

City of Biddeford

City Council

February 15, 2022 6:00 PM Council Chambers and via Zoom

Please click the link below to join the webinar:

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1. Zoom Meeting Link

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2. Roll Call

3. Pledge of Allegiance

4. Adjustment(s) to Agenda

5. Presentation:

5.a. FY23 Capital Improvement Projects Budget

6. Public Addressing the Council..(3 minute limit per speaker for up to a total of 15 minutes)

7. Consideration of Minutes:

7.a. February 1, 2022 Council Meeting Minutes

8. Second Reading:

- 8.a. 2022.8) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-99-No through trucks/Add Round Hill Street
[2-01-2022 No Through Trucks Round Hill Street-ORDER.doc](#)
[2-01-2022 Round Hill Street No Through Trucks-MEMO.docx](#)
- 8.b. 2022.9) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-90-No Parking/Add Lemieux Street
[2-01-2022 No Parking Lemieux Street-ORDER.doc](#)
[2-01-2022 No Parking Lemieux Street-MEMO.docx](#)
- 8.c. 2021.132) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-66-Beach permit parking regulations enumerated/Increase in Beach Permit Fees
[2-01-2022 Beach Permit Fees Increase-ORDER.doc](#)
[2-01-2022 Beach Permit Fees-MEMO.docx](#)
[2-01-2022 Beach Fee Recommendation from Policy Comm.pdf](#)
[2-01-2022 Beach Fees - local communities 2021.xlsx](#)
[2-01-2022 Beach Permit Fees-Budget.xlsx](#)

9. Orders of the Day:

- 9.a. 2022.11) Authorization/Aeration Basin Painting at Wastewater Treatment Plant
[2-15-2022 AB Painting - ORDER.doc](#)
[2-15-2022 AB Painting - MEMO.docx](#)
[2-15-2022 AB Painting Bid Tab.docx](#)
[2-15-2022 AB Painting RFP.doc](#)
[2-15-2022 APEX AB Painting Proposal.pdf](#)
[2-15-2022 Copica AB Painting Proposal.pdf](#)
[2-15-2022 Knowles AB Painting Proposal.pdf](#)

10. Appointments:

- 10.a. Kaily George...Citizens Advisory Committee
[2-15-2022 Appt-George-Citizens Advisory Comm.docx](#)
[2-15-2022 Committee App-George-Citizens Advisory Comm.pdf](#)

Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit)

11. City Manager Report

12. Other Business

13. Council President Addressing the Council

14. Mayor Addressing the Council

15. Executive Session

- 15.a. 1 MRSA 405(6)(C)...Real Estate Matters

16. Adjourn

COUNCIL MEETING

FEBRUARY 1, 2022

NOTE: Due to COVID-19, this meeting was held in-person in the Council Chambers, as well as virtually (via ZOOM),

Mayor Casavant called the meeting to order at 6:00 p.m.

Roll Call: William Emhiser, Scott Whiting, Martin Grohman, Bobby Mills, Norman Belanger, Liam LaFountain, Doris Ortiz and Marc Lessard

Amy Clearwater was excused.

The Council, and all who were present, recited the Pledge of Allegiance.

There were no adjustments to the agenda.

Presentation: Corrective Action Plan in Response to BerryDunn Report (Sewer Billing):

Finance Director Nichole Wood presented this item. She noted that she had submitted a Memo to the Council with explanations and responses to the BerryDunn Report. She went on to explain that the challenges related to wastewater billing over the past several years is due, in large part to a long-term employee's retirement and lack of written procedures and processes for how to process the different types of sewer billing. Also attributing to the challenge is that there has been a change in staffing for the sewer billing position at least three times in this time period.

Tax Collector Kristy Cyr has sporadically filled in the sewer billing position whenever the position was vacant, and in doing so, had already identified many of the issues that were identified in the BerryDunn Report.

Corrective actions that have been taken include setting a billing schedule; and Staff is scheduled for a training with Munis to go over the wastewater billing module and learn all the processes that are available in the Munis program, but are currently not in place. The hope is to gain more efficiencies within the sewer billing process. Also part of the corrective actions is the drafting of a policy and procedures manual once Staff has been through the Munis training.

Public Addressing the Council... (3-minute limit per speaker for up to 15 minutes):

Rev. Shirley Bowen from Seeds of Hope gave a mid-winter update on what her social service agency has been dealing with, including the opening of the warming center many nights thus far this winter. She forewarned that her FY23 budget request to the City has increased, and that's in order to continue to meet the needs of the most vulnerable population in our community.

Consideration of Minutes: **January 17, 2022; January 18, 2022**

Motion by Councilor Belanger, seconded by Councilor Mills to accept the minutes of January 17, 2022 Special Council Meeting as printed.

Vote: Unanimous.

Motion by Councilor Belanger, seconded by Councilor Mills to accept the minutes of January 18, 2022 Council Meeting as printed.

Vote: Unanimous.

Orders of the Day:

2022.7

IN BOARD OF CITY COUNCIL...FEBRUARY 1, 2022

BE IT ORDERED, that the City Manager or his designee be authorized to sign a unit cost contract with Gorham Sand and Gravel, Inc. of Gorham, Maine for the construction of the Center Street Sewer Separation Project as per the bid submitted and opened on December 21, 2021 in the amount of \$1,467,157.70. Funding for this work is from the Sewer Separation Bonds approved by voters and as provided for in account codes 35102-60605 & 31458-60313.

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NOTE: The Finance Committee will review this item at their February 1, 2022 meeting.

Motion by Councilor Belanger, seconded by Councilor Lessard to grant the order.

Vote: Unanimous.

2022.8

IN BOARD OF CITY COUNCIL..FEBRUARY 1, 2022

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, **Article IV SPECIFIC STREET REGULATIONS**, Section 42-99 No through trucks, be amended by adding or deleting to read as follows:

Sec. 42-99 **No through trucks.**

- (a) One-and-one-half-ton and over. There shall be no through trucks over 1 1/2 ton in size on the following streets:

Diamond Street, no trucks greater than 1 1/2 ton; local deliveries only

Stone Street, no trucks greater than 1 1/2 ton; local deliveries only

Summer Street, signs to be placed at Summer Street and Harrison Street and Summer Street and Birch Street

- (b) Five tons and over. There shall be no through trucks over five tons gross vehicle weight on the following streets:

Edwards Avenue

Graham Street, any part between Crescent Street and Alfred Streets

Grayson Street, any part between Elm Street and Hill Street

Janelle Street

Maple Avenue, any part

May Street, any part

Round Hill Street

NOTE: The Policy Committee considered this item at their January 24, 2022 meeting and voted unanimously to recommend passage by the City Council.

Motion by Councilor Belanger, seconded by Councilor Whiting to grant the first reading of the ordinance amendment.

Vote: Unanimous.

2022.9

IN BOARD OF CITY COUNCIL..FEBRUARY 1, 2022

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations, **Section 42-90 No Parking**, be amended by adding or deleting to read as follows:

Lemieux Street, even numbered side, beginning at the intersection with Rathier Street, thence southwesterly to the intersection with Forest Street.

