



**AGENDA FOR THE
WATER & SEWER COMMITTEE MEETING**

March 23, 2022

7:00 p.m.

- **Monthly Water & Sewer Operations Report**
- **Review of RFP for West WWTP Upgrade**
- **Draft Language for Waivers for Late Fees Due to USPS**
- Water & Sewer Capacity Plans

Open Projects

I & I Walnut to Jefferson St.: Submitted plans for permit, easement document created. Construction documents at 95% and ready to bid when the budget is available. **Easements In Progress.** 11/17/2021 plans resubmitted to county for permit. New County reviewer has requested additional work (non relative) for permit reapproval.

ADA sidewalk ramp reconstructions: No Action

W WWTP. Meeting with MDE to begin the project and discuss the process and procedure. Request for Qualifications is on website and due Feb 2 received 7. Grant application submitted prior to Jan 31, 2022.

Develop Grease Trap Ordinance and Education Program: No Action

Water System:

Hydraulic Model:

System: Emergency Response Plan Certification is due Dec 31, 2021 99% complete.

Broad St Streetscape: Storm drain is 100% complete, sanitary sewer cleanout installations 100% complete. Focus work is currently segmental retaining wall (50% complete) milling and base pave the south end of Broad (between Locust and Franklin).

SSO and I&I: Regulating flow daily to meet the flow discharge in our permits. Public Announcement for I & I Project and to disconnect illegally connected sump pumps (provide early notice). MDE has sent a letter of assessment for SSO's back to 2019. Agreeing to settle for \$3157.00 we will appeal with information to support our appeal. Contract executed and met with B & L to review manholes for flow measuring. Meter install is not scheduled yet.

MDE /Permits: East WWTP Discharge Permit (exp Dec 2021) submitted 22 months prior to expiration and then revised 14 months before expiration. MDE advertised the reapplication. We have requested an increase in discharge flow from 250,000 to 350,000. New West Plant permit is active and new spreadsheets and MOR have been created. New permit requirements to be addressed to MDE within 6 months. Renewal for the Irrigation PS has been completed.

MDE MS4 Permit Reports: Completed, Oct 2021. Waiting for comments. Received a Proposal from FSA or inspection and survey MS4 stream improvements to justify the MS4 credits.

West Wastewater Treatment Plant: No issues.

East WWTP: Permit renewal complete (exp Dec 2021).

Municipal Center: no action

Maintenance Facility: Contract has been executed with Triad Engineering. We have received a preliminary sketch. No action.

Washington Street: Plans and specs at 100%. Town Staff replaced 3 – 8" water valves and has 2 more to replace prior to the project beginning. Expect a April bid date.

Pedestrian Blinker signs: One in reserve waiting for a location. No action

Wiles Branch Stream Rehabilitation (MS4): Survey work has begun. Change order to add additional length upstream to Main St. No Action

Linden Boulevard Culvert Replacement: RFP meeting with Frederick Seibert completed. Proposal has been received and is being reviewed. Proposal amount of \$31,600 was accepted and awarded. Change order to add additional length to Main St and 100 feet below the culvert. (MS4 qualification). Gas and other structures will be relocated. Consultant has provided plans for Linden. Submitting for permit with waterway MDE/Army Corp.

Brookridge PS: Clogging pumps has occurred several times weekly. Meeting with a vendor for grinder installation. March 3.

Booster Station Process Pipe Upgrade: Continue to review submitted shop drawings. Anticipated start is delayed till March 14, but some demolition and electrical work has begun.

West WWTP ENR Upgrade: received 7 qualification proposals and short listed to 3. The PER RFP is being developed and will be provided to the 3 short listed firms. MDE is involved in each step of the process and will be reviewing the Towns RFP's and proposals before advertisement and execution.

Developments

Middletown Library: Improvement plans have been reviewed. No action

ADMAR Annexation: Design for treatment plant in progress, MDE is provided documents regarding the appropriation request. Meeting with MDE and developer regarding the WTP in November. Received IP's for first review and developer has requested a meeting.

Chesterbrook IP's: Third building under construction. Developer can begin curb and widening anytime.

Middletown Municipal Hall: Approved water meter vault submittal.

Horman Property Caroline's View: 9 Condo Units. Received revised guarantee and approved. No action.

