgeport Project and personnel issues with appropriate staff.

V. Legal (cont.)

1. Board Action will be sought regarding Engagement of Expert Witness in CRRA's Arbitration with Wheelabrator (Attachment 8).

TAB 1



STATE OF CONNECTICUT
EXECUTIVE CHAMBERS
HARTFORD, CONNECTICUT
06106

M. JODI RELL
GOVERNOR

March 30, 2006

Mayor Stephen Cassano
c/o Connecticut Resource Recovery Authority
100 Constitution Plaza, 6th Floor
Hartford, Connecticut 06103

Dear Mayor Cassano,

Change is an inevitable part of our lives, bringing both trepidation about the unknown, and the promise of growth and positive transformation. And, so, as you embrace this change in your life, I wanted to congratulate you on a successful career dedicated to serving the people of Connecticut.

Since your appointment as a director to the Board of the Connecticut Resource Recovery Authority, the dedication and commitment that you have shown towards the cities and towns in which the CRRA operates has been an inspiration to the other members of the Board and Management team. In addition to maintaining important government services, you have gone above and beyond in your contributions of time and effort, leading to many accomplishments of which you should be proud.

As Governor, I have the responsibility of safeguarding all of Connecticut's people and resources. With citizens like you at the helm of boards and commissions around the great State of Connecticut, I am confident that our State's future remains bright.

Good luck in this next chapter of your life. May you continue to find challenge and reward in the years ahead.

Sincerely,

A handwritten signature in cursive script that reads "M. Jodi Rell".

M. Jodi Rell
Governor

MJR/ba

TAB 2

CONNECTICUT RESOURCES RECOVERY AUTHORITY

FOUR HUNDRED AND FIRST MEETING

MARCH 30, 2006

A Regular meeting of the Connecticut Resources Recovery Authority Board of Directors was held on Thursday, March 30, 2006 at 100 Constitution Plaza, Hartford, Connecticut. Those present were:

Chairman Michael Pace (Present by telephone from 10:05 a.m. to 10:15 a.m.)

Directors: Benson Cohn
Mark Cooper
James Francis
Michael Jarjura
Edna Karanian
Theodore Martland
Raymond O'Brien
Andrew Sullivan
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
Peter Egan, Director of Environmental Affairs & Development
Laurie Hunt, Director of Legal Services
Lynn Martin, Risk Manager
Paul Nonnenmacher, Director of Public Affairs
John Romano, Project Manager
Donna Tracy, Executive Assistant
Kristen Greig, Secretary to the Board/Paralegal

Also present were: Theodore Doolittle, Esq. of the Office of the Attorney General, Valentine Doyle of CCEJ, Richard Goldstein, Esq. of Pepe & Hazard, Kathleen Henry of CCEJ, Stephen Hillyer of CCEJ, Frank Marci of USA Hauling & Recycling, Allan Mercado of CCEJ, John Pizzimenti of USA Hauling & Recycling, Matt Suffish of Covanta, Jerry Tyminski of SCRRA.

Director Sullivan called the meeting to order at 9:40 a.m. and stated that a quorum was present.

PLEDGE OF ALLEGIANCE

Director Sullivan requested that everyone stand for the Pledge of Allegiance, whereupon, the Pledge of Allegiance was recited.

APPOINTMENT OF ACTING CHAIRMAN

Director Martland made a motion to nominate Director Sullivan as acting Chairman. The motion was seconded by Director Cooper. The motion previously made and seconded was approved unanimously.

PUBLIC PORTION

Acting Chairman Sullivan 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.

Acting Chairman Sullivan noted that there were no comments from the public and that the regular meeting would commence.

APPROVAL OF THE MINUTES OF THE FEBRUARY 16, 2006 REGULAR BOARD MEETING

Acting Chairman Sullivan requested a motion to approve the minutes of the February 16, 2006 Board Meeting. The motion was made by Director O'Brien and seconded by Director Cooper.

Director O'Brien noted that at the previous meeting, Director Horton Sheff stated that she would like to have Hartford's corporation counsel review the Ethics Policy and asked if that had been completed. Director Horton Sheff informed the Board that her counsel was in the process of reviewing the policy. Director O'Brien stated that the minutes should reflect that Chairman Pace said that he would welcome input from Hartford's corporation counsel.

Director O'Brien also noted that he had requested a ruling from the Office of State Ethics regarding public officials and asked if that had been completed. Attorney Hunt responded that she approached CRRA's general counsel regarding that matter and was informed that the Office of State Ethics is not ready to give rulings of that nature at this point in time.

The minutes as amended were approved. Director Martland abstained as he was not present at the meeting.

Eligible Voters	Aye	Nay	Abstain
Andrew Sullivan, Acting Chairman	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Theodore Martland	X		
Raymond O'Brien	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			
Elizabeth Horton Sheff, Ad Hoc, Mid-Connecticut			

DISCUSSION REGARDING THE PURCHASE OF INSURANCE

Acting Chairman Sullivan stated that he would like to discuss each of the policies together and vote on each resolution separately after a thorough discussion. Mr. Bolduc informed the Board that CRRA's current policies expire at the end of March and the new policies would take effect on April 1st. Mr. Bolduc explained that the Public Officials and Employee Liability, Commercial Crime, Fiduciary Liability and All-Risk Property policies need to be acted upon today.

Regarding the Public Officials and Employee Liability policy, Mr. Bolduc stated that the Finance Committee spent some time reviewing the different options available to CRRA in respect to this policy. Mr. Bolduc noted that CRRA currently carries \$5,000,000 of coverage with AISLIC, and pointed out that defense costs for claims are not charged against the \$5,000,000 limit. Mr. Bolduc stated that this year CRRA has the option of increasing the coverage to \$10,000,000 at a slightly lower premium with a different carrier, but stated that with that policy defense costs would erode the coverage limit. Mr. Bolduc explained that was why the resolution provides two different options for the Board to consider.

Mr. Bolduc explained that an analysis was performed to determine how much had been spent on defense costs, which showed \$1,000,000 spent to date on one claim, with an additional \$2.5 - \$4 million projected. Mr. Bolduc noted that the projections were based on the assumption that a pending case against previous Directors is dismissed. Mr. Bolduc stated that if that case is not dismissed, the projections would increase.

Director Jarjura said that he understood that CRRA Directors are also protected by state law, except in cases of willful, wanton, or reckless conduct, and asked if this coverage was in addition to that coverage. Mr. Bolduc responded that quasi-public agencies are treated differently than other state agencies and do not have coverage from the state. Attorney Hunt added that CRRA has a statutory obligation to indemnify Directors and Ad-Hocs.