NOTE: The Policy Committee considered this item at their January 24, 2022 meeting and voted 3/2 to recommend passage by the City Council.

Motion by Councilor Belanger, seconded by Councilor Whiting to grant the first reading of the ordinance amendment.

Vote: 7/1; Councilor Lessard opposed.

Councilors Emhiser, Whiting, Grohman, Mills, Belanger, LaFountain and Ortiz in favor.

Motion carries.

2022.10

IN BOARD OF CITY COUNCIL..FEBRUARY 1, 2022

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 40, Miscellaneous Provisions and Offenses Traffic, **Article III DISCHARGE OF FIREARMS, Section 40-44** Discharge of firearm on Sunday amended by adding or deleting to read as follows:

Sec. 40-44 Discharge of firearm on Sunday prohibited.

It is unlawful for a person to discharge a firearm as defined in Section 40-46 on Sundays.

Sec. 40-44 ~~40-45~~ **Exceptions.**

- (a) The provisions of Sections ~~40-42~~ through ~~40-43~~ 40-44 shall not apply in the following cases.
- (1) Approved firearms range.

- (2) Raccoon hunting at night with a .22 long rifle caliber firearm.
 - (3) Trappers tending their traps.
 - (4) Military funerals or reviews.
 - (5) Memorial events.
 - (6) Law enforcement officers in the performance of their duties.
 - (7) In the destruction of a dangerous animal as authorized by law.
 - (8) Hunters retrieving a wounded bird or animal.
 - (9) Hunting of wildlife pursuant to a depredation permit issued by the Maine State Department of Inland Fisheries and Wildlife allowing the removal of wildlife causing property damage, and with written permission from the Chief of Police.
- (b) Nothing in this section shall infringe upon the statutory right of a person to act in self defense as set forth in the Maine Revised Statutes.

Sec. 40-45 ~~40-45~~ 40-46 Definitions.

As used in this chapter, the following terms have the following meanings.

APPROVED FIREARMS RANGE

An approved firearms range having a backstop constructed of logs or timbers at least 12 inches in diameter with an earth barrier behind or an earth barrier of suitable materials with no less than a 45° slope. There shall be a natural obstruction of trees or terrain to the rear of the backstop. The target area shall be placed no less than three feet from the top and sides of the backstop. The range widths of the target shall be no less than 15 feet, for 50 yards; 25 feet for 100 yards; and 50 feet for 200 yards. No range shall be situated less than 100 feet from the nearest roadway. No shooting is allowed between the hours of sunset and sunrise. These regulations do not apply to indoor shooting ranges.

FIREARM

Any weapon whether loaded or unloaded, which is designed to expel a projectile by the action of an explosive, and includes any such weapon commonly referred to as a pistol, revolver, rifle, gun, machine gun, or shotgun. A weapon which can be made into a firearm by the insertion of a firing pin, or other similar thing, or repair, is a firearm.

MUZZLE-LOADING FIREARM

A rifle or smooth-bored firearm, patch and ball only, that is loaded through the muzzle with powder or priming charge or flint, match or wheel lock mechanism.

NO DISCHARGE OF FIREARMS ZONE

That part of the City encompassed within the following boundaries:

Beginning at a point on the border between Biddeford and Saco in the Saco River, said point also being at or near the Main Street Bridge;

Thence running in a generally southeasterly direction, along the border between Biddeford and Saco to a point on the border that would intersect to a straight line drawn from the center line easterly most side of the West Brook outlet;

Thence running in a generally southwesterly direction to a point 50 feet upland and parallel to the mean high water line of the main body of the Saco River to a point, said point being on the easterly most side of the West Brook outlet;

Thence running in a generally southeasterly direction, 50 feet upland and parallel to the mean high water line of the main body of the Saco River to a point, said point being the rock jetty at Hills Beach.

Thence running in a generally southeasterly direction, 50 feet upland and parallel to the mean high water line of the Atlantic Ocean, to the opening to the Biddeford Pool, more commonly known as "The Gut";

Thence running in a generally counter clockwise direction, 50 feet upland and parallel to the mean high water line of the Biddeford Pool to the opening to the Atlantic Ocean known as "The Gut";

Thence running in a generally northeasterly direction, 50 feet upland and parallel to the mean high water line of the Atlantic Ocean to East Point;

Thence running in a generally southwesterly direction, 50 feet upland and parallel to the mean high water line of the Atlantic Ocean to the Little River;

Thence running in a generally northerly direction, 50 feet upland and parallel to the mean high water line of the navigable portion of the Little River;

Thence running 50 feet, more or less, to the mean high water line of the Little River;

Thence running in a generally southwesterly direction, along the mean high water line of the Little River to a point, said point being the intersection of the mean high water line and the extension of the Biddeford-Kennebunkport Town line;

Thence running northwesterly along extension of the Biddeford-Kennebunkport Town Line and the Biddeford-Kennebunkport Town Line, each in part to a point, said point being the intersection of the Biddeford-Kennebunkport Town Line and the right-of-way line on the westerly side of Pool Street, also known as State Route 9;

Thence running along the last mentioned right-of-way line in varying directions, to a point, said point being the intersection of the right-of-way on the southerly side of Pool Street and the southerly right-of-way line of Meetinghouse Road;

Thence running in a generally northwesterly direction, along the southerly right-of-way line of Meetinghouse Road, to a point, said point being the intersection of the southerly right-of-way line of Meetinghouse Road and the right-of-way line on the southerly side of Pool Street;

Thence running in a generally northwesterly direction, along the right-of-way line on the southerly side of Pool Street to a point, said point being the intersection of the right-of-way line on the southerly side of Pool Street and the easterly bank of west Brook;

Thence running in a generally southwesterly direction, along the easterly bank of West Brook to Wilcox Pond;

Thence running in a generally southerly direction, along the easterly shore line of Wilcox Pond to the easterly bank of West Brook.

Thence running in a generally southerly direction, along the easterly bank of West Brook to a point 1,200 feet, more or less, northeasterly of the end of Granite Street Extension;

Thence running southwesterly parallel to Granite Street Extension, 1,800 feet, more or less, to a point 900 feet, more or less, southerly of the right-of-way at the end of Granite Street Extension;

Thence running in a generally westerly direction, perpendicular to the last mentioned line in a northwesterly direction, 2,250 feet, more or less, to the southerly bank of the southern leg of Richardson Brook;

Thence running along the southerly bank of the southern leg of Richardson Brook to Richardson Brook;

Thence running in a generally northerly direction, along the bank of the southerly side of Richardson Brook to a point, said point being the intersection of the bank on the westerly side of Richardson Brook and the southwesterly right-of-way line of Precourt Street, also known as the Turnpike Connector;

Thence running northwesterly along the southwesterly right-of-way line of Precourt Street to a point, said point being the intersection of the southwesterly right-of-way line of Precourt Street and the southerly right-of-way line of Alfred Street, also known as State Route 111;

Thence running in a westerly direction, along the southerly right-of-way line to a point, said point being the intersection of the southerly right-of-way line of Alfred Street and the westerly right-of-way line of Interstate 95, also known as the Maine Turnpike;

Thence running in a northerly direction, along the westerly right-of-way line of Interstate 95 to a point, said point being the intersection of the westerly right-of-way line of Interstate 95 and the mean high water line of the Saco River;

Thence running in a generally easterly direction, along the mean high water line of the Saco River to a point on the westerly side of the boat launch at Rotary Park;

Thence running on a perpendicular line to the border between Biddeford and Saco in the Saco River.