Future Budget Considerations

W&S: Comprehensive sewer plan, West WWTP ENR plant replacement (non process component for Town budget). upsize CB pumps (part of the facility review or ENR upgrade) regional pressure monitors.

GF: Additional 1 ton truck. New Skilled labor position

DRAFT

Burgess and Commissioners of Middletown, Maryland

REQUEST FOR PROPOSAL (RFP) for the Preliminary Engineering Report

BACKGROUND

The Town of Middletown located in Frederick County, Maryland (population approximately 4,500 with approximately 1,742 EDU's), owns and operates 2 WWTP's that serve the town.

The West facility is an aerated lagoon with a design capacity of 0.25 MGD and an annual average daily flowrate of approximately 0.20-0.22 MGD. The final effluent is discharged to Catoctin Creek. This facility was designed in 1973 and constructed in 1976 and normally meets NPDES Permit limits. It is anticipated that future permit requirements may be beyond the ability of the plant to consistently comply with the NH3 limits in this permit.

The East WWTP is a Biolac process with a design capacity of 0.35 MGD and an annual average daily flowrate of approximately 0.22 MGD. This facility was constructed in 2000 and is currently in compliance with all permit limits. Final effluent may be pumped to a nearby golf course from ~~May/June~~ through ~~October/Sept~~ on an as needed basis. The ~~remaining months est of the time~~ the effluent is discharged to Hollow Creek.

The West WWTP ~~will either~~ may be either upgraded to meet the new limits or replaced. Since MDE is now providing Enhanced Nutrient Removal (ENR) grant funds for minor WWTP's (plants designed for <0.500MGD), the Town is considering replacing this plant with a new ENR facility at the present site. Another option would involve replacing the plant with a pump station and sending the flow to an expanded and ENR upgraded East WWTP. If the pump station option is not cost effective, the Town would consider upgrading the East facility to ENR standards at the current design capacity in conjunction with the upgrade / new West WWTP.

To proceed with this project, the Town will contract an engineering company to prepare a Preliminary Engineering Report (PER). The PER will evaluate the most cost-effective alternatives to upgrade the entire treatment process to meet ENR standards and consider possible increased capacity necessary to accommodate any planned growth in the community.

SCOPE OF WORK

West WWTP Alternatives

Alternative 1

- Replace this facility with an ENR WWTP considering at a minimum the following treatment processes; Biolac Wave Ox, MBR, 4-stage Bardenpho, Any additional

Commented [DL1]: I am not sure why these systems are specifically called out in the scope of work. It would seem more appropriate to have the consultant identify three different ENR systems to evaluate (with town input) that they feel are worthy of consideration if this alternative is selected.

Commented [BC2R1]: I think we should let these in. Biolac is the existing process at the EWWTP, we are familiar with it. The others are mentioned specifically but not restricting the engineer because of the later sentence. There are processes that are not in the best interest of the Town and that is the main reason we mention these.

processes that the engineer is interested in evaluating shall be discussed with Town representatives before proceeding.

- Consider the ENR capacity at the existing design of 0.25 MGD
- In addition, consider the necessary capacity with the 20 year projected growth in this service area.
- Identify the area needed to build a replacement WWTP and the modifications required to send these future flows to the new facility.

Alternative 2

- Eliminate this treatment plant and replace it with a pump station and force main to transfer all of the wastewater to the East WWTP (which will be expanded in the East WWTP Alternative 2 below).
- The pump station should be evaluated for future capacity, probable location and possible force main route.

East WWTP Alternatives

Alternative 1

- If a new ENR WWTP is built to replace the existing West facility, then the East plant would be upgraded to ENR at the current 0.35 design capacity.
- This alternative shall also evaluate the future plant capacity would either be the existing 0.35 MGD, or increased to accommodate 20 year planned growth in this service area.

Alternative 2

- If the West plant is replaced with a pump station, then the East plant ENR upgrade would need have to be designed to handle the all of the entire wastewater generated in the Town service area. The upgraded East plant would also need to be evaluated for the 20 year planned service area.
- Since the current East plant is a Bioloc process system, it would be preferable to stay with this process if possible possible feasible and upgrade as necessary to achieve ENR level treatment for all future planned growth in the Town.

