Dear [Name]:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [Our File #: MAE/81/2018]

On August 27, 2018, the Department of Municipal Affairs and Environment received your request for access to the following records/information:

"BACKGROUND: August 21 Council meeting (Supporting Documents) Town of Portugal Cove-St. Philip's contains the following information.

4. Neptune Change Notice #2

As an administrative step required by the Department of Municipal Affairs and Environment to complete the change from mandatory residential meters to zone meters and a voluntary meter program in our funded meter project, the town must recommend approval of a change notice and request reallocation of funding amounts to other parts of the project not specific to the Neptune Project. The Town also needs to seek approval to issue an RFP for design services for the installation of the zone meters. Therefore committee recommends:

MOTION: That council completes the attached Change Notice 2 recommendation form for project 17-CWWF-17-00034, representing a reduction in funding of $171,462.70 for the Neptune Technology contract, and sends a letter to the Department of Municipal Affairs and Environment to request the reallocation of the same funding amount to other qualified parts of the project. Furthermore, the letter shall request approval to issue an RFP for Zone metering design services for the same project.

So moved.

BASED ON THE ABOVE INFORMATION I REQUEST:

1. Any information/copies (letters, correspondence) from the Town of PCSP re this project/Motion to the Department of Municipal Affairs,

2. With a reduction of $171,462.70 how much is allocated for project 17-CWWF-17-00034.

3. Names/titles of “other qualified parts of the project” to which $171,462.70 is allocated.

I am pleased to inform you that a decision has been made by the Deputy Minister for Department of Municipal Affairs and Environment to provide access the requested information.
In accordance with your request for a copy of the records, the appropriate copies have been enclosed. Please note that the list below will provide further clarification to your requested information in regards to questions 2 and 3.

- "2. With a reduction of $171,462.70 how much is allocated for project 17-CWWF-17-00034?"
  The reduction of $171,462.70 referred to in the Motion above pertains to proposed project costs that were deemed to be ineligible costs under the terms and conditions of the federal Clean Water and Wastewater Fund (CWWF) program (https://www.infrastructure.gc.ca/prog/agreements-ententes/nl-eng.html), and MAE's Municipal Infrastructure Project Guidelines (https://www.mae.gov.nl.ca/capital_works/pdf/Mun_Infr_Proy_Guide_Nov_2017.pdf).

MAE determined that these costs were ineligible upon receiving a detailed contemplated change order from the Town’s project management firm in May 2018 (on page 20-21 of responsive records), and advised the Town that these costs needed to be removed before such a change order could be approved. Although these specific ineligible costs cannot be billed to the project for reimbursement, the total funding approved for this project has not changed, and remains as follows:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,499,999.99</td>
<td>$139,747.83</td>
<td>$272,050.43</td>
<td>$680,126.08</td>
<td>$408,075.65</td>
</tr>
</tbody>
</table>

- "3. Names/titles of “other qualified parts of the project” to which $171,462.70 is allocated."
  The letter from the Town was a request to utilize the current balance of this project’s funding (i.e. the amount that has not yet been committed through the award of contracts) towards additional engineering, design and construction work within the approved scope (outlined below). This “current balance” figure includes the $171,462.70 in ineligible costs that were removed from the contract with Neptune Technology Group (Canada) Ltd.

<table>
<thead>
<tr>
<th>Ultimate Recipient</th>
<th>Project Title</th>
<th>Project Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Portugal Cove-St. Philips, Town of</td>
<td>Water Metering and Water System Upgrades</td>
<td>Project involves upgrades to help address physical system deficiencies, while using zone meters to collect data on overall system functioning, and installing end-user meters on a voluntary basis to gain additional insight on water consumption patterns.</td>
</tr>
</tbody>
</table>

In addition to the water metering component of this project that is being delivered by Neptune, this scope of work also includes upgrades to the water system to address system deficiencies. The $171,462.70 has not been allocated to any specific line items within any existing contracts, as the Town is currently in the process of issuing an RFP for the remaining work.
Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8
Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act.

Please be advised that responsive records will be published following a 72-hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact me by telephone at 709-729-7183 or by e-mail at lisas@gov.nl.ca.

Sincerely,

Lisa Sullivan
ATIPP Coordinator
Enclosures
Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45(2).
Hello Ian, Jill, Inayat, and Jerry,

Please see attached the signed amendment request letter for the Universal Water Metering Project of Portugal Cove St. Philips, project number 17-CWWF-17-00034.

Please advise if any additional documentation is required.