Regarding the Commercial Crime policy, Mr. Bolduc informed the Board that several carriers bid on the policy. Mr. Bolduc stated that management is recommending renewing the policy with CRRA's current carrier whose premium was comparable to the next lowest bidder.

Mr. Bolduc explained that the premium from CRRA's current carrier for the Fiduciary Liability policy was approximately \$400 more than the lowest bidder, but noted that the current carrier's policy included coverage for HIPAA violations and punitive damages, which the lowest bidder's policy did not. Mr. Bolduc stated that this policy protects CRRA against claims of loss from the 401(k) plan, which currently holds approximately \$5,000,000.

Mr. Bolduc stated that the All-Risk Property insurance policy is CRRA's largest policy. Mr. Bolduc pointed out that there was a significant response to the Request for Proposals, which is detailed in the summary and noted that, for the first time, CRRA requested proposals from the overseas market to see if there was any interest from Bermuda and London. Mr. Bolduc said that CRRA is making an effort to expand the market and maintain a large number of organizations interested in carrying CRRA's insurance to encourage competitiveness.

Mr. Bolduc noted that CRRA increased the coverage from \$315 million to \$327 million to cover inflationary replacement cost value and to cover increases in business interruption/extra

expense calculations. Mr. Bolduc explained that, overall, there was an approximate increase of 9% for the premiums, which was actually a 4% increase considering the increase in valuation.

Mr. Bolduc gave a thorough explanation of management's recommended carriers and the percentage of coverage for each carrier. Mr. Bolduc informed the Board that the premium for Engineering Services coverage was the same as last year and stated that the All Risk Property Insurance would include terrorism coverage.

Regarding the All Risk Property Insurance, Director Horton Sheff asked how the deductible works for the Mid-Connecticut Project. Ms. Martin responded that the deductible in this policy for the Waste Processing Facility, Power Block Facility, and the Energy Generation Facility is \$250,000 at each location.

RESOLUTION REGARDING THE PURCHASE OF PUBLIC OFFICIALS AND EMPLOYEES LIABILITY INSURANCE FOR THE PERIOD 4/1/06 – 4/1/07

Acting Chairman Sullivan requested a motion regarding the above-captioned matter. The following motion was made by Director Martland:

RESOLVED: That CRRA's Public Officials and Employees Liability Insurance be purchased from ACE with a \$10,000,000 limit, \$250,000 deductible for the period 4/1/06 – 4/1/07 for a premium of \$234,520, as discussed at this meeting.

Director O'Brien seconded the motion.

Director O'Brien noted that the premium for the \$10,000,000 policy is less than the premium with current carrier for \$5,000,000 of coverage.

Acting Chairman Sullivan added that all of the policies being considered are within budget.

The motion previously made and seconded was approved.

Eligible Voters	Aye	Nay	Abstain
Andrew Sullivan, Acting Chairman	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Theodore Martland	X		
Raymond O'Brien	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			
Elizabeth Horton Sheff, Ad Hoc, Mid-Connecticut			

RESOLUTION REGARDING THE PURCHASE OF COMMERCIAL CRIME INSURANCE FOR THE PERIOD 4/1/06 – 4/1/07

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

RESOLVED: That CRRA's \$3,000,000 Commercial Crime insurance be purchased from St. Paul Travelers for a premium of \$3,311 for the period 4/1/06 – 4/1/07 as discussed at this meeting.

Director Martland seconded the motion.

The motion previously made and seconded was approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Andrew Sullivan, Acting Chairman	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Theodore Martland	X		
Raymond O'Brien	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			
Elizabeth Horton Sheff, Ad Hoc, Mid-Connecticut			

RESOLUTION REGARDING THE PURCHASE OF FIDUCIARY LIABILITY INSURANCE FOR THE PERIOD 4/1/06 – 4/1/07

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

RESOLVED: That CRRA's \$3,000,000 Fiduciary Liability insurance, including new enhancements providing coverage for HIPAA violations and punitive damage payments, be purchased for a premium of \$3,998 from St. Paul Travelers for the period 4/1/06 – 4/1/07, as discussed at this meeting.

Director Martland seconded the motion.

Director Martland noted that the extra coverage for HIPAA violations and punitive damage payments was well worth the additional \$400.00.

The motion previously made and seconded was approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Andrew Sullivan, Acting Chairman	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Theodore Martland	X		
Raymond O'Brien	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			
Elizabeth Horton Sheff, Ad Hoc, Mid-Connecticut			

RESOLUTION REGARDING THE PURCHASE OF ALL RISK PROPERTY INSURANCE FOR THE PERIOD 4/1/06 – 4/1/07

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

RESOLVED: That CRRA's \$327 million All Risk Property Insurance be purchased for a premium of \$730,743 from the following five insurers with their quota shares as indicated: Zurich 35%; XL 28%; ACE 16%; Starr Tech 11%; and Arch 10%; and

FURTHER RESOLVED: That CRRA purchase terrorism coverage for a premium of \$19,000; and

FURTHER RESOLVED: That CRRA obtain engineering services from Zurich for a premium of \$6,600;

The overall premium for \$327 million of property insurance, including business interruption and extra expense insurance, engineering and terrorism coverage is \$756,343.

Director Cohn seconded the motion.

Director O'Brien stated that he would like to recognize the efforts of Ms. Martin, Mr. Bolduc, and AON.

The motion previously made and seconded was approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Andrew Sullivan, Acting Chairman	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Theodore Martland	X		
Raymond O'Brien	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			
Elizabeth Horton Sheff, Ad Hoc, Mid-Connecticut			

ADDITION TO THE AGENDA

Acting Chairman Sullivan requested a motion to add an item to the agenda. The motion made by Director O'Brien and seconded by Director Francis was approved unanimously.

Chairman Pace explained that he and Mr. Kirk met with representatives from MDC regarding the future of both organizations and future planning for the state. Chairman Pace informed the Board that CRRA is looking to endorse an initiative by MDC to secure planning funds from the State of Connecticut for that purpose.

Mr. Kirk explained that the MDC's future plans regarding waste disposal and sludge disposal have potential synergy with CRRA. Mr. Kirk stated that MDC would like to include CRRA and CRRA's insights and perspectives in their planning. Mr. Kirk said that the project is in preliminary stages at this point and added that MDC's plan is to secure modest amounts of funding from the State to perform a broad study of development opportunities around the Hartford facilities.