Thence running in a generally easterly direction along the border between Biddeford and Saco in the Saco River to the point of beginning.

Thence running in a northerly direction to a point, said point being the mean high water line at the western point of Spring Island;

Thence running in a generally clockwise direction, along the mean high water line of the Saco River to the easterly point of Spring Island;

Thence running in a southerly direction, to a point on the mean high water line on the southerly bank of the Saco River;

Thence running in a generally southeasterly direction, along the mean high water line of the Saco River to a point, said point being the intersection of the mean high water line and southeasterly edge of the Main Street Bridge;

Thence running at or near the southeasterly edge of the Main Street Bridge, 50 feet more or less, in a

southwesterly direction to the point of beginning.

This description is intended to describe that portion shown as a "No discharge zone" on a map entitled "Proposed Firearms Ordinance Boundaries," dated: January 9, 1997, revised: March 4, 2003, Scale: 1" = 2,000', and Prepared By: The City of Biddeford Engineering Department. This Plan is recorded with the City of Biddeford Engineering Department, Plan TD-1169

SHOTGUN

A rifled or smooth bore firearm designated to shoot shot shells, e.g., 10, 12, 16, 20, 28 gauge .410 caliber.

Sec. 40-46 40-47 Penalties.

A person who violates any of the provisions of this section is subject to a fine of not less than \$500, plus costs, which fines shall be recovered in a civil action to the use of the City.

Sec. 40-47 40-48 Committee review.

At such time as a review is conducted of the Discharge of Firearms Ordinance, an ad hoc committee will be convened, appointed by the Mayor and confirmed by the City Council, to participate in the review process.

Motion by Councilor Whiting to grant the first reading of the ordinance amendment.
Fails due to lack of second motion.

2021.132 **IN BOARD OF CITY COUNCIL..DECEMBER 21, 2021**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, MOTOR VEHICLES & TRAFFIC, **Section 42-66 Beach permit parking regulations enumerated, Sub-section (2) & (3).** is amended by adding or ~~deleting~~ to read as follows:

- (2) For the purpose of this section, the word "resident" shall meet one of the following criteria:
- Person who pays real estate property taxes to the City;
 - Person who is a registered voter in the City;
 - Person who can provide a vehicle registered both in the City and the State of Maine. All residents of the City may obtain parking permits for compliance with this Section for a fee of \$28 ~~\$30~~ **\$35** for the first vehicle, \$15 ~~\$20~~ **\$20** per additional vehicle registered at the same address, \$15 ~~\$20~~ **\$20** for residents 65 and older, payable to the City Clerk. Proof of eligibility will be the burden of the applicant.
- (3) Persons ineligible under Subsection (2) may obtain a parking permit to be in compliance with this section for a fee of \$153 ~~\$155~~ **\$245** for a season permit; \$79 ~~\$82~~ **\$140** for a seven-day permit; \$46 ~~\$49~~ **\$75** for a three-day permit; and \$22 ~~\$25~~ **\$35** for a one-day permit. The seven-day and three-day permits are valid in consecutive days only, and are not transferable from vehicle to another.

NOTE: This ordinance amendment was considered at the October 12, 2021 Policy Committee meeting and was voted unanimously to recommend passage by the Council.

NOTE: The Policy Committee considered this item at their January 24, 2022 meeting and voted unanimously to recommend passage of the **proposed beach permit increases** by the City Council.

Motion by Councilor Belanger, seconded by Councilor Whiting to remove the ordinance amendment from the table.

Vote: 7/1; Councilor Mills opposed.

Councilors Emhiser, Whiting, Grohman, Belanger, LaFountain, Ortiz and Lessard in favor.
Motion carries.

Motion by Councilor Belanger, seconded by Councilor Grohman to suspend the rules and allow Councilor Mills to speak for a third time.
All were in favor.

Motion by Councilor Mills, seconded by Councilor Lessard to table the ordinance amendment back to the Policy Committee for further work on the fee structure.
Vote: 2/6; Councilors Lessard and Mills in favor.
Councilors Emhiser, Whiting, Grohman, Belanger, LaFountain and Ortiz opposed.
Motion to table fails.

Vote on ordinance amendment: 6/2; Councilors Lessard and Mills opposed.
Councilors Emhiser, Whiting, Grohman, Belanger, LaFountain and Ortiz in favor.
First reading carries.

Appointments:

IN BOARD OF CITY COUNCIL...FEBRUARY 1, 2022
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

Erik Heumiller
81 Clifford Street
Ward 2

to the *Conservation Commission* for a term to expire in December 2026.

Motion by Councilor Belanger, seconded by Councilor Whiting to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...FEBRUARY 1, 2022
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

Michael Lowell
521 South Street
Ward 6

to the *Conservation Commission*, for a term to expire in December 2026.

Motion by Councilor Belanger, seconded by Councilor Whiting to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...FEBRUARY 1, 2022
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

Robert Cyr
20 Buzzell Road
Ward 6

to the *Downtown Development Commission*, for a term to expire in December 2024.

Motion by Councilor Belanger, seconded by Councilor Whiting to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...FEBRUARY 1, 2022
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

Camille White
475 South Street
Ward 6

to the *Downtown Development Commission*, for a term to expire in December 2024.

Motion by Councilor Belanger, seconded by Councilor Grohman to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL..FEBRUARY 1, 2022
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

**Rebecca Henry
5 Forest Street
Ward 7**

to the *Project Canopy Committee*, for a term to expire in December 2026.

Motion by Councilor Belanger, seconded by Councilor Whiting to confirm the appointment.
Vote: Unanimous.

Public Addressing the Council... (5-minute limit per speaker; 30 minute total time limit):
There were no public comments.

City Manager Report:

Chief Operating Officer Brian Phinney gave an update on the River Wall Repair. When the City first requested funding assistance from FEMA, we were directed to file with USDA. The USDA denied the City's application as not being applicable. The City is again working with FEMA, who is now questioning some of the costs and details of the project. Due to the numerous inquiries from FEMA, the City has had to file for an extension, which was recently approved. City Staff will continue to work through the issues with FEMA and get the application filed in a timely manner.

Other Business:

Councilor Grohman – asked if there is an update on the South Street Hidden Hills Project. Chief Operating Officer Brian Phinney offered that he was aware of a meeting that had taken place for the initial traffic impact of the project, and that Planning & Development Director Mathew Eddy had attended. Brian has not been updated any further.