Best,
Ashley

Ashley Smith, B.Sc, M. Eng., LEED AP
Senior Project Manager

Vigilant Management Inc.
Box 50064, Paradise, NL A1L 0J2
69 Karwood Drive, Unit 9
Phone: (709) 782-5950
Cell: (709) 
Email: ashley@vigilantmanagement.ca
Website: www.vigilantmanagement.ca

------- Original Message -------
From: "Collins, Jerry" <JerryCollins@gov.nl.ca>
To: "ashley@vigilantmanagement.ca" <ashley@vigilantmanagement.ca>; "Chris.Milley@pcsp.ca" <Chris.Milley@pcsp.ca>
Cc: "Duffett, Ian" <IanDuffett@gov.nl.ca>; "Yetman, Jill" <JillYetman@gov.nl.ca>; "Rehman, Inayat" <InayatRehman@gov.nl.ca>; "john@vigilantmanagement.ca" <john@vigilantmanagement.ca>; "grant@vigilantmanagement.ca" <grant@vigilantmanagement.ca>
Sent: 10/01/2018 5:18:10 PM
Subject: RE: 1516 - PCSP Water Metering (17-CWWF-17-00034)

Hello Ashley and Chris,
I've been working with Ian and Jill to help finalize an amendment request to submit to Infrastructure Canada (INFC) for the above-noted project. Attached is a marked-up version of the draft that was previously provided, with some suggested revisions for the purposes of the final version of what we'll be submitting INFC.

For reference, below is the current title and project description for this project on file with INFC, and our request essentially will be to modify these two specific items. The write-up outlining the rationale and benefits will be submitted as supporting documentation.

<table>
<thead>
<tr>
<th>Unique Project ID</th>
<th>Ultimate Recipient</th>
<th>Project title</th>
<th>Project Description</th>
<th>Total Project Cost</th>
<th>Total Eligible Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>35</td>
<td>Portugal Cove-St. Philips, Town of</td>
<td>Water Metering</td>
<td>Project involves installation of water meter to all properties in the Town.</td>
<td>$1,500,000.00</td>
<td>$1,360,252.17</td>
</tr>
</tbody>
</table>

Below is a summary of the key elements of the suggested revisions:

- Additional emphasis has been placed on the study’s role in informing the Town’s change in priorities since the project was originally approved.

- Budget breakdowns and project schedules have been removed. While useful for internal review purposes, this level of detail is generally not required for these amendment requests, although INFC may still request this as additional information during their review.

- The Eligible Investments Category under which the project was originally approved has been highlighted, to help demonstrate that the proposed amendment remains consistent with the original program outcomes.

Once we finalize the wording for this supporting document, we can submit the request to INFC for review. Please feel free to contact us if you have any questions or concerns about the suggested revisions, or the amendment request/review process.

Thank you,

Jerry Collins
Manager, Infrastructure and Waste Management (A)
Department of Municipal Affairs and Environment
Government of Newfoundland and Labrador
Tel: (709) 729-5334 | E-mail: JerryCollins@gov.nl.ca

From: Ashley Smith [mailto: ashley@vigilantmanagement.ca]
Sent: Tuesday, January 02, 2018 5:07 PM
To: Duffett, Ian
Cc: Yetman, Jill; Rehman, Inayat; John Oliveira; Grant, Horwood
Subject: 1516 - PCSP Water Metering (17-CWWF-17-00034)

Hi Ian, Jill,

Please see attached for our first round draft of the PCSP Water Metering Amendment Request. Any input you can provide would be helpful. We've done our best to address your bullets below.

Please don't hesitate to be in touch.
Best,
Ashley

Ashley Smith, B.Sc, M. Eng., LEED AP
Senior Project Manager

Vigilant Management Inc.
Box 50064, Paradise, NL A1L 0J2
69 Karwood Drive, Unit 9
Phone: (709) 782-5950
Cell: (709) [REDACTED]
Email: ashley@vigilantmanagement.ca
Website: www.vigilantmanagement.ca

----- Original Message ------
From: "Duffett, Ian" <IanDuffett@gov.nl.ca>
To: "Ashley Smith" <ashley@vigilantmanagement.ca>
Cc: "Yetman, Jill" <jillYetman@gov.nl.ca>; "Rehman, Inayat" <InayatRehman@gov.nl.ca>; "John Oliveira" <john@vigilantmanagement.ca>; "Grant, Horwood" <grant@vigilantmanagement.ca>
Sent: 21/12/2017 11:43:10 AM
Subject: RE: 1516 - PCSP Water Metering (17-CWWF-17-00034) - Clarifications

Hi Ashley,

See the responses below.