Chairman Pace stated that it is important for CRRA to work in conjunction with MDC and explained that the purpose of the resolution is to get consensus of the Board and to see that CRRA is acknowledged and included in any proposals to the legislature. Chairman Pace stated that this study, as described to us by MDC, falls in line with CRRA's future planning and is in line with the State's future planning through the Solid Waste Management Plan.

Director O'Brien asked that the resolution state that the President shall provide regular updates to the Chairman and/or the Executive Committee. Chairman Pace stated that he plans on attending the meetings. Director Horton Sheff asked why the progress reports should be done to the Executive Committee rather than the full Board. Director O'Brien responded that he would expect that the Chairman or the Executive Committee would brief the Board, but the purpose of the addition to the resolution was to be implicit about providing regular updates. Director Horton Sheff asked that the resolution provide that updates would be given to the full Board.

Director O'Brien made the following resolution:

RESOLVED: That the President and management are authorized to proceed with the Metropolitan District to evaluate future options for solid waste and renewable energy development. The President shall provide regular updates to the Chairman and/or Executive Committee. The Chairman will provide updates to the full Board of Directors at its Regular meetings.

Director Cohn seconded the motion.

Director Karanian asked what the timing was for the study and what magnitude of funds would be sought. Chairman Pace responded that this would happen during the current short session of the legislature and several hundreds of thousands of dollars would be requested.

The motion previously made and seconded was approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Michael Pace, Chairman	X		
Andrew Sullivan, Acting Chairman	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Theodore Martland	X		
Raymond O'Brien	X		
Timothy Griswold, Ad Hoc, Mid-Connecticut	X		
Elizabeth Horton Sheff, Ad Hoc, Mid-Connecticut	X		
Non Eligible Voters			
NONE			

RESOLUTION REGARDING REBUILD OF MID-CONNECTICUT PROJECT LOADER

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

RESOLVED: That the Board of Directors, in accordance with Connecticut Resources Recovery Authority's Procurement Policy, hereby approves the procurement of parts and services from H.O. Penn Machinery Co., Inc. for the rebuild of the Mid-Connecticut Project 966F CAT Loader, substantially as presented and discussed at this meeting.

Director Cohn seconded the motion.

Director O'Brien asked what the training level was of the MDC employees who attempted to contain the fire. Mr. Romano responded that the MDC employees are formally trained to run a halon system and activate a system within a cab. Mr. Romano stated that, in case of fire, employees

are trained to activate the system and leave the vehicle. Director O'Brien stated that it appears that the operator did not activate the system, but tried to contain the fire with portable equipment instead. Mr. Romano agreed and said that the operator was not able to activate the system due to the intensity of the fire and an electrical failure, which rendered the in place system inoperative. Mr. Romano added that this was the first time there was an electrical failure that impacted a fire system and said that there were upgraded options in the rebuilt equipment that would prevent electrical failures in the case of a fire.

Director O'Brien noted that H.O. Penn submitted two quotes: one for the repair and one for the rebuild and asked what the quote for the repair was. Mr. Romano responded that the out of pocket cost to repair the unit is \$167,300 and the quote for the rebuild was \$220,769. Director O'Brien asked how much a new loader would cost. Mr. Romano responded that a new loader costs \$380,000. Director O'Brien asked what the life expectancy of the rebuilt loader was versus the life of a new loader. Mr. Romano responded that he would expect at least five years out of the rebuilt loader and the new loader would typically run for 20,000 hours, which is about 10 years at our rate of use. Director O'Brien asked if a cost-benefit analysis was done on the rebuild versus the purchase of a new loader. Mr. Romano responded in the affirmative and said that it would take at least nine months to get a new unit. Mr. Romano added that the fleet is very old and the turnover time for the rebuilt unit was only fifteen weeks. Director O'Brien noted that five years would not bring this unit through the end of the Project. Mr. Romano said that with the type of maintenance performed on these loaders, more longevity could be gotten out of the unit. Director O'Brien requested that, in the future, he would like to see the life cycle cost analysis and all of the information on the repair, the rebuild, and replacement.

Director Karanian noted that CRRA would be partially reimbursed by insurance and asked how much insurance would cover. Mr. Romano responded that there is a \$50,000 deductible for the repair and insurance would cover \$117,300 net with the remainder to be paid by CRRA.

The motion previously made and seconded was approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Andrew Sullivan, Acting Chairman	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Theodore Martland	X		
Raymond O'Brien	X		
Timothy Griswold, Ad Hoc, Mid-Connecticut	X		
Elizabeth Horton Sheff, Ad Hoc, Mid-Connecticut	X		
Non Eligible Voters			
NONE			

President's Report

Mr. Kirk stated that he would like to bring a few items to the attention of the Board. The first item is behind Tab L in the Supplemental Package, which is a press release for an April 12th public meeting regarding the closure plan for the Hartford Landfill. Mr. Kirk stated that CRRA is anticipating that the meeting will be well attended and will be an opportunity for CRRA to get some insight and direction from the community about their desires for post-closure use of that site. Mr. Egan added that Hartford 2000, a consortium of a number of different groups from Hartford, is sponsoring the event. Director Horton Sheff asked if the press release was also disseminated in Spanish and to what organizations. Mr. Egan stated that the notice was released in both Spanish and English and was published in several newspapers and broadcast on local radio stations. Mr. Kirk said that there was a lengthy list of media outlets used to notify the public of this meeting, which could be provided to the Board if they wished.

Mr. Kirk pointed out Attorney General Blumenthal's testimony to the Energy Committee, which is behind Tab K of the Supplemental Package. Mr. Kirk noted that the Attorney General made some very complimentary remarks about CRRA and the work done over the past few years.

Mr. Kirk said that the Policies & Procurement Committee asked management to confirm with the SWAB Board that they are aware of the legal expenses being incurred as part of the renegotiations of the contract with Wheelabrator. Mr. Kirk stated that he had corresponded with the Chairman of the SWAB Board that they are, in fact, aware of those expenses. That correspondence is in the Board package under Tab 8.

Mr. Kirk noted that Steve Cassano's seat on the Board has been filled by Mayor James Miron of Stratford. Mr. Kirk said that Mayor Miron is looking forward to serving on the Board and would be testifying before the Executive and Legislative Nominations Committee later that afternoon.

Mr. Kirk informed the Board that Channel 30 news did a feature on CRRA on three separate nights. Mr. Kirk said the piece done by Joanne Nesti on recycling, landfill and trash-to-energy issues in Connecticut was very upbeat, well-produced and accurate. Mr. Kirk said that CRRA staff did a great job in assisting Ms. Nesti with her research.

Mr. Kirk informed the Board that the Office of State Ethics would not be supporting electronic filing of the annual Statements of Financial Interests this year. Mr. Kirk stated that all Board members must complete and return the forms to the Office of State Ethics by May 1st.