Whatever alternative is chosen, the PER shall also evaluate appropriate long term sludge management options. The East plant currently hauls waste sludge and stores sludge in a 3 cell reed bed. Sludge is currently hauled weekly on a year round basis due to reed bed capacity.

In addition, the engineer shall develop and assist in implementing a comprehensive sampling program to characterize the influent to each WWTP. This data will provide an important component for the evaluation of the most appropriate ENR processes to consider in the PER.

Commented [DL3]: I do not understand why this needs to be considered since at a minimum it will need to be upgraded to the capacity for future flows planned in the WWTP service area. Alternatively future flows would need to be pumped to the East WWTP.

Commented [BC4R3]: Considered only for the ENR purpose. MDE BRF will not fund additional capacity above the existing. Future capacity is at the expense of the Town.

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Commented [DL5]: Why would this plant be evaluated for only the existing design capacity? If the west WWTP is replaced, the east WWTP needs to be planned for the future planned growth in this service area.

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Commented [BC6]: From Leonard Gold

Representatives of the Town will work with the firm engineer chosen for this project to consider the alternatives described above. The evaluation of alternatives will include cost and non-cost considerations. The cost effective analysis will consider capital and long term Operation and

Maintenance (O&M) costs including the possible need for additional operators or operators with advanced treatment experience and whether additional shifts of operators will be required. Additionally, the analysis should delineate what costs would be paid for by the Bay Restoration Fund (BRF) grant portion and those the Town would be responsible for with any expanded capacity costs noted as such. In addition, the Non-cost factors will include operability and flexibility, especially with respect to inflow and infiltration, and compatibility with Town staff. Upon completion of these evaluations, the engineer will recommend what alternative they believe is the most appropriate alternative for the Town to achieve the goals of this project. The firm will be required to present their recommendation at a future Water and Sewer Committee Meeting and be present for a possible remote meeting with MDE.

Commented [DL7]: I do not believe the existing Town staff should be a compatibility factor. If the operations of a proposed new plant is beyond the existing personnel license status, the cost of upgraded personnel needs to be projected. This may be the intent of the existing text, but I think it is awkwardly stated. Either way this is a cost issue.

The PER will serve as the basis for the detailed design and construction of the chosen alternative. The engineer preparing the PER may be contracted to develop the detailed design at the discretion of the Town but the Town has the option to request proposals from other engineering companies if they so choose.

RFP Proposal

The engineer's proposal shall be submitted in two separate envelopes. One titled "Technical Proposal" and the other "Cost Proposal".

The Cost Proposal will be reviewed after the Technical Proposals are evaluated. The cost proposal shall include a (lump sum or not to exceed) ? for the services being provided. In addition, the proposal shall include a breakdown of costs with labor rates, hours allocated to each key staff member, overhead, profit, and expenses. MDE will be reviewing the PER proposal prior to award.

Commented [DL8]: Consider a cost plus fixed fee with cost identified for each phase of the project. My concern is lump sum is not an economical approach.

Technical Proposal

The firm's submittal shall be on the Company letterhead signed by an officer of the Company and shall include the following:

- A detailed description of the technical approach in addressing the **Scope of Work** described above.
- Project manager and staff that will be assigned to this project.
- Proposed schedule time-line to complete this project detailed to the scope of work.
- List of and contacts for clients with projects of similar scope.

All engineering firm's shall submit six(6) copies of the proposal to :

Town of Middletown
31 Main Street
Middletown, MD 21769
ATTN: Mr. Bruce Carbaugh, Director of Public Works

The proposals will be required to be received by 4:00 PM on _____

Mandatory Pre-bid conference and tour of facilities

The Town will hold this pre-bid conference and tour on _____

Factors for evaluation of the proposals:

- Technical approach in addressing the Scope of Work described above.
- Experience and expertise of the firm and key staff assigned to this project relating to the Scope of Work.
- Completeness of proposal compared to the requested scope of work.
- Schedule Time-line for completion of PER.
- Results of reference checks.
- Cost proposal.

The Town's selection committee will evaluate the proposals according to the factors described above.

In addition, the Town may require an interview with the firm's Project Manager and key staff before making a final decision

The Town of Middletown reserves the right, without qualifications, to select any proposal, reject any or all proposals, and to apply its judgement with respect to any proposals.