1. Please do your best to meet the January 15th deadline for submission to MAE. We are going to get a significant number of these requests over the next month. We’ll do our best to handle later submissions but I won’t guarantee that we can get it submitted to Infrastructure Canada by January 31st if you submit it later than the 15th.

2. There’s no specific format but please be clear to include:
   a. The description of the proposed new scope of work
   b. The estimated budget and cash flow associated with this work
   c. A strong justification for the change in the project scope. Be sure to focus on the benefits to be derived from the project.

3. The 60% requirement is for the overall program. It was included in the circular to remind communities that they need to submit invoices. We have several of our larger communities that pay invoices up front and sometimes wait up to a year before they remember to submit something to us for payment.

Ian

Ian Duffett
Hi Ian,

Chris has informed us that Council wishes to proceed with the amendment request and has asked Vigilant to take the lead on drafting said document. Could you please provide clarification on the following:

1. We are intending to have the amendment requested drafted and submitted by January 15, 2018. However, in the meeting on November 22, January 15 was identified as a 'soft' deadline, with a hard deadline of January 31, 2018. Please confirm the request can be submitted after January 15 if absolutely necessary.

2. Is there a required format for the amendment request? Or is a formal letter structure to your Department sufficient?

3. In the attached Information Circular, it states that 60% of the budget must be spent by March 31, 2018. This project has an approved extension to March 31, 2019. Does this still apply? It is of concern, as it is highly improbable the March 31, 2018 budget deadline can be achieved for the project at this point. Please advise.

Thanks very much,
Ashley

Ashley Smith, B.Sc, M. Eng., LEED AP
Senior Project Manager

Vigilant Management Inc.
Box 50064, Paradise, NL A1L 0J2
69 Karwood Drive, Unit 9
Phone: (709) 782-5950
Cell: (709) ______
Email: ashley@vigilantmanagement.ca
Website: www.vigilantmanagement.ca

------- Forwarded Message -------
From: "Chris Milley" <Chris.Milley@pcsp.ca>
To: "John Oliveira (john@vigilantmanagement.ca)" <john@vigilantmanagement.ca>; "Ashley Smith (ashley@vigilantmanagement.ca)" <ashley@vigilantmanagement.ca>
Cc: "Grant Horwood (grant@vigilantmanagement.ca)" <grant@vigilantmanagement.ca>
Sent: 21/12/2017 9:07:14 AM
Subject: CWWF deadlines

John,
Please keep this new circular in mind when working with lan on the application format. This seems to do two things. Makes the soft submission date of January 15, that they talked to us about, more concrete. And it talks about 60% complete by March 2018 that looks new to me. It is impossible to meet that criteria. When talking, you should ask questions to how we can possibly overcome it.
Thanks
Chris

Chris Milley, P.Eng.
Town Manager/Engineer

1119 Thorburn Road
Portugal Cove-St. Philip’s
A1M 1T6
T: 709.895.8000 ext. 262
F: 709.895.3780

Please click here for The Town of Portugal Cove-St. Philip’s email Disclaimer

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“This email and any attached files are intended for the sole use of the primary and copied addressee(s) and may contain privileged and/or confidential information. Any distribution, use or copying by any means of this information is strictly prohibited. If you received this email in error, please delete it immediately and notify the sender.”
Municipal Infrastructure Branch
Department of Municipal Affairs and Environment
P.O. Box 8700
St. John’s, NL
A1B 4J6

January 2, 2018

RE: Amendment Request – Changes in Scope for 17-CWWF-17-00034 Universal Water Metering Project,
Town of Portugal Cove St. Philips

Attn: Ian Duffett – Director, Municipal Infrastructure

The Town of Portugal Cove St. Philips is requesting a scope amendment to the Universal Water Metering project 17-CWWF-17-00034, funded through the Clean Water and Wastewater Fund program.

The Town would like to request a shift in scope from: end-user water meters, to: system zone metering, and infrastructure improvements which address system leakage and pressure optimization.

At a high level, this request is based on the logic that while end-user meters will provide feedback data on water consumption patterns, their installation will not address the ultimate issue of system water losses and inadequate cost recovery through water taxes. As such, Town Council feels the funding granted to this project would better serve the Town if it could be used to address the physical system deficiencies, while using zone meters to collect data on overall system functioning.

Details of the amendment request rationale, requested revisions to scope, budget and an updated project schedule are included herein.