Organizational Synergy & Human Resources Committee

RESOLUTION REGARDING THE REVISED WELLNESS PROGRAM POLICY

Acting Chairman Sullivan requested a motion regarding the above-captioned matter. The following motion was made by Director Cooper:

RESOLVED: That the revised Wellness Program Policy of the Connecticut Resources Recovery Authority be adopted substantially in the form as approved by the Organizational Synergy and Human Resources Committee.

Director O'Brien seconded the motion.

Director Cooper stated that the current policy allows an annual reimbursement of \$300 per employee and the recommended change would increase that to \$325 per year. Director Cooper informed the Board that the policy is intended to encourage healthy behavior in employees, which hopefully reduces health insurance costs. Director Cooper noted that the Organizational Synergy & Human Resources Committee has reviewed and recommends the revision.

Director Horton Sheff stated that this is an excellent way to support the employees.

Director O'Brien said that he thinks the company should only reimburse for some of the programs once. Director O'Brien asked what the estimated cost was to CRRA based on past usage of the program. Mr. Kirk responded that there was approximately a 70% participation rate for employees. Mr. Kirk said that health insurance rates are now based on experience so there is a real benefit when people use this program. Mr. Kirk stated that if higher levels of aerobic activity and better living decrease incidents of illness and therefore insurance company costs, there will be a payback to the company.

The motion previously made and seconded was approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Andrew Sullivan, Acting Chairman	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Theodore Martland	X		
Raymond O'Brien	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			
Elizabeth Horton Sheff, Ad Hoc, Mid-Connecticut			

Policies & Procurement Committee

RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENDITURES

Acting Chairman Sullivan requested a motion regarding the above-captioned matter. The following motion was made by Director Cohn:

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 2006 projected legal fees; and

WHEREAS, CRRA has incurred greater than anticipated legal expenses in connection with its future planning efforts, insurance related matters, environmental issues, and Enron litigation;

NOW THEREFORE, it is RESOLVED: That the following additional amounts be authorized for payment of projected legal fees and costs to be incurred through June 30, 2006:

Firm:	Amount:
Halloran & Sage	\$650,000
Brown Rudnick Berlack & Israels	\$220,000
Pepe & Hazard	\$550,000

Director O'Brien seconded the motion.

Director Cohn noted that the Policies & Procurement Committee recommended approval of the above-listed legal expenditures.

Acting Chairman Sullivan asked if these amounts are still within the budget for legal expenditures. Mr. Bolduc stated that they are over budget, but will be paid out of the projected surplus from Fiscal Year 2006.

A brief discussion ensued regarding which Projects would be incurring the costs of the increases.

The motion previously made and seconded was approved unanimously.

Eligible Voters	Aye	Nay	Abstain
Andrew Sullivan, Acting Chairman	X		
Benson Cohn	X		
Mark Cooper	X		
James Francis	X		
Michael Jarjura	X		
Edna Karanian	X		
Theodore Martland	X		
Raymond O'Brien	X		
Non Eligible Voters			
Timothy Griswold, Ad Hoc, Mid-Connecticut			
Elizabeth Horton Sheff, Ad Hoc, Mid-Connecticut			

EXECUTIVE SESSION

Acting Chairman Sullivan requested a motion to enter into Executive Session to discuss pending litigation and personnel matters with appropriate staff. The motion made by Director O'Brien and seconded by Director Cooper was approved unanimously. Acting Chairman Sullivan requested that the following people be invited to the Executive Session:

Timothy Griswold - Ad-Hoc, Mid-Connecticut Project
Elizabeth Horton Sheff – Ad-Hoc, Mid-Connecticut Project
Tom Kirk
Jim Bolduc
Laurie Hunt, Esq.
Theodore Doolittle, Esq. of the Office of the Attorney General
Richard Goldstein, Esq. of Pepe & Hazard

The Executive Session began at 10:45 a.m. and concluded at 11:56 a.m. Acting Chairman Sullivan noted that no votes were taken in Executive Session.

The meeting was reconvened at 11:57 a.m.

ADJOURNMENT

Acting Chairman Sullivan requested a motion to adjourn the meeting. The motion to adjourn made by Director O'Brien and seconded by Director Cooper was approved unanimously.

There being no other business to discuss, the meeting was adjourned at 11:57 a.m.

Respectfully submitted,



Kristen B. Greig
Secretary to the Board/Paralegal

TAB 3

**RESOLUTION REGARDING DELIVERY OF COVER SOILS
TO THE HARTFORD LANDFILL**

RESOLVED: That the President is hereby authorized to enter into a contract with DP East, LLC for delivery of contaminated soil to be used as daily cover at the Hartford Landfill, and as approved by the Connecticut Department of Environmental Protection, substantially as discussed and presented at this meeting.

Connecticut Resources Recovery Authority

Contract Summary for Contract entitled

Special Waste Cover Soils Letter Agreement

Presented to the CRRRA Board on:	April 27, 2006
Vendor/ Contractor(s):	DP East, LLC
Effective date:	April 19, 2006
Contract Type/Subject matter:	Letter Agreement. Delivery of DEP approved contaminated soil to the Hartford Landfill to be used as cover material.
Facility (ies) Affected:	Hartford Landfill
Original Contract:	This is the original contract
Term:	Through June 30, 2006
Contract Dollar Value:	\$85,000 (1,700 tons at \$50.00 per ton)
Amendment(s):	None
Term Extensions:	Not applicable
Scope of Services:	Delivery of DEP approved contaminated soil to the Hartford Landfill to be used as daily cover.
Other Pertinent Provisions:	None

Connecticut Resources Recovery Authority Hartford Landfill Delivery of Cover Soil

April 27, 2006

Executive Summary

CRRA has contracted with DP East, LLC to deliver approximately 1,700 tons of contaminated soil generated in West Haven, Connecticut to the Hartford Landfill for use as cover material.

In accordance with Section 5.11 (Market Driven Purchases and Sales) of CRRA's Procurement Policies and Procedures, this is to report to the CRRA Board of Directors that CRRA has entered into this market driven transaction, and to seek Board approval of the transaction.

Discussion

The Solid Waste Operating Permit for the Hartford Landfill requires that all of the solid waste deposited at the landfill each day is to be covered with soil, or other approved material, at the end of the day. Historically, CRRA has purchased virgin soil to be used for this purpose.