Councilor Lessard – in response to Councilor Grohman's question about the South Street Hidden Hills Project, he understands that the Developer did send a response to the City regarding the type of housing that will be built, and Councilor Lessard asked that the response be forwarded to the Council.

Councilor Mills – had the following comments:

He thanked those who offered their condolences for the passing of his sister.

He encouraged everyone to get their COVID vaccines.

He would like to know more about the volunteer opportunities at Seeds of Hope.

He wonders if it would make sense to reach out to the physicians who used to help out at the Biddeford Free Clinic to see if they would be willing to help out at Seeds of Hope.

Councilor Grohman – reminded everyone that the WinterFest event is this weekend, starting on Friday night and going into Sunday. He hopes to see lots of people attend.

Council President Addressing the Council: Councilor Belanger gave a shout out to the Public Works Department for the great job they did over the weekend during the blizzard.

Mayor Addressing the Council: Mayor Casavant also reminded folks that WinterFest is coming up this weekend, February 4th, 5th and 6th with lots of fun and free activities planned. Wal-Mart has donated 30 bicycles which will be raffled off; and many local businesses have donated pizzas for the event. On Sunday, there will be skating at the Westbrook Skating Rink. The whole idea behind this event is to bring the community together for a fun-filled weekend.

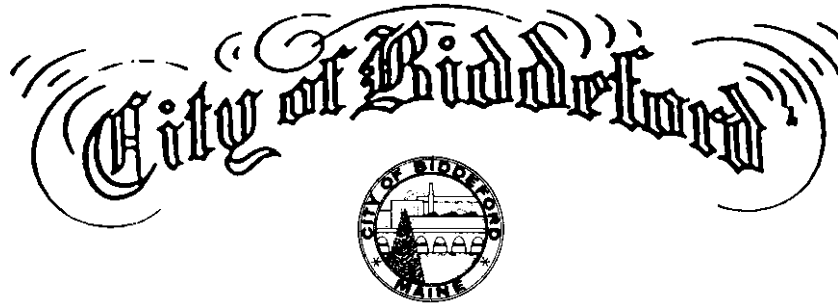
Motion by Councilor Belanger, seconded by Councilor Lessard to adjourn.

Vote: Unanimous.

Time: 6:51 p.m.

Attest by: _____

Carmen J. Morris, City Clerk



2022.8 **IN BOARD OF CITY COUNCIL..FEBRUARY 1, 2022**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, **Article IV SPECIFIC STREET REGULATIONS**, Section 42-99 No through trucks, be amended by adding or deleting to read as follows:

Sec. 42-99 **No through trucks.**

- (a) One-and-one-half-ton and over. There shall be no through trucks over 1 1/2 ton in size on the following streets:

Diamond Street, no trucks greater than 1 1/2 ton; local deliveries only
Stone Street, no trucks greater than 1 1/2 ton; local deliveries only
Summer Street, signs to be placed at Summer Street and Harrison Street and Summer Street and Birch Street

- (b) Five tons and over. There shall be no through trucks over five tons gross vehicle weight on the following streets:

Edwards Avenue
Graham Street, any part between Crescent Street and Alfred Streets
Grayson Street, any part between Elm Street and Hill Street
Janelle Street
Maple Avenue, any part
May Street, any part
Round Hill Street

NOTE: The Policy Committee considered this item at their January 24, 2022 meeting and voted unanimously to recommend passage by the City Council.

February 1, 2022

Motion by Councilor Belanger, seconded by Councilor Whiting to grant the first reading of the ordinance amendment.

Vote: Unanimous.



City Council

Meeting Date: February 1, 2022

Meeting Time: 6:00 p.m.

Agenda Item No: 2022.8

Item Description: Amend Section 42-99(b) No Through Trucks, by adding Round Hill Street

Submitted by: Roger P. Beaupre, Chief of Police

Supporting Information/Documentation:

1. E-mail correspondence between Mr. Tauber, Mayor Casavant, DPW Director Jeff Demers And Chief Roger Beaupre, which is attached hereto.
2. Ordinance Language relating to Chapter 42, Section 42-99 No Through trucks, with recommended changes. (attached)

Key Terms:

“N/A”

Executive Summary:

Correspondence from Marty Tauber to Mayor Alan Casavant complains that large commercial vehicles use Round Hill Street as an access to and from the back of businesses that border Round Hill Street, but have an Elm Street address. In essence, large commercial vehicles such as 18 wheel tractor trailers should not be using this street as a cut through.

Detailed Review:

Round Hill Street is a residential street that runs easterly and westerly between May Street and Dartmouth Street, is less than twenty (20) feet in width, and has an approximate 20° curve near the intersection with Harvard Street. There is not good sight distance along this area, which is used by some of the motoring public to avoid the traffic lights at Five Points.

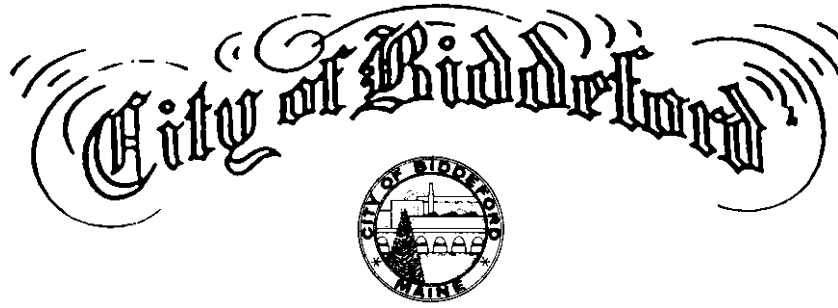
Under the authority of Chapter 42, section 42-99 (a) the Director of DPW has posted Round Hill Street as No Through Trucks Five tons and over, which will remain in effect as a temporary measure for 90 days pending Committee and Council action.

Funding Source:

City sign budget.

Staff Recommendation:

That the temporary action by the DPW Director be made a permanent action.



2022.9 **IN BOARD OF CITY COUNCIL..FEBRUARY 1, 2022**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations, **Section 42-90 No Parking**, be amended by adding or deleting to read as follows:

Lemieux Street, even numbered side, beginning at the intersection with Rathier Street, thence southwesterly to the intersection with Forest Street.

NOTE: The Policy Committee considered this item at their January 24, 2022 meeting and voted 3/2 to recommend passage by the City Council.

February 1, 2022

Motion by Councilor Belanger, seconded by Councilor Whiting to grant the first reading of the ordinance amendment.

Vote: 7/1; Councilor Lessard opposed.

Councilors Emhiser, Whiting, Grohman, Mills, Belanger, LaFountain and Ortiz in favor.
Motion carries.



City Council

Meeting Date: February 1, 2022

Meeting Time: 6:00 p.m.

Agenda Item No: 2022.9

Item Description: Amend Chapter 42 Section 42-90 No Parking Lemieux Street

Submitted by: Roger P. Beaupre, Chief of Police

Supporting Information/Documentation:

Letter of request for No Parking from Lemieux Street resident Joseph Boilard.