New line: The proposed amendment does not include any changes to the project’s previously-approved financial contributions.

1. Detailed Rationale for Amendment Request

The Town of Portugal Cove St. Philips is requesting a scope amendment based on the following rationale:

- The Constituency of PCSP is resoundingly resistant to the installation of water meters in their homes. The current Council members were elected largely on the platform of amending the water metering project based on resident concerns.

- All evidence points to significant water leakage within the water distribution system. The Town commissioned a water and wastewater study, conducted by G.A. Isenor Consulting Limited. This study
  - Found that the volume of water being purchased by the Town is significantly above that being treated at the Wastewater Treatment Plant, even accounting for septic systems and reasonable losses.
- Recommended that PCSP implement a comprehensive water loss control program in concert with the installation of the water meters to identify water loss locations and make the necessary repairs to reduce the water purchased from the Regional Water Authority.

- The total costs of water purchased by the Town are not covered by the Municipal Water Tax revenue paid by residents and businesses. The Town purchases its water from the City of St. John’s, at Bay Bulls Big Pond, on a $/m³ basis. The Municipal Water Tax is a flat rate fee.

- By not first addressing system-wide leaks and pressure issues, the residents are still burdened with the costs of the ‘lost’ water; end-user metering and usage-based billing structure will neither alleviate nor address this financial reality for the Town and its residents.

- An engineering study has been completed to identify locations for zone meters, locations for pressure reducing valves and booster pumps, and modeling of the current system to identify areas where known leaks are occurring. The outcomes of this study have defined the specifics of the scope change and informed the revised budget.

- This scope amendment request is intended to revise the scope of the original project in order to:
  
  A. Address the root cause of the non-revenue water financial deficit – by addressing the system leaks and ensuring volumes ‘in’ reasonably match volumes ‘out’

  B. Create a more durable, longer lasting system of water delivery infrastructure – by addressing system pressure issues arising from Town topography

  C. Install long-term data collection hardware – by installing zone meters and associated meter reading hardware within the Municipal system

- Concurrent with system upgrades and zone metering, it is the Town’s intent to implement an educational water conservation program and establish a voluntary program for the installation of end-user water meters.
2. Proposed—Revised Scope of Work and Budget

There is a contract currently in place with Neptune Technology Group (Canada) Ltd. This contract was signed by the previous Mayor after the Municipal election, before the new Mayor and Council were sworn in. Town Council has met with Neptune to discuss a proposed change in scope of their current contract. The following amendments to the Neptune Contract are requested:

<table>
<thead>
<tr>
<th>ITEM</th>
<th>NEPTUNE ORIGINAL CONTRACT</th>
<th>NEPTUNE CONTRACT—REQUESTED REVISIONS</th>
</tr>
</thead>
</table>
| 1    | Supply and installation of:  
  • 1188 residential water-meters  
  • 20 commercial water-meters | Supply of:  
  • 11 zone-meters  
    • 2 @ 400mm District Meters  
    • 4 @ 400mm Sub-District Meters  
    • 5 @ 300mm Sub-District Meters  
 Supply and installation of:  
  • 4 commercial water-meters  
  • 300 residential water-meters |
| 2    | Supply and installation of Automatic Meter-Reading (AMR) system:  
  • RF-transmitters on each meter  
  • Vehicle-mounted, drive-by reader | Supply and installation of Advanced Metering Infrastructure (AMI) system:  
  • RF-transmitters on each meter  
  • Fixed-mounted data collectors  
  • Automatic reading |
| 3    | Software for AMR system | Software for AMI system  
 Hosting for AMI system |
| 4    | Training of Town Staff for meters and AMR system | Training of Town Staff for meters and AMI system |
| 5    | Public-liaising and appointment booking | Support for public education program on water conservation, appointment booking (costs not included in revised project budget) |
| 6    | Project Management | Project Management |
| 7    | System-commissioning, system warranty | System-commissioning, system warranty |
|      | n/a | Costs associated with assembling the Change Order (costs not included in revised project budget) |
| 8    | Original Neptune Scope Budget: $860,000+HST | Revised Neptune Scope Budget: $821,000+HST |
Adjustments to the overall-project budget are as follows:

<table>
<thead>
<tr>
<th></th>
<th>ORIGINAL PROJECT SCOPE BUDGET</th>
<th>REQUESTED REVISED SCOPE PROJECT BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>APPROVED PROJECT FUNDING: $1,500,000</td>
<td></td>
</tr>
<tr>
<td>G A Ibenor Consulting</td>
<td>$35,775+HST = $41,141.25</td>
<td>$35,775+HST = $41,141.25</td>
</tr>
<tr>
<td>Vigilant Management</td>
<td>$63,000+HST = $72,450.00</td>
<td>$63,000+HST = $72,450.00</td>
</tr>
<tr>
<td>Neptune Technology Group</td>
<td>$860,000+HST = $989,000</td>
<td>$821,000+HST = $944,150</td>
</tr>
<tr>
<td>Allocation for installation of Pressure Reducing Valves and Booster Pumps</td>
<td>n/a</td>
<td>$442,258.75 (incl HST)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Town will tender work and cover the remainder. Quantity and locations in forthcoming Hatch Engineering study.</td>
</tr>
<tr>
<td>Project Totals</td>
<td>$1,102,591.25</td>
<td>$1,500,000.00</td>
</tr>
</tbody>
</table>

3. Proposed Project Schedule

The proposed revisions to the project result in the following updated project schedule. An extension request to March 31, 2019 was previously granted for the project.

<table>
<thead>
<tr>
<th>PROJECT MILESTONE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submit Amendment Request</td>
<td>January 15, 2018</td>
</tr>
<tr>
<td>Amendment Request Response—Estimated</td>
<td>May 1, 2018</td>
</tr>
<tr>
<td>Finalize Change Order with Neptune</td>
<td>May 11, 2018</td>
</tr>
<tr>
<td>Water Conservation and Volunteer Metering Programs</td>
<td></td>
</tr>
<tr>
<td>Initiate Water Conservation Education Program</td>
<td>May 29, 2018</td>
</tr>
<tr>
<td>Initiate Voluntary Water Metering Program</td>
<td>May 29, 2018</td>
</tr>
<tr>
<td>Install Voluntary Water Meters</td>
<td>July 16—Aug 17, 2018</td>
</tr>
<tr>
<td>Water Delivery System Optimization and Upgrades</td>
<td></td>
</tr>
<tr>
<td>Construct Tender for Zone Meter Installation and System Optimization (incl. zone meters + PRVs; booster pumps; chambers, piping repair/replacement)</td>
<td>May 2—16, 2018</td>
</tr>
<tr>
<td>Issue Tender</td>
<td>May 17, 2018</td>
</tr>
<tr>
<td>Tender Close</td>
<td>June 5, 2018</td>
</tr>
<tr>
<td>Construction End</td>
<td>October 5, 2018</td>
</tr>
<tr>
<td>AMI Infrastructure Installation + Staff Training</td>
<td></td>
</tr>
<tr>
<td>Install meter hardware</td>
<td>June 2018</td>
</tr>
<tr>
<td>System commissioning</td>
<td>October 8—19, 2018</td>
</tr>
<tr>
<td>Staff Training</td>
<td>November 5—16, 2018</td>
</tr>
<tr>
<td>Project Completion</td>
<td>January 31, 2019</td>
</tr>
</tbody>
</table>
It is our understanding that the revised scope meets the goals of the original project. That is, the end user meter installation was intended, as part of a comprehensive water management system, to provide insight on overall system functioning. The revised scope will address not only end-user consumption, but will also allow for improved management of the distribution system through zone meters, and pressure management. Improvements in these areas will reduce the non-revenue water, increase the system’s long term durability, and alleviate the financial burden of ‘lost’ water on the residents. The Town Council feels that the benefits to its residents would be far greater by first addressing issues with the water delivery infrastructure and creating a water conservation program with a voluntary metering component.

Thank you for your time and consideration.

Sincerely,

Town of Portugal Cove St. Philips
Municipal Infrastructure Branch
Department of Municipal Affairs and Environment
P.O. Box 8700
St. John’s, NL
A1B 4J6

RE: Amendment Request 17-CWWF-17-00034 Water Metering Project, Town of Portugal Cove-St. Philip’s

The Town of Portugal Cove-St. Philip’s is requesting an amendment to the Water Metering project 17-CWWF-17-00034 (i.e. Project ID 35), funded through the Clean Water and Wastewater Fund program.

The Town would like to request a shift in focus from: mandatory end-user water meters, to: system zone metering with voluntary end user water meters, a public education program on water conservation, and infrastructure improvements to help address system leakage and pressure optimization.