13.12.040 - Billing policies and procedures.

- A. The provisions in this section are policy procedures only and constitute guidelines which do not create any requirements or standards which, upon non-compliance, will give rise to any claim, cause of action, or basis for non-payment for services rendered. The failure of the town to comply strictly with any of these policy procedures and guidelines is not a waiver or relinquishment of any of the rights of the town to seek payment for water and sewer services rendered nor does such failure create any defense to the obligation of the user to pay for water and sewer services rendered.
- B. Water and sewer bills are issued quarter-annually and mailed in January, April, July and October of each year for water and sewer usage during the preceding three months. All water and sewer accounts will be established in the name of the property owner where service is rendered. Bills are mailed in the name of the property owner to the property address. The town will, however, upon written request by the property owner, mail bills to the property owner to such other address as designated by the property owner and will also mail bills in the name of the property owner but in the care of a designated property management company at that company's address. No accounts will be established and no bills will be mailed in the name of tenants. Late notices, disconnection notices and any other notices will be mailed in the name of the property owner to the property address or to such other address or to such property management company as has been designated by the property owner for the mailing of bills.
- C. Payments of water and sewer bills are due in full on or before thirty (30) days from the date of the bill. Partial payment of bills will not be accepted. All bills may be paid at any of the following locations or in the following manner:
1. Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland from 8:00 a.m. to 4:00 p.m. Monday through Friday;
 2. Middletown Valley Bank main and branch offices;
 3. BB&T Bank, Middletown branch office;
 4. By mailing payment to the Middletown Municipal Center, 31 W. Main Street, Middletown, MD 21769.
 5. By on-line banking, if such payment procedure is available through the customer's bank or other financial institution and is compatible with the procedures and billing systems of the town.
- D. Interest on Unpaid Bills. Interest at the rate of one and one-half percent per month shall be charged on and added to the amount of any bill which remains unpaid more than thirty (30) days after the date of the issuance of the bill. Additional interest of one and

one-half percent of the amount of the unpaid portion of the bill shall continue to be charged for each month that the bill remains unpaid.

- E. Late Notices. A notice of late payment will be issued for any bill which remains unpaid for more than thirty (30) days after the date of the issuance of the bill. A second notice of late payment and a notice of disconnection of service will be issued for any bill which remains unpaid for more than sixty (60) days after the date of the issuance of the bill. The notice of disconnection of service will state the date by which payment of the water and sewer bill must be made in full in order to avoid the disconnection of service. No further notices will be provided prior to disconnection of service. Notices will be mailed to the property owner, or if applicable, the designated property management company, at the address to which bills are mailed pursuant to subsection B. The notice of disconnection of service will be mailed by certified mail, return receipt requested. A twenty dollar (\$20.00) administrative fee shall be added to any bill for which a notice of disconnection of service is mailed. An additional administrative fee of twenty dollars (\$20.00) shall be assessed against such bill for each subsequent quarter during which the bill remains unpaid and the water service remains disconnected.

Option #1: These administrative fees can be waived by the Town Administrator based on their discretion of the account history.

Option #2: These administrative fees can be waived by the Town Administrator based on the previous 8 quarters of billing history. If the customer has no administrative fees for the past 8 quarters, the customer is eligible to have the administrative fees waived upon request.

- F. Disconnection and Reconnection Policy.

1. Payment in full of the water and sewer bill must be made prior to the disconnection date stated in the notice of disconnection of service. If payment is presented on the disconnection date stated in the notice of disconnection of service, payment must be paid in cash, money order, or by credit card in person at the Middletown Municipal Center by 9:30 a.m. of that date, and if such payment is not received by that time, the disconnection of water service will begin at 10:00 a.m. No service will be disconnected if the balance due on the bill is less than fifty dollars (\$50.00).
2. For service to be reconnected after disconnection, a reconnection fee must be paid in the following amounts: For a first occurrence—Fifty dollars (\$50.00): for a second occurrence within any twelve (12) consecutive month period—One hundred dollars (\$100.00): for a third or more occurrence within any twelve (12) consecutive month period—One hundred fifty dollars (\$150.00). In order to have service reconnected, the unpaid balance of the bill and the reconnection fee must

be paid, in full, by cash, money order, or by credit card in person at the Middletown Municipal Center.