Code of Ordinances, Chapter 62, Table A (Minimum roadway standards.

Key Terms:

Executive Summary:

Request from a Lemieux Street resident was forwarded to Staff from Councilor Norman Belanger. Resident claims that vehicles from "three area businesses" utilize both sides of the street to park vehicles.

Detailed Review:

Lemieux Street is a residential street that is 342 feet± in length, is 22 feet in width and runs parallel to Elm Street. It is intersected (capped) by Rathier Street on the northern end and Forest Street on the Southern end. Under Chapter 62 Table A of the City of Biddeford's Code of Ordinances, minimum roadway width of 11 feet. Title 29-A M.R.S.A. §2068 (1B) reads in part "...A person may not park a vehicle on a public way unless: (1) A clear and unobstructed width of at least 10 feet is left for free passage of other vehicles on the way..."

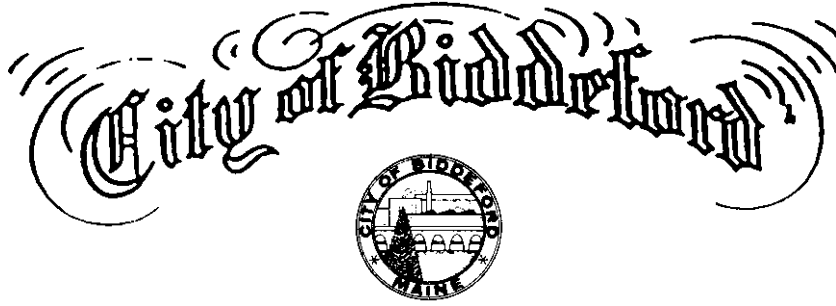
Since a typical parking stall requires between 7 and 8 feet of road width, two sided parking would require between 14 and 16 feet of road width. At 22 feet of road width, vehicles parked opposite to each other on Lemieux Street would not allow for free passage of vehicles, and would be a violation of 29-A M.R.S.A. 2068 (1B).

Funding Source:

DPW signage budget

Staff Recommendation:

Passage of the proposed No Parking Ordinance.



2021.132 **IN BOARD OF CITY COUNCIL..DECEMBER 21, 2021**

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, MOTOR VEHICLES & TRAFFIC, **Section 42-66 Beach permit parking regulations enumerated, Sub-section (2) & (3).** is amended by adding or deleting to read as follows:

(2) For the purpose of this section, the word “resident” shall meet one of the following criteria:

- a. Person who pays real estate property taxes to the City;
 - b. Person who is a registered voter in the City;
 - c. Person who can provide a vehicle registered both in the City and the State of Maine.
- All residents of the City may obtain parking permits for compliance with this Section for a fee of- ~~\$28~~ ~~\$30~~ **\$35** for the first vehicle, ~~\$15~~ ~~\$20~~ **\$20** per additional vehicle registered at the same address, ~~\$15~~ ~~\$20~~ **\$20** for residents 65 and older, payable to the City Clerk. Proof of eligibility will be the burden of the applicant.

(3) Persons ineligible under Subsection (2) may obtain a parking permit to be in compliance with this section for a fee of ~~\$153~~ ~~\$155~~ **\$245** for a season permit; ~~\$79~~ ~~\$82~~ **\$140** for a seven-day permit; ~~\$46~~ ~~\$49~~ **\$75** for a three-day permit; and ~~\$22~~ ~~\$25~~ **\$35** for a one-day permit. The seven-day and three-day permits are valid in consecutive days only, and are not transferable from vehicle to another.

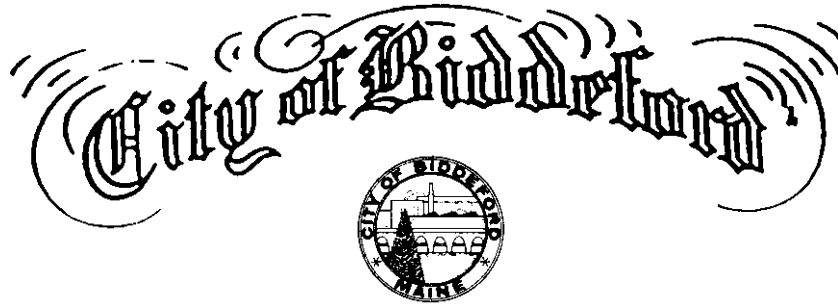
NOTE: This ordinance amendment was considered at the October 12, 2021 Policy Committee meeting and was voted unanimously to recommend passage by the Council.

December 21, 2021

Motion by Councilor Clearwater, seconded by Councilor Lessard to grant the first reading of the ordinance amendment.

Motion by Councilor Mills, seconded by Councilor Lessard to table the ordinance amendment and send it back to the Policy Committee for further review.

Vote: Unanimous.



NOTE: The Policy Committee considered this item at their January 24, 2022 meeting and voted unanimously to recommend passage of the **proposed beach permit increases** by the City Council.

February 1, 2022

Motion by Councilor Belanger, seconded by Councilor Whiting to remove the ordinance amendment from the table.

Vote: 7/1; Councilor Mills opposed.

Councilors Emhiser, Whiting, Grohman, Belanger, LaFountain, Ortiz and Lessard in favor.

Motion carries.

Motion by Councilor Belanger, seconded by Councilor Grohman to suspend the rules and allow Councilor Mills to speak for a third time.

All were in favor.

Motion by Councilor Mills, seconded by Councilor Lessard to table the ordinance amendment back to the Policy Committee for further work on the fee structure.

Vote: 2/6; Councilors Lessard and Mills in favor.

Councilors Emhiser, Whiting, Grohman, Belanger, LaFountain and Ortiz opposed.

Motion to table fails.

Vote on ordinance amendment: 6/2; Councilors Lessard and Mills opposed.

Councilors Emhiser, Whiting, Grohman, Belanger, LaFountain and Ortiz in favor.

First reading carries.



City Council

Meeting Date: February 1, 2022

Meeting Time: 6:00 PM

Agenda Item No: 2021.132

Item Description: Amendment/Ch.42 Motor Vehicles & Traffic/Sec.42-66 Beach Permit regulations/Increase in Beach Permit Fees

Submitted by: Carl Walsh, Recreation/Teen Director

Supporting Information/Documentation:

Beach Fee Analysis- With 22-2023 Budget Adjustments including a "Recreation Hybrid"

Policy Committee Minutes June 10, 2019

Beach Fees Local Communities 2021

Key Terms:

"N/A"

Executive Summary:

At hand is the issue is to adjust the beach user fees to reflect the direct cost involved in managing the swimmers beaches and facilities. This is challenging task, if priced out of the market revenues may decrease as potential beachgoers look to other solutions to reach the waterfronts.