At a high level, this request is based on the rationale that while end-user meters will provide feedback data on water consumption patterns, these meters will not address the associated issues of system water losses and fluctuating water pressure, which have been identified through a preliminary study that was completed before this project’s construction phase began. As such, the current Town Council feels the funding previously granted to this project would better serve the Town if it could be used to help address the physical system deficiencies, while using zone meters to collect data on overall system functioning, and installing end-user meters on a voluntary basis to gain additional insight on water consumption patterns.

Details of the amendment request rationale and the requested revisions to scope are included herein.

The proposed amendment does not include any changes to the project’s previously approved financial contributions.
Detailed Rationale for Amendment Request

The Town of Portugal Cove-St. Philip’s is requesting a scope amendment based on the following rationale:

- Evidence obtained since the project was first approved indicates significant water leakage within the water distribution system. The Town commissioned a water and wastewater study, conducted by G.A. Isenor Consulting Limited. This study
  - Found that the volume of water being purchased by the Town is significantly above that being treated at the Wastewater Treatment Plant, even accounting for septic systems and reasonable losses.
  - Recommended that PCSP implement a comprehensive water loss control program in concert with the installation of the water meters to identify water loss locations and make the necessary repairs to reduce the water purchased from the Regional Water Authority.

- By not first addressing system-wide leaks and pressure issues identified in the preliminary study, the residents are still burdened with the costs of the ‘lost’ water; end-user metering and a usage-based billing structure will neither alleviate nor address this financial reality for the Town and its residents.

- The project currently has approximately $360,384 in surplus funding available. The proposed amendment seeks to utilize this funding to complete additional work related to water pressure optimization. This work is consistent with the project’s Eligible Investment Category (i.e. capital projects for the rehabilitation and of water treatment and distribution systems, and wastewater and storm water collection, conveyance and treatment systems).

- An engineering study has been completed to identify locations for zone meters, locations for pressure reducing valves and booster pumps, and modeling of the current system to identify areas where known leaks are occurring. The outcomes of this study have defined the specifics of the requested scope change.

- This scope amendment request is intended to revise the scope of the original project in order to:
  
  A. Address the root cause of the non-revenue water financial deficit – by addressing the system leaks and ensuring volumes ‘in’ reasonably match volumes ‘out’

  B. Create a more durable, longer lasting system of water delivery infrastructure – by addressing system pressure issues arising from Town topography
C. Install long-term data collection hardware – by installing zone meters and associated meter reading hardware within the Municipal system

- Concurrent with system upgrades and zone metering, it is the Town’s intent to establish a voluntary program for the installation of end-user water meters and a public education program on water conservation. The installation of voluntary meters will aim to cover a broad cross-section of properties and a representative sample of community demographics. The public education campaign will be implemented in partnership with the conservation Corp. in the areas of water conservation and self-inspection of homes for end user water loss.

It is our understanding that the revised scope meets the goals of the original project. That is, the end user meter installation was intended, as part of a comprehensive water management system, to provide insight on overall system functioning. The proposed amendment will address not only end-user consumption, but will also allow for improved management of the distribution system through zone meters, and utilize surplus funding to address pressure management. Both of these items are key issues identified in the water and wastewater study, and are consistent with the previously-approved project’s Eligible Investment Category. Improvements to these areas will reduce the non-revenue water, enhance the system’s long term durability, and alleviate the financial burden of ‘lost’ water on the residents. The Town Council feels that the benefits to its residents would be far greater by first addressing issues with the water delivery infrastructure and creating a water conservation program with a voluntary metering component.

Thank you for your time and consideration.

Sincerely,

Carol McDonald

Mayor
Town of Portugal Cove-St. Philip’s
Mulrooney, Paul

From: Yetman, Jill
Sent: Wednesday, June 6, 2018 4:15 PM
To: Rehman, Inayat; Duffett, Ian; Collins, Jerry
Subject: FW: Re[3]: 1516 - Fwd: 1 - Portugal Cove Updated Line Items, 2- Portugal Cove Revised Volunteer Program with AMI
Attachments: 17-CWW-17-00034 1516 CCN#2 - New Scope.pdf

Hi,

Please review and advise if you have any concerns with the new scope.

Thanks, Jill

---

From: AE LS [mailto:ashley@vigilantmanagement.ca]
Sent: Thursday, May 31, 2018 11:33 AM
To: Chris Milley; Yetman, Jill
Cc: Grant Horwood; Todd Tremblett
Subject: Re: Re[3]: 1516 - Fwd: 1 - Portugal Cove Updated Line Items, 2- Portugal Cove Revised Volunteer Program with AMI

Hi Chris, Jill,

Please see attached for Neptune's updated pricing for the CCN#2 switching from: turn-key end user water meter project with drive-by reading tech, to: zone metering, fixed AMI reading infrastructure, and a voluntary end use meter program. This pricing is updated from the initial submission in December 2017. They haven't signed the form (I've got that off to them) but I didn't want to hold things up for that.