During calendar year 2002 CRRA management began an initiative to identify sources of contaminated soil that could be used to satisfy the requirement for the landfill's daily cover needs, and for which a delivery charge could be assessed to the generator or deliverer of the soil. CRRA staff contacted environmental remediation companies, and environmental and engineering consulting firms, to determine if there were sources of this soil that would be amenable for use as daily cover. CRRA staff also contacted other landfills and soil treatment facilities to determine the disposal market price for this type of contaminated soil.

In consultation with the Policy and Procurement Committee, CRRA staff developed a procedure to be used in negotiating prices for receipt of daily cover soil at the Hartford Landfill. In summary, CRRA staff has developed a list of approximately 35 companies (consultants, remediation companies, etc.) that have advised CRRA that they have, or may have, sources of contaminated soil amenable for use as daily cover. CRRA staff periodically contact these companies to determine if they have quantities of soil for shipment to the landfill. CRRA also periodically receives inquiries from firms that have potential sources of cover soil.

Based on quantity, soil composition, the estimated delivery time frame, receipt of CTDEP approval of the soil for use as daily cover, and the Mid-Connecticut Project Permitting, Disposal and Billing Procedures, CRRA staff negotiate a delivery price with the generator or their representative.

Based on this procedure, CRRA staff negotiated a price of \$50.00 per ton for 1,700 tons with the DP East, LLC for soil generated in West Haven, Connecticut. The site is being developed for a new Stop & Shop grocery store.

Based on prices negotiated with other generators of contaminated soil during the past several months, based on the regulatory status of this material, and based on CRRA's quantity needs for daily cover material, CRRA staff believe that this price represents a satisfactory market price for contaminated soil that is to be used as daily cover, and that acceptance of this soil is in the best interest of the member communities of the CRRA Mid-Connecticut Project.

Included in the Supplemental Board Package are the following documents: 1) the Special Waste Disposal Authorization issued by the CTDEP, 2) the Special Waste Disposal Application submitted by the generator to the CTDEP, 3) CRRA's Special Waste Profile Form, 4) a letter report from CRRA's consultant, TRC, indicating that the material meets CRRA's acceptance requirements, and 5) a copy of the letter agreement between CRRA and DP East, LLC.

Financial Summary

This will provide up to \$85,000.00 in revenues to the Mid-Connecticut project (1,700 tons at \$50.00 per ton).

TAB 4

**RESOLUTION REGARDING OPERATION AND
MAINTENANCE OF THE HARTFORD LANDFILL
GROUNDWATER FLOW CONTROL SYSTEM
FOR FISCAL YEARS 2006 (PARTIAL), 2007, 2008, 2009,
2010 (OPTION YEAR) AND 2011 (OPTION YEAR)**

RESOLVED: That the President is hereby authorized to enter into a contract with Leggette, Brashears & Graham, Inc. for operation and maintenance of the Hartford Landfill Groundwater Flow Control System for fiscal years 2006 (Partial), 2007, 2008, and 2009, and two one-year options for fiscal years 2010 and 2011, substantially as discussed and presented at this meeting.

Connecticut Resources Recovery Authority

Contract Summary for Contract entitled

Operation and Maintenance of the Hartford Landfill Groundwater Flow Control System for FYs 2006 (Partial), 2007, 2008, 2009, 2010 (Option Year) and 2011 (Option Year)

Presented to the CRRRA Board on: April 27, 2006

Vendor/ Contractor(s): Leggette, Brashears & Graham

Effective date: May 1, 2006

Contract Type/Subject matter: Operation and Maintenance of the Hartford Landfill Groundwater Flow Control System for FYs 2006 (Partial), 2007, 2008, 2009, 2010 (Option Year) and 2011 (Option Year)

Facility(ies) Affected: Hartford Landfill

Original Contract: N/A

Term: Base Contract of Three Years and Two Months – May 1, 2006 through June 30, 2009. Two one-year options - July 1, 2009 through June 30, 2010, and July 1, 2010 through June 30, 2011.

Contract Dollar Value: \$195,100.00 (Base Period)
\$ 54,750.00 (Option Year 1)
\$ 54,750.00 (Option Year 2)
\$304,600.00 (TOTAL)

Amendment(s): Not applicable

Term Extensions: Not applicable

Scope of Services: Leggette, Brashears & Graham will operate and maintain the Hartford Landfill Groundwater Flow Control System and ensure compliance with the groundwater discharge permit and wastewater discharge permit issued by the CT-DEP.

Other Pertinent Provisions: Contractor shall furnish a performance bond or a letter of credit equal to the Contract Dollar Value for the Base Contract Period, which will remain in effect for the entire term of the Agreement, including, if applicable, two option years.

**Connecticut Resources Recovery Authority
Operation and Maintenance of the Hartford Landfill
Groundwater Flow Control System
for FYs 2006 (Partial), 2007, 2008, 2009,
2010 (Option Year) and 2011 (Option Year)**

April 27, 2006

Executive Summary

The Hartford Landfill utilizes a groundwater flow control system (“GFCS”) to control leachate generated from the 80 acre MSW/Interim Ash portion of the landfill. Leachate-impacted groundwater is captured by four pumping wells located at the southern end of the landfill, and is discharged to the MDC’s water pollution control facility in Hartford. The system has been operated by HRP Associates, Inc. under contract to CRRA since January 1, 2003.

CRRA solicited bids from environmental service companies to operate the system for a three-year, two-month base contract period commencing May 1, 2006 and ending June 30, 2009, and two one-year options, one for a one-year option period commencing July 1, 2009 and ending June 30, 2010 and the other for a one-year option period commencing July 1, 2010 and ending June 30, 2011. CRRA’s Environmental Department staff received and evaluated the bids, and selected the bid of Leggette, Brashears & Graham, Inc. as the most responsive qualified bid.

This is to request that the CRRA Board of Directors authorize the President to enter into a contract with Leggette, Brashears & Graham, Inc. for the Operation and Maintenance of the Hartford Landfill Groundwater Flow Control System for the three-year, two-month base contract period of May 1, 2006 through June 30, 2009 with two one-year options at CRRA’s sole discretion, one for the one-year option period of July 1, 2009 through June 30, 2010 and the other for the one-year option period of July 1, 2010 through June 30, 2011.