Some of the items covered by the fund include;

- Lifeguards
- Parking Attendants
- Maintenance/Custodians
- Maintenance Supply
- Lifeguard course reimbursement
- Facility Repair/maintenance

Detailed Review:

The purpose of increasing the beach user fees is to help keep the fund in a positive position. The original intent on using the fund was to cover the direct cost associated with the management of the swimmers beaches including maintenance and facilities. We have had to continually increase wages over the past few years to keep up with the minimum wage increases and to stay competitive for Lifeguards, Parking and Custodial Staff.

Included in the packet is an adjusted Beach Fee Analysis- With 22-2023 Budget Adjustments including a "Recreation Hybrid tab" with another possible solution. The current proposed expense total will be submitted with the 22-23 budget proposal. Included is a reduction of \$10,000.00 in the Transfer Out to other Funds line following discussions with finance staff. It is understood the remaining \$10,000.00 would provide the needed support funds for staff time that help support the sticker program.

Last full year of available budget figures are for 2021 with Expenses of \$154,202.00 and Revenues of \$132,995.00. We are still in 2022 so year-end totals will not be available until after June 30, 2022.

Proposed 2023 budget currently shows expenses of \$165,500.00.

Recently additional cost has been borne by the fund as Public Works has had to provide service to control invasive species due to climate change. This is expected to be a long term cost and effects public property along the coastline. As this not only effects the swimming areas but along other public property a discussion will need to be held on how to continue to pay for these services. Should it be part of the beach account paid by user fees or another source.

The last increase in beach fees took place in 2019. Communities have been struggling with the lifeguard issue for some time as has been shared during past budget meetings. In order for us to remain somewhat competitive we continue to make adjustments. Some have been in the form of wage scale adjustments others in course reimbursement. We are also considering a bonus for those that remain with us the majority of the summer. The increase in fees is meant to help us keep pace with these adjustments and help keep us competitive. Included in the attachments is a Beach Fee Analysis provided by former Recreation Commission member Liam LaFountain (now City Councilor LaFountain). The added tab labeled Recreation Hybrid was added by recreation staff as another possible solution. Mr. La Fountain's time and talent to create this document is appreciated by the Recreation Commission and staff.

The challenge is to find the fees that will help balance the budget yet not keep people from using the lots by pricing the permits out of the market.

Funding Source:

User Fees

Staff Recommendation: N/A

Mostly Non-Resident Burden

Expense		Gross Revenue		Gross Revenue		Margin	Outcome
\$ 165,500.00		\$ 122,993.00		\$ 173,495.00		\$ 7,995.00	Profitable
Parking Pass Type	Volume	Fee	Current Gross	Input % Price Increase	Fee	Proposal 1 Gross	Per Day Cost
Resident 1st vehicle	1,565	\$ 28.00	\$ 43,820.00	17.00%	\$ 33.00	\$ 51,645.00	
Resident 2nd vehicle	613	\$ 15.00	\$ 9,195.00	30.00%	\$ 20.00	\$ 12,260.00	
Resident 65+	910	\$ 15.00	\$ 13,650.00	30.00%	\$ 20.00	\$ 18,200.00	
Non-resident season	19	\$ 153.00	\$ 2,907.00	60.00%	\$ 245.00	\$ 4,655.00	
7 days	113	\$ 79.00	\$ 8,927.00	77.00%	\$ 140.00	\$ 15,820.00	\$ 20.00
3 days	71	\$ 46.00	\$ 3,266.00	62.00%	\$ 75.00	\$ 5,325.00	\$ 25.00
1 day	1,874	\$ 22.00	\$ 41,228.00	60.00%	\$ 35.00	\$ 65,590.00	\$ 35.00

SACO BEACHES	RESIDENT FEES	NON-RESIDENT FEES	
Camp Ellis Lot	\$25 for first car / \$5 for second car / free for veterans	\$25 Weekly / \$150 Seasonal	
2 Bayview Lots	and over 65 -Seasonal		
OOB BEACHES	\$50/ea-total of 2 per hh -certain lots / \$75 ea-total of 2 per hh-	\$150/ea - only 100 available - Seasonal	
	hh-yr-round res-lots-meters -pay stations-seasonal	\$300/ea - only 11 available-overnight parking-Seas	
KENNEBUNK	\$5/ea for Window stickers (limit 3) / \$25-ea Guest cards (limit 4) - Sea.	\$25/Day \$100/Week \$200/Season - no limits	
Gooch's			
Middle			
Mother's			
KENNEBUNKPORT			
Goose Rocks	\$5 for the season	\$25/Day \$100/Week \$200/Season	
Colony/Arundel	No permit needed / Limited parking		
WELLS	\$40 per vehicle / \$20 for veterans or current service members -	5 metered Lots \$4/hour -max \$46 from 8am to 8pm	
	Seasonal sticker	15 handicapped free spaces in metered lots	
OGUNQUIT	\$40 for 1st vehicle / \$100 for 2nd vehicle.	Varies w/ea of 3 Beach lots, times of yr /days of wk	
Main Beach	Must prove year-round residency.	\$4/hour and daily rates from \$25 to \$35	
Footbridge			
North Beach			
SCARBOROUGH	\$40 1st vehicle / \$5 add'l vehicle and free	\$15/Day at 3 Beaches and \$45/Day for large vehicles	
Ferry Beach	to residents 60 and over- Seasonal.	Lots open sunrise to sunset-2 lots have 5:30-9am-\$5	
Pine Point		3-6pm-\$5	
Higgins			
Scarborough-State			
BIDDEFORD	\$28 for 1st vehicle / \$15 add'l \$15 65 and older - Seasonal	\$153-Season / \$79-7 day / \$46-3 day / \$22-1 day	
Fortunes Rocks		9am-5pm except Pool restricted to 12-5pm	
Middle Beach			
Biddeford Pool			
Rotary Park	Free	Free	

Kiosks			
All pay stations (kiosks) few meters			
Display sticker,card,or <u>kiosk</u> print-out			
All on-street parking			
Kiosk			
Pay to Park in 5 Beach lots- 2 lots free			
All lots close at 11pm			
Metered Lots-credit cards only			
Attendants available 8am-4pm			
Higgins Beach collections-5:30am-6pm			
Attendants plus 1 machine			
Parking Attendants and Kiosks			

Broad Intent:
Increase beach parking pass prices to cover expenses and become self-sufficient

Considerations:
Resident 1st vehicles and 1 day passes make up 70% of gross revenue and 66% of volume
Resident's 65+ make up 11% of gross revenue and 18% of volume
All other passes account for less than 20% of gross charges and only 15% of volume.

Other Recreation Commission considerations:
We expressed interest in limitting price increases for our residents

Ideas:
Allow residents who purchase a single day pass at the beach to apply the single day parking pass to a seasonal pass by bringing receipt to town.