- G. **Returned Checks.** A charge will be added to the water and sewer bill for any check which is returned as non-payable for any reason, including but not limited to, non-sufficient funds. The amount of the added charge will be that amount which is charged to the town by the returning bank or financial institution. If a non-payable check submitted in payment of a bill is returned to and received by the town after the date on which the service was to be disconnected as stated in a notice of disconnection of service, then water service will be disconnected immediately without any further notice, including the notices provided for in subsection E.
- H. **Rental Properties.** Property owners are responsible for the payment of any overdue bills, interest charges or disconnection, reconnection and administrative fees, and the town will not seek payment of such expenses from tenants of the property owner.
- I. **Meter Reading.** When a meter cannot be easily and clearly read due to obstructions such as weeds, structures, excavations, animals or other impediments, an estimate of water usage will be made based upon prior usage at that location. In that event, the town will enclose a letter with the following bill requesting that the owner correct the problem prior to the next meter reading. If an obstruction problem remains present at the time of the next reading, an estimate of water usage will again be made based upon prior usage at that location. In that event, the town will mail a letter by certified mail, return receipt requested with the following bill stating that the property owner has fifteen (15) business days in which to correct the problem or the water service will be disconnected. An administrative fee of twenty dollars (\$20.00) will be added to the bill for the cost of the certified/return receipt letter and related administrative costs.
- J. **Broken Meters.** If at the time of reading the meter a meter is not operating and recording no usage, then an estimate of water usage will be made based upon prior usage at that location. In that event, the town will mail a letter by certified mail, return receipt requested with the following bill stating that the property owner has fifteen (15) working days to schedule an appointment for meter repair or the water service will be disconnected. An administrative fee of twenty dollars (\$20.00) will be added to the bill for the cost of the certified/return receipt letter and related administrative costs.
- K. **Replacement Meters.** If a customer contends that his or her water meter is defective and informs the town of this contention, the town's water and sewer personnel will examine and test the meter. If the meter is greater than ten (10) years old, it will be replaced at no cost to the customer. If the meter is ten (10) years old or less and determined by town personnel to be working properly, the meter will be replaced upon request of the customer, however the customer must pay one hundred dollars (\$100.00) for the cost and installation of the new meter if the manufacturer of the meter confirms that the

meter was working properly. If the manufacturer determines that the meter was defective, there will be no cost to the customer.

- L. Unusually Excessive Water Use. In the event that a meter reading reflects an unusually high water usage, which must be forty (40) percent higher than the average of the previous four quarters or ten thousand (10,000) gallons; whichever is lower, due to a broken pipe or leak in the plumbing on the property, then the town will allow, for a first such occurrence during a five-year period, a reduction in the amount of the water and sewer bill. In order to be granted the reduction, the property owner must submit a written request to the town for the reduction and state the nature of the cause of the high water usage and the action taken to correct and resolve the problem. The revised bill will be established by charging the non-tiered rates for the gallons used.

In the event that there is a second occurrence within five years of an unusually high meter reading for a same property, then the property owner shall be responsible for the entire water and sewer bill; provided, however, that if it can be demonstrated to the satisfaction of the town that the leaking water did not empty into the town's sanitary sewer system, and therefore did not require treatment at the wastewater treatment facility, then the town may, but is not required to, waive all or some of the sewer portion of the bill. If the second occurrence is within five years at the same property, but with a different property owner, the town may grant another reduction in the water and sewer bill. The same process for granting the reduction will apply.

- M. The town will allow payment plans for financial hardship cases. The terms of the payment plan will be outlined on the Middletown payment plan form. The minimum requirements of the plan are that the outstanding balance must be paid off within one year. There is a minimum requirement of at least a monthly payment. A service location is only allowed to have one payment plan in place at a time.

(Ord. No. 13-03-02, § 1, 3-11-2013, eff. 3-31-2013; Ord. No. 12-08-01, § 1, 8-13-2012, eff. 9-2-2012; Ord. 07-02-01 § 1, 2007; Res. 99-13, 1999; Ord. No. 20-11-01, § 1, 2-8-2021)