Discussion

The Hartford Landfill is equipped with a groundwater flow control system (GFCS) that was installed in 1997 and is operated to prevent groundwater contaminated with landfill leachate from migrating off-site. The GFCS extracts leachate-impacted groundwater

from the site and discharges the groundwater into the City of Hartford sanitary sewer system for treatment at the MDC-Hartford Sewage Treatment Facility. The GFCS consists of the following components:

- A slurry cut-off wall that surrounds the Landfill on the southern, western and northern sides and minimizes groundwater flow into and out of the Landfill site (there is a sheet pile wall on the eastern side of the Landfill, underneath the flood control dike, which minimizes groundwater flow across the eastern boundary);
- Four (4) groundwater extraction wells, equipped with submersible well pumps, located along the southern boundary of the Site;
- A system of twenty (20) groundwater piezometers, located in ten paired sets along the interior and exterior sides of the slurry cut-off wall, which are used to verify permit compliance; and,
- The GFCS control building, which houses flow meters, a flow totalizer, pH meters, a conductivity meter, and system controllers.

The GFCS has been designed to operate 24 hours per day, 7 days per week. The average quantity of groundwater that is extracted typically ranges between 75,000 and 100,000 gallons per day. HRP Associates, Inc. has operated the system under contract since January 1, 2003.

The Contractor's overall responsibility for GFCS operation and maintenance is to operate the system effectively and at optimum pumping rates to ensure that the minimum inward hydraulic gradient is maintained across the slurry wall into the Landfill (i.e., to ensure that groundwater is only flowing into the Landfill, and not out of the Landfill). The Contractor is responsible for setting and adjusting pumping rates and cycles as necessary to ensure compliance with applicable environmental permits. The contractor is also responsible for other operation and maintenance activities necessary to ensure that the system continues to function properly.

There are two (2) environmental permits that govern the operation of the GFCS. The Contractor is required to operate and maintain the GFCS such that CRRA remains in compliance with both permits at all times. Groundwater Discharge Permit LF0000014 describes the operational requirements of the GFCS to ensure that the discharge of leachate does not exceed "the boundaries of the permitted zone of influence," as verified through regular monitoring of the groundwater elevations in the piezometer pairs. Pretreatment Permit SP0001412 regulates the quantity and quality of groundwater that can be discharged by the GFCS under discharge serial number DSN001-B to the City of Hartford sanitary sewer system. The Contractor is responsible for ensuring compliance with the applicable limits for average daily flow rate and maximum daily flow rate. The

Contractor is also responsible for maintaining continuous monitoring equipment and continuous recording of the pH of the discharged groundwater.

A total of four (4) tasks were identified in the Scope of Services included in the Request for Bids. The four tasks are as follows:

Task 1: Training and Remote Set-Up;

Task 2: GFCS Operation and Reporting;

Task 3: Zone of Influence Monitoring and Reporting; and

Task 4: GFCS Repairs.

The following is a description of each of the tasks.

Task 1: Training and Remote Set-Up

The selected Contractor is to designate, at a minimum, one primary GFCS operator and one back-up operator for the term of the contract. The designated employees are to familiarize themselves with the system-specific operation and maintenance requirements through a review of information made available by CRRA. Such information includes, but may not be limited to, the GFCS operation and maintenance manual, system plans and specifications, other historical reports, and applicable environmental permits.

The GFCS is equipped with a telemetry unit that allows both on-site and remote control of the GFCS operations. Under Task 1, the selected Contractor is also responsible for establishing a remote-access connection to the GFCS from the Contractor's office, including installation and configuration of telemetry unit software (software to be provided by CRRA) on a Contractor-owned computer and reprogramming the telephone numbers associated with the emergency call-out features of the telemetry fax/modem. This remote connection will allow the Contractor to monitor the system remotely and download continuously-recorded system monitoring and discharge data (i.e., flow rates, pH, and conductivity). The remote connection will also allow the Contractor to remotely adjust the pumping rates and pump cycling.

Task 2: GFCS Operation and Reporting

Under Task 2, the Contractor is also required to operate the GFCS effectively and at optimum pumping rates to ensure that the minimum inward hydraulic gradient is maintained across the slurry wall into the Landfill. CRRA expects that the Contractor will check the GFCS operational status at least once per day via the

remote computer connection at the Contractor's office. If the GFCS shuts down and cannot be reset via the remote computer connection, the Contractor shall respond to the Landfill to troubleshoot the system. The Contractor shall have personnel available for contact at all times for immediate communications, and shall have personnel available to report to the Landfill within ninety (90) minutes to any emergency, alarm, or malfunction notification that the Contractor can not correct remotely.

In order to assist CRRA in preparation of monthly Discharge Monitoring Reports (which are submitted to the CT-DEP), the Contractor is also required to supply a monthly data summary to CRRA that summarizes the following data for the month:

Total Quantity of Groundwater Discharged Each Day (in gallons);

Minimum pH Level Recorded Each Day;

Maximum pH Level Recorded Each Day;

Average Daily Flow for the Month (in gallons per day); and,

Maximum Daily Flow During the Month (in gallons per day).

Task 3: Zone of Influence Monitoring and Reporting

In order to maintain compliance with permit number LF0000014, the Contractor shall determine the groundwater elevations at all twenty (20) piezometers associated with the GFCS on a quarterly basis in the following months: January, April, July, and October. All groundwater measurements shall be made to an accuracy of 0.01 feet. In addition to the quarterly groundwater measurements, the Contractor shall immediately report to the Landfill and measure the groundwater elevations in all twenty (20) piezometers whenever a check of the GFCS reveals that it has not operated for a period of at least 48 hours. Permit number LF0000014 also requires that the Contractor return to the Landfill within 14 days of a measurement event to re-check the groundwater elevations of any piezometer pair where previous measurements indicate that the minimum differential was not met (this is a potential non-compliance situation).

The Contractor is responsible for identifying the cause(s) and appropriate corrective action(s) for addressing any exceedances with respect to the gradient across the slurry wall. The Contractor is also responsible for preparation of a quarterly report that discusses the operation of the GFCS during the quarter. Each quarterly report includes, but is not necessarily limited to, a brief history of the GFCS and its operations, a summary of the GFCS operating conditions during the quarterly report period, including system downtime, pumping rates, repairs and adjustments,

as well as a summary of all groundwater elevation measurements collected during the quarterly reporting period. The quarterly report is submitted to the CT-DEP.

Task 4: Miscellaneous GFCS Repairs

The purpose of Task 4 of the Scope of Services is to budget monies for the selected Contractor to perform miscellaneous repairs to the GFCS that may be identified during the routine operation and maintenance of the system. Such repairs may include, but not be limited to, re-development of one or more groundwater extraction wells to increase well yield, the purchase and replacement of submersible pumps, in-line metering equipment (including, but not limited to, flow meters, pH meters, conductivity meters and the flow totalizer), combustible gas meters, and/or any other equipment associated with the GFCS.