		\$5,165.00	\$ 122,993.00		
Parking Pass Type	Fee	Volume	Gross Revenue	% of Volume	% Gross Revenue
Resident 1st vehicle	\$ 28.00	1,565	\$ 43,820.00	30%	36%
1 day	\$ 22.00	1,874	\$ 41,228.00	36%	34%
Resident 65+	\$ 15.00	910	\$ 13,650.00	18%	11%
Resident 2nd vehicle	\$ 15.00	613	\$ 9,195.00	12%	7%
7 days	\$ 79.00	113	\$ 8,927.00	2%	7%
3 days	\$ 46.00	71	\$ 3,266.00	1%	3%
Non-resident season	\$ 153.00	19	\$ 2,907.00	0%	2%

Beach Parking Passes
Pricing Model

Expense		Gross Revenue		Gross Revenue		Margin	
\$ 165,500.00		\$ 122,993.00		Input	\$ 172,114.00		\$ 6,614.00
Parking Pass Type	Volume	Fee	Current Gross	% Price Increase	Fee	Proposal 1 Gross	Per Day Cost
Resident 1st vehicle	1,565	\$ 28.00	\$ 43,820.00	38.75%	\$ 39.00	\$ 61,035.00	
Resident 2nd vehicle	613	\$ 15.00	\$ 9,195.00	38.75%	\$ 21.00	\$ 12,873.00	
Resident 65+	910	\$ 15.00	\$ 13,650.00	38.75%	\$ 21.00	\$ 19,110.00	
Non-resident season	19	\$ 153.00	\$ 2,907.00	38.75%	\$ 212.00	\$ 4,028.00	
7 days	113	\$ 79.00	\$ 8,927.00	38.75%	\$ 110.00	\$ 12,430.00	\$ 15.71
3 days	71	\$ 46.00	\$ 3,266.00	38.75%	\$ 64.00	\$ 4,544.00	\$ 21.33
1 day	1,874	\$ 22.00	\$ 41,228.00	38.75%	\$ 31.00	\$ 58,094.00	\$ 31.00

Expense			Gross Revenue			Gross Revenue			Margin
\$ 165,500.00			\$ 122,993.00			Input	\$ 173,005.00		\$ 7,505.00
Parking Pass Type	Volume	Fee	Current Gross	% Price Increase	Fee	Proposal 1 Gross		Per Day Cost	
Resident 1st vehicle	1,565	\$ 28.00	\$ 43,820.00	25.00%	\$ 35.00	\$ 54,775.00			
Resident 2nd vehicle	613	\$ 15.00	\$ 9,195.00	100.00%	\$ 30.00	\$ 18,390.00			
Resident 65+	910	\$ 15.00	\$ 13,650.00	33.33%	\$ 20.00	\$ 18,200.00			
Non-resident season	19	\$ 153.00	\$ 2,907.00	47.06%	\$ 225.00	\$ 4,275.00			
7 days	113	\$ 79.00	\$ 8,927.00	77.22%	\$ 140.00	\$ 15,820.00	\$ 20.00		
3 days	71	\$ 46.00	\$ 3,266.00	63.04%	\$ 75.00	\$ 5,325.00	\$ 25.00		
1 day	1,874	\$ 22.00	\$ 41,228.00	36.36%	\$ 30.00	\$ 56,220.00	\$ 30.00		

Outcome
Profitable

Outcome
Profitable

Resident	
Town	Per Season
Saco	\$ 25.00
OOB	\$ 50.00
OOB	\$ 75.00
Kennebunk	\$ 5.00
Kennebunkport	\$ 5.00
Wells	\$ 40.00
Ogunquit1	\$ 40.00
Scarborough	\$ 40.00
Biddeford	\$ 28.00
Total	\$ 158.00
Average	\$ 22.57
Exclude Kennebunk/port	\$ 42.57

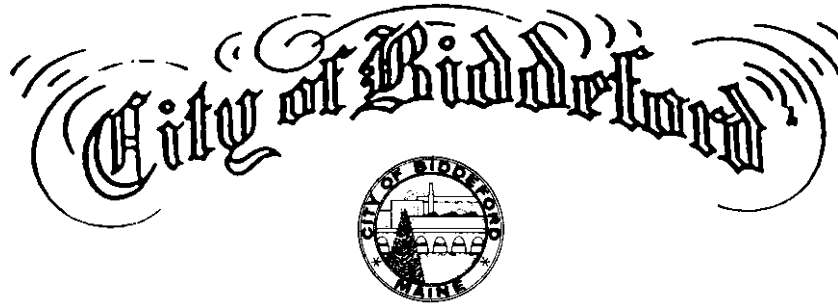
Non-Resident	
Town	Per Day Cost
Saco	\$ 25.00
OOB	\$ 25.00
OOB	\$ 25.00
Kennebunk	\$ 25.00
Kennebunkport	\$ 25.00
Wells	\$ 46.00
Ogunquit1	\$ 25.00
Ogunquit2	\$ 35.00
Scarborough	\$ 15.00
Biddeford	\$ 22.00
Total	\$ 268.00
Average	\$ 26.80

Expense			Gross Revenue			Gross Revenue			Margin	Outcome
\$ 165,500.00			\$ 122,993.00			Input	\$ 177,765.00		\$ 12,265.00	Profitable
Parking Pass Type	Volume	Fee	Current Gross	% Price Increase	Fee	Proposal 1 Gross	Per Day Cost			
Resident 1st vehicle	1,565	\$ 28.00	\$ 43,820.00	42.86%	\$ 40.00	\$ 62,600.00				
Resident 2nd vehicle	613	\$ 15.00	\$ 9,195.00	66.67%	\$ 25.00	\$ 15,325.00				
Resident 65+	910	\$ 15.00	\$ 13,650.00	33.33%	\$ 20.00	\$ 18,200.00				
Non-resident season	19	\$ 153.00	\$ 2,907.00	47.06%	\$ 225.00	\$ 4,275.00				
7 days	113	\$ 79.00	\$ 8,927.00	77.22%	\$ 140.00	\$ 15,820.00	\$ 20.00			
3 days	71	\$ 46.00	\$ 3,266.00	63.04%	\$ 75.00	\$ 5,325.00	\$ 25.00			
1 day	1,874	\$ 22.00	\$ 41,228.00	36.36%	\$ 30.00	\$ 56,220.00	\$ 30.00			

Expense		Gross Revenue		Gross Revenue		Margin	Outcome
\$ 165,500.00		\$ 122,993.00		Input		\$ 6,414.00	Profitable
Parking Pass Type	Volume	Fee	Current Gross	% Price Increase	Fee	Proposal 1 Gross	Per Day Cost
Resident 1st vehicle	1,565	\$ 28.00	\$ 43,820.00	0.00%	\$ 28.00	\$ 43,820.00	
Resident 2nd vehicle	613	\$ 15.00	\$ 9,195.00	0.00%	\$ 15.00	\$ 9,195.00	
Resident 65+	910	\$ 15.00	\$ 13,650.00	0.00%	\$ 15.00	\$ 13,650.00	
Non-resident season	19	\$ 153.00	\$ 2,907.00	88.00%	\$ 288.00	\$ 5,472.00	
7 days	113	\$ 79.00	\$ 8,927.00	88.00%	\$ 149.00	\$ 16,837.00	\$ 21.29
3 days	71	\$ 46.00	\$ 3,266.00	88.00%	\$ 86.00	\$ 6,106.00	\$ 28.67
1 day	1,874	\$ 22.00	\$ 41,228.00	88.00%	\$ 41.00	\$ 76,834.00	\$ 41.00