Chris, if you can please process through your Council.

Jill, if you can please process internally through your Department. Because of timing I am opting to send to both you and Chris concurrently. Please advise if you have concerns with this approach.

Please feel free to contact me if any of you have questions.

Best,
Ashley

---

Ashley Smith, B.Sc, M. Eng., LEED AP
Senior Project Manager

Vigilant Management Inc.
Box 50064, Paradise, NL A1L 0J2
69 Karwood Drive, Unit 9
Phone: (709) 782-5950
Cell: (709) [redacted]
Email: ashley@vigilantmanagement.ca
Website: www.vigilantmanagement.ca
On Wed, May 23, 2018 at 3:50 PM, Chris Milley <Chris.Milley@pcsp.ca> wrote:

Thanks. Hopefully that will give you enough time to review and provide recommendations for our Council to consider driving it forward.

Where will the DMA approval of the change order rest? Before or after Council’s approval? I can work with either and would like the option that will be most expedient and/or get it dealt with from Council point of view as quick as possible.

Chris

From: ashley smith [mailto:ashley@vigilantmanagement.ca]
Sent: May-23-18 2:24 PM
To: Chris Milley <Chris.Milley@pcsp.ca>
Cc: Grant Horwood <grant@vigilantmanagement.ca>
Subject: Re[3]: 1516 - Fwd: 1 - Portugal Cove Updated Line Items, 2- Portugal Cove Revised Volunteer Program with AMI

Ben just called me. They will have the revised and more detailed proposed change order to us by next Wednesday.

Ashley

------- Original Message -------

From: "ashley smith" <ashley@vigilantmanagement.ca>
To: "Chris Milley" <Chris.Milley@pcsp.ca>
Cc: "Grant Horwood" <grant@vigilantmanagement.ca>
Sent: 2018-05-23 2:09:29 PM

Subject: Re[2]: 1516 - Fwd: 1 - Portugal Cove Updated Line Items, 2- Portugal Cove Revised Volunteer Program with AMI
Hi Chris, I've asked Ben to call me today. He said he was in and out of meetings but would call today.

DMAE will have to review and approve the Neptune change order. See the second bullet under 'Other items discussed' in the attached minutes. We will review the schedule and adjust accordingly.

Best,
Ashley

----- Original Message ----- 

From: "Chris Milley" <Chris.Milley@pcsp.ca>
To: "ashley smith" <ashley@vigilantmanagement.ca>
Cc: "Grant Horwood" <grant@vigilantmanagement.ca>
Sent: 2018-05-23 12:52:45 PM
Subject: RE: 1516 - Fwd: 1 - Portugal Cove Updated Line Items, 2- Portugal Cove Revised Volunteer Program with AMI

Ideally we will have the Change Order together with Vigilant's recommendation to approve in our hands by June 4th to go to committee and council for decision to accept the Change order. I will get decisions at that time to accept the new schedule and new charter as well.

Would we have to get DMAE approval for the change order before we accept or at all? I did not check the schedule to see if those administrative steps were captured.

Chris

From: ashley smith [mailto:ashley@vigilantmanagement.ca]
Sent: May-23-18 9:29 AM
To: Chris Milley <Chris.Milley@pcsp.ca>
Hi Chris,

Please see revised project charter based on the new scope of work, budgets and schedule.

I am still working with Neptune to get finalized line item pricing for the new scope. I hope to have that sorted out by the end of the week as they have said their modeling for the AMI system requirements is now complete.

Please let me know if you have questions.

Thanks,

Ashley

Ashley Smith, B.Sc., M.Eng, LEED AP
Senior Project Manager

Vigilant Management Inc.

Phone: 709-782-5950

Cell: 709

Email: ashley@vigilantmanagement.ca

Web: www.vigilantmanagement.ca

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----- Original Message ----- 

From: "AE LS" <ashley@vigilantmanagement.ca>
To: "Chris Milley" <Chris.Milley@pcsp.ca>
Cc: "Grant Horwood" <grant@vigilantmanagement.ca>
Sent: 2018-05-22 3:19:15 PM
Subject: 1516 - Fwd: 1 - Portugal Cove Updated Line Items, 2- Portugal Cove Revised Volunteer Program with AMI

Hi Chris,

Please see attached for the updated proposal and revised change order amounts. The value of the contract will remain the same. Tom and Ben have said the values listed may shift slightly, but that what is shown is a good benchmark.