The quantity of work to be completed under Task 4 cannot be estimated with accuracy. Therefore, for budgetary purposes, the Environmental Department has established a budget for Task 4 of \$25,000 per year based upon historical non-routine activities that have been conducted as part of the GFCS operation and maintenance. The selected Contractor would be required to notify CRRA of any work that needs to be completed under Task 4 prior to completing the work. Such notification for work under Task 4 shall include a not-to-exceed cost that will include all Contractor time and materials. The Contractor will commence with work under Task 4 only after CRRA has notified the Contractor to proceed.

CRRA advertised its Request for Bids in the February 19, 2006 edition of the Hartford Courant, as well as making it available on the CRRA Internet web site. A mandatory bid-walk was held on March 2, 2006. Eight firms attended the mandatory bid-walk.

In response to questions raised during the tour and received in writing by CRRA by March 10, 2006 (deadline specified in the RFB), CRRA issued Addendum No. 1 to the RFB on March 16, 2006. The Addendum was sent via e-mail to the individuals that had attended the site tour, and it was also posted on the CRRA Internet web site.

Six firms submitted bids with pricing as shown below (listed in order of Not-to-Exceed Bid Price for the base contract period):

Bidder	Not-to-Exceed Bid Price (Base Period)	Bid Price – Option Year 1	Bid Price – Option Year 2
Lincoln Environmental, Inc.	\$184,100	\$52,000	\$52,000
Leggette, Brashears & Graham, Inc.	\$195,100	\$54,750	\$54,750
HRP Associates, Inc.	\$215,762	\$61,529	\$61,529
Environmental Risk Limited	\$255,470	\$75,420	\$75,420
Fuss & O'Neill, Inc.	\$263,200	\$78,800	\$80,400
GZA GeoEnvironmental, Inc.	\$264,400	\$80,600	\$80,600

CRRA Environmental Department staff reviewed the bids. All six bids were found to be administratively complete and compliant with the requirements of the bid solicitation.

The bids of the three lowest bidders (i.e., Lincoln Environmental; Leggette, Brashears & Graham; and HRP Associates) were scored numerically based on the not-to-exceed bid price, the responses provided by bidders to the “Issues and Questions to be Addressed” (from the bid documents), and the responses provided by bidders on the “Questionnaire Concerning Affirmative Action, Small Business Contractors and Occupational Health and Safety.” A one page summary scoresheet of CRRA’s technical evaluation of the bidders follows this discussion.

The three lowest bidders were also interviewed by CRRA Environmental Department staff at CRRA’s headquarters on April 4, 2006. Following the interviews, CRRA Environmental Department staff also contacted professional references of the lowest two bidders (i.e., Lincoln Environmental and Leggette, Brashears & Graham). CRRA Environmental Department staff did not contact professional references for HRP Associates because HRP Associates has satisfactorily operated the Hartford Landfill GFCS under contract to CRRA since January 1, 2003.

Although Lincoln Environmental presented the lowest bid price and appeared qualified based on the technical review and bid price scoring, one of the three professional references provided by Lincoln Environmental and contacted by Christopher Shepard of the CRRA Environmental Division actually recommended against contracting with Lincoln Environmental. This reference indicated that he believes that he has been “overcharged” by Lincoln Environmental, he consistently needs to review its field work and written reports due to quality concerns, and that the firm is not responsive to his needs (“they drag their feet”).

When all information was factored, Leggette, Brashears & Graham received a higher score than Lincoln Environmental due primarily to the superior knowledge and experience of its proposed staff with similar projects and with extraction well design, operation and re-

development. Leggette, Brashears & Graham's score was also slightly higher than HRP Associates' score due primarily to Leggette, Brashears & Graham's lower bid cost.

A copy of the Operation and Maintenance of the Hartford Landfill Groundwater Flow Control System Agreement, which includes the scope of work, may be found in the **Supplemental Material** package for this Board of Directors meeting.

Financial Summary

CRRA would pay Leggette, Brashears & Graham on a time-and-materials basis not to exceed a total cost of \$195,100, which includes \$95,100 over the course of the base contract period (May 1, 2006 through June 30, 2009) for routine activities, and \$100,000 (\$25,000 per fiscal year or part thereof) for non-routine repair activities associated with the GFCS. It should be noted that the non-routine budget has been established by the CRRA Environmental Department based upon historical non-routine activities that have been conducted as part of the GFCS operation and maintenance.

As presented in Leggette, Brashears & Graham's bid, the expected payment schedule by fiscal year for the base contract period would be as follows:

Fiscal Year	Routine Activities	Non-Routine Activities	Total
2006 (5/1/06-6/30/06)	\$5,850	\$25,000	\$30,850
2007	\$29,750	\$25,000	\$54,750
2008	\$29,750	\$25,000	\$54,750
2009	\$29,750	\$25,000	\$54,750
Total FY06-FY09	\$95,100	\$100,000	\$195,100

The Agreement also provides for CRRA the opportunity, at CRRA's sole and absolute discretion, to exercise two divisible one-year term extensions for FY2010 and FY2011. As presented in Leggette, Brashears & Graham's bid, the expected payment schedule by fiscal year for each of the two divisible one-year term extensions would be as follows:

Fiscal Year	Routine Activities	Non-Routine Activities	Total
2010 (Option Year 1)	\$29,750	\$25,000	\$54,750
2011 (Option Year 2)	\$29,750	\$25,000	\$54,750
Total FY10-11	\$59,500	\$50,000	\$109,500

Under the terms of the Agreement, Leggette, Brashears & Graham will be required to furnish CRRA with a performance bond or letter of credit equal to the base contract not-to-exceed bid price of \$195,100, which shall remain in full force and effect for the entire term of the Agreement and any extension thereof. The hourly billing rates for all five-plus fiscal years of the contract [FY2006 (5/1/06-6/30/06) through FY2011] would be in accordance with the rates provided by Leggette, Brashears & Graham in its bid.

**REQUEST FOR BIDS
OPERATION AND MAINTENANCE OF THE HARTFORD LANDFILL GROUNDWATER FLOW CONTROL SYSTEM
TECHNICAL REVIEW**


EVALUATION ITEM	WEIGHTING VALUE	Environment al Risk Limited		Fuss & O'Neill, Inc.		GeoEnviron mental, Inc.		HRP Associates, Inc.		Leggette, Brashears & Graham, Inc.		Lincoln Environmental, Inc.	
		RATING	SCORE	RATING	SCORE	RATING	SCORE	RATING	SCORE	RATING	SCORE	RATING	SCORE
Not-To-Exceed Bid Price (Base Period)	Lowest 3												
1 Knowledge, capability & experience of firm with GFCS O&M and/or similar work	0.100												
2 Knowledge, capability & experience with well re-development and other repairs	0.050												
3 Experience working for CRRA	0.150												
4 Knowledge & experience of staff and organization	0.250												
5 Training and oversight of field work	0.100												
6 Not-To-Exceed Bid Price (Base Period)	0.300												
7 Completeness of the bid.	0.025												
8 Affirmative Action, Small Business Contractors and Occupational H&S.	0.025												
TOTAL													

BID EVALUATION SCALE

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

Review performed by:  Christopher Shepard, Environmental Engineer
 Ronald Gingerich, Environmental Compliance Manager

Recommendation of Professional References	R/N/R	See Note 1	Recommended	NOT Recommended

Reference checks performed by:  Christopher Shepard, Environmental Engineer

Note 1: Professional References for HRP Associates, Inc. were not contacted because HRP has satisfactorily operated the Hartford Landfill GFCS under contract to CRRA since January 1, 2003.

TAB 5

Resolution Regarding the Standard Form Municipal Solid Waste Delivery Agreement for the Bridgeport Project

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.

**Connecticut Resource Recovery Authority
Contract Summary**

Presented to Board: April 27, 2006

Vendors: Currently 10 commercial haulers.

Contract Type: Standard form Municipal Solid Waste Delivery Agreement

Facility: Bridgeport Project

Dollar Value: FY07 budgeted value of these agreements combined is \$1,725,000

Term: July 1, 2006 – June 30, 2007

Term Extensions: None

Budgeted Tonnage: 25,000 tons of Commercial Contract Waste for FY07

Service Fee Structure: \$69.00/ton for FY07

Delivery Requirement: Hauler agrees to deliver all Acceptable Waste generated within the corporate boundaries of the Bridgeport project municipalities that hauler collects or comes into its possession.

TAB 6

APPOINTMENT OF ETHICS COMPLIANCE OFFICER

RESOLVED: That the CRRRA Board of Directors hereby appoints the Director of Legal Services to serve as Ethics Compliance Officer of the Authority, to have the responsibilities and carry out the duties prescribed for such Officer by the State of Connecticut Code of Ethics for Public Officials, and to perform all such other functions and duties as the President or Board may delegate to her from time to time.

**Connecticut Resources Recovery Authority
Ethics Compliance Officer**

April 27, 2006

Executive Summary

This is to request that the CRRA Board of Directors appoint an Ethics Compliance Officer pursuant to Sec. 1-101rr of the 2006 supplement to the Connecticut general statutes.

Discussion

Section 1-101rr of the 2006 supplement to the general statutes (copy appended) requires state agencies and quasi-public agencies that are parties to large construction or procurement contracts to appoint an ethics compliance officer, who will be responsible for development of agency ethics policies, monitoring agency programs for compliance with applicable ethics requirements, and providing annual ethics training to specified agency personnel.

We are now requesting that the Board appoint an Ethics Compliance Officer in accordance with statute, and recommending the appointment of the Director of Legal Services to serve as such officer.

Sec. 1-101rr of the 2006 supplement to the general statutes. State agency ethics compliance officers. Duties. Liaisons. (a) Each state agency and quasi-public agency that is a party to a large state construction or procurement contract or is planning such a contract shall appoint an ethics compliance officer. Such officer shall be responsible for the development of the ethics policies of such agency, coordination of ethics training programs for such agency and monitoring of programs of such agency for compliance with the ethics policies of the agency and the Code of Ethics for Public Officials set forth in part I of this chapter. At least annually, each ethics compliance officer shall provide ethics training to agency personnel involved in contractor selection, evaluation and supervision. Such training shall include a review of current ethics laws and regulations and discussion of ethics issues concerning contracting. Any contractor and employee of such agency shall provide any requested information to such ethics compliance officer.

(b) Each other state agency and quasi-public agency shall designate an agency officer or employee as a liaison to the State Ethics Commission. The liaison shall coordinate the development of ethics policies for the agency and work with the State Ethics Commission on training on ethical issues for agency personnel involved in contracting.

(P.A. 05-287, S. 35.)

History: P.A. 05-287 effective July 1, 2005.

TAB 7

**Connecticut Resources Recovery Authority
Update Regarding MDC Appeal of 2005 Arbitration Ruling**

April 27, 2006

As you know, last year's arbitration with MDC regarding, among other things, MDC's claim for certain unpaid direct costs and CRRA's counterclaim regarding MDC's overbilling for indirect costs, resulted in a decision very favorable to CRRA. The arbitration panel determined that CRRA is entitled to retain the amount that had been escrowed since 2000 -- 25% of the indirect costs billed to us by MDC, totaling approximately \$5million -- and that MDC had overbilled CRRA by an additional \$7million. The panel concluded that, due to a contractual preclusion, MDC could not be ordered to reimburse CRRA for such additional overpayments, but that such overpayments could be used to offset the amounts that CRRA would otherwise owe MDC for unpaid direct costs. The panel found that, after offsetting payments due to MDC, CRRA had a remaining credit for overpayments in the amount of \$3.9 million. Following receipt of the decision of the binding arbitration panel, MDC elected to pursue the matter in court. MDC's Application to Vacate the award was denied by the Superior Court in January 2006. MDC then asked the presiding judge to reconsider his decision; the judge declined to do so, letting his decision stand. MDC now has an appeal pending.

One of our goals in pursuing a cooperative relationship between the two organizations was the termination of the legal disputes that have been costing both organizations and their member towns unnecessary time and expense. Despite this excellent motivation on both sides, MDC continues to pursue its appeal, stating that it cannot afford the impact of the arbitration ruling on its member towns and wants to work out an overall, holistic solution with CRRA, which would include resolution of the litigation. CRRA's counsel, Bill Bright of McCarter English, has billed CRRA approximately \$50,000 to date to defend against MDC's efforts to overturn the arbitration panel's ruling, and estimates that continued litigation over the ruling would cost CRRA in the neighborhood of \$40,000 in additional legal costs. Attorney Bright advises that CRRA is free to take the \$5million out of escrow if it so chooses.

CRRA would like to discuss next steps in this matter with the Board.

TAB 8

**RESOLUTION REGARDING ENGAGEMENT OF EXPERT WITNESS IN
CRRA'S ARBITRATION WITH WHEELABRATOR**

RESOLVED: that the President of the Authority is hereby authorized to retain an expert witness in the Wheelabrator-CRRA arbitration regarding the renewal of the Bridgeport Solid Waste Disposal Agreement, in accordance with the terms of the Authority's Procurement Policies and Procedures, on the terms presented and for the purposes discussed at this meeting.