We updated the project charter, revised the project schedule and created a new level of effort for Vigilant's services. I sent to Grant for review yesterday and we want to make some changes to clarify scope and budget. I will send that first thing tomorrow.

Please let me know if you have questions.

Thanks

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-------- Forwarded message --------
From: Orpana, Tom <torpana@neptunetg.com>
Date: Tue, May 22, 2018, 3:11 PM
Subject: 1 - Portugal Cove Updated Line Items, 2- Portugal Cove Revised Volunteer Program with AMI
To: ashley@vigilantmanagement.ca <ashley@vigilantmanagement.ca>  
Cc: Van Mierlo, Ben <bvanmierlo@neptunetg.com>

Ashley,

Let me know if you need anything else.

Thanks,

Tom Orpana

Regional Sales Manager, Ontario & Atlantic Canada

7275 West Credit Avenue, Mississauga ON, L5N 5M9

Mobile 905 [Redacted]  Web neptunetg.com

Error! Filename not specified.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Hi Ashley/Chris,

We had a departmental meeting to discuss the proposed change in scope. Unfortunately the following costs are ineligible under federal program requirements.

**Costs associated with Operating Expenses:**
- Supply and Delivery of Homeowner Engagement (public education) - $30,000
- Software Licensing & Hosting - $50,000
- System Service Provider Agreement - $62,500
- Refresher Training - $9,750

**Costs considered to be indirect as the revised scope is a result of the Town’s change in priorities:**
- Re-scoping Management Fee - $10,000
- Pre-construction Meeting - $5,400
- Re-scoping Meeting - $3,600

It may be possible that any surplus funds could be used further along in the project as long as they are within the approved scope of work and eligible costs under the CWWF program.

In addition, the new Public Procurement Act is now in force and we have to be mindful that any work outside the original contract meets these requirements.

You can view the **Act, Regulations and Policy** at the link below:

If you have any questions please let me know.

Thanks, Jill

Jill Yetman, B.Tech
Design Approval Technician II

Dept. of Municipal Affairs and Environment
4th Fl. - West Block, Confederation Building
PO Box 8700
St. John's, NL A1B 4J6
Phone: 709.729.5233
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Sent: 2018-05-23 2:09:29 PM
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To: ashley@vigilantmanagement.ca <ashley@vigilantmanagement.ca>
Cc: Van Mierlo, Ben <bvanmierlo@neptunetq.com>

Ashley,

Let me know if you need anything else.

Thanks,
Jill, attached is our letter requesting the transfer of surplus funds to remainder of eligible project costs.

Thanks,
Tony

Tony Pollard, CPA, CMA
Director, Financial Operations
Town of Portugal Cove – St. Philip’s
A1M 1T6
T: 895-8000 ext 231
F: 895-3780

Please click here for The Town of Portugal Cove-St. Philip’s email Disclaimer
Date: August 24, 2018

Attn: Jill Yetman, Design Approval Technician II, Department of Municipal Affairs and Environment

Re: 17-CWWF-17-00034 - PCSP Water Metering – Allocation of surplus funds to engineering design and installation of district meters

Dear Jill,

It is the Town’s understanding that engineering design services and construction costs for the installation of district water meters are considered eligible costs under the Federally approved scope of work for the above noted project.

The Town requests that the surplus amount (line item C) within the currently approved budget of the 17-CWWF-17-00034 - PCSP Water Metering project be approved for allocation towards engineering design and construction installation costs for the district zone meters. Financial details as follows:

<table>
<thead>
<tr>
<th></th>
<th>Total Approved Project Budget (excl HST)</th>
<th>$1,360,252.17</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>Currently Allocated Budget, DMAE Eligible:</td>
<td>$976,069.05</td>
</tr>
<tr>
<td></td>
<td>- Vigilant Management</td>
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<td></td>
<td>- GA Isenor</td>
<td></td>
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<tr>
<td></td>
<td>- Neptune Technologies</td>
<td></td>
</tr>
<tr>
<td>C</td>
<td>Current Surplus</td>
<td>$384,183.12</td>
</tr>
</tbody>
</table>

Please advise if additional information is required to process our request.

Sincerely,

Tony Pollard, CPA, CMA
Director, Financial Operations
Town of Portugal Cove – St. Philip's
A1M 1T6
T: 895-8000 ext 231
F: 895-3780