Expense		Gross Revenue		Gross Revenue		Margin	Outcome
\$ 165,500.00		\$ 122,993.00		Input	\$ 173,495.00		\$ 7,995.00 Profitable
Parking Pass Type	Volume	Fee	Current Gross	% Price Increase	Fee	Proposal 1 Gross	Per Day Cost
Resident 1st vehicle	1,565	\$ 28.00	\$ 43,820.00	17.00%	\$ 33.00	\$ 51,645.00	
Resident 2nd vehicle	613	\$ 15.00	\$ 9,195.00	30.00%	\$ 20.00	\$ 12,260.00	
Resident 65+	910	\$ 15.00	\$ 13,650.00	30.00%	\$ 20.00	\$ 18,200.00	
Non-resident season	19	\$ 153.00	\$ 2,907.00	60.00%	\$ 245.00	\$ 4,655.00	
7 days	113	\$ 79.00	\$ 8,927.00	77.00%	\$ 140.00	\$ 15,820.00	\$ 20.00
3 days	71	\$ 46.00	\$ 3,266.00	62.00%	\$ 75.00	\$ 5,325.00	\$ 25.00
1 day	1,874	\$ 22.00	\$ 41,228.00	60.00%	\$ 35.00	\$ 65,590.00	\$ 35.00

Expense		Gross Revenue		Gross Revenue		Margin	Outcome
\$ 165,500.00		\$ 122,993.00		\$ 166,590.00		\$ 1,090.00	Profitable
Parking Pass Type	Volume	Fee	Current	% Price	Fee	Proposal 1	Per Day Cost
			Gross	Increase		Gross	
Resident 1st vehicle	1,565	\$ 28.00	\$ 43,820.00	17.00%	\$ 35.00	\$ 54,775.00	
Resident 2nd vehicle	613	\$ 15.00	\$ 9,195.00	30.00%	\$ 20.00	\$ 12,260.00	
Resident 65+	910	\$ 15.00	\$ 13,650.00	30.00%	\$ 20.00	\$ 18,200.00	
Non-resident season	19	\$ 153.00	\$ 2,907.00	60.00%	\$ 210.00	\$ 3,990.00	
7 days	113	\$ 79.00	\$ 8,927.00	77.00%	\$ 140.00	\$ 15,820.00	\$ 20.00
3 days	71	\$ 46.00	\$ 3,266.00	62.00%	\$ 75.00	\$ 5,325.00	\$ 25.00
1 day	1,874	\$ 22.00	\$ 41,228.00	60.00%	\$ 30.00	\$ 56,220.00	\$ 30.00



2022.11 **IN BOARD OF CITY COUNCIL..FEBRUARY 15, 2022**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize awarding a contract for Aeration Basin Painting at the Wastewater Treatment Plant to Apex Construction, Inc. in an amount not to exceed \$36,775.00. Funding for this project will be from Bond proceeds.

NOTE: The Finance Committee will consider this item at their February 15, 2022 meeting and vote to send their recommendation to the Council.



Finance Committee – City Council

Meeting Date: 2/15/22

Meeting Time: 5:30 PM and 6:00 PM

Agenda Item No: 2022.11

Item Description: 9A Aeration basin painting at Waste Water plant

Submitted by: Jeff Demers - Public Works Director/Waste Water

Supporting Information/Documentation:

RFP for Aeration Repair

RFP from Apex Construction Inc.

RFP from Copia Specialty Contractors Inc.

RFP from Kisc Knowles Corp.

Aeration Bid Tab

Executive Summary:

Approval to have the Wastewater Treatment Plant Aeration basins coated.

Detailed Review:

The Wastewater Treatment Plant Aeration basins were built as part of the original plant in 1965 and are in need of concrete repairs and a new coat of paint. These tanks are the primary source of treatment for all of Biddeford's wastewater and need to be repaired to maintain good working order

Funding Source:

This project will be funded from the Bond proceeds.

Staff Recommendation:

Waste Water staff did an RFP for contractors on November 10, 2020. Three contractors supplied bid packets with pricing. Staff recommends awarding the contract to the low bidder being Apex Construction, Inc. in the sum of \$36,775

City of Biddeford
Wastewater Division

Bid Tabulations

Aeration Tank Concrete Repairs and Coating

Bidders	Amount
Apex Construction	Lump Sum = \$36,775 Spall repair <= 2" deep = \$95/SF Spall repair > 2" deep = \$139/SF Epoxy injection crack repair = \$92/LF Crack Sealant = \$23/LF
Copia Specialty Contractors	Lump Sum= \$75,000 Concrete Repairs = \$45/SF
Knowles Industrial Services	Lump Sum = \$64,460 Surface Repairs = \$85/SF Crack Sealant = \$15/LF

REQUEST FOR PROPOSALS

I. PROJECT DESCRIPTION

The project scope includes concrete repairs and epoxy coating of two aeration tanks and walkways at the City's Wastewater Treatment Facility located at 63 Water St in Biddeford Maine. The total surface area is approximately 4,500 SF. Painting inside walls of the tanks will be at least 1 ft below the water level.

Scope of work

- Assess condition of concrete on walkways and sidewalls of area to be painted.
- Provide scaffolding and ladders to safely work inside tanks.
- Pressure wash all surfaces to remove built up sludge/dirt and any loose concrete with 5,000 psi water jetting. (Initial cleaning and dewatering of tank will be performed by city staff)
- Provide spot grinding of concrete where needed to removing loosely adhered coating.
- Repair concrete damage.
- Apply (2) coat application of Macopoxy 646 (Sherwin Williams) or equivalent to vertical concrete surfaces to at least 1 ft below the water line. Paint shall match the dark grey used on similar surfaces at the WWTF.
- Apply (2) coat application of SherCrete (Sherwin Williams) or equivalent to horizontal surfaces. Paint shall match the dark grey used on similar surfaces at the WWTF.
- Apply anti-slip coating to walkways.
- Clean up all materials when job complete.

The following sections outline the requirements of the project as well as the selection process.

II. PROJECT PARAMETERS

A. Schedule

The CONTRACTOR shall supply a scheduled date for the start of the work and include an estimated completion date.

Because this tank is essential for operation during high flows (rain events), the downtime of each tank shall be kept to a minimum and weather forecasts will be taken into consideration before taking a tank offline.

The contractor is invited to comment on this schedule and offer ideas that would reduce the length of time required to complete the project.

B. Maintenance of Flows

City Staff will pump down and clean the prior to starting the job based on the established and agreed upon schedule. The City Staff will also provide the lockout/tag out and paperwork in order work safely inside the tank.

C. Qualifications / Project Staffing

The proposal shall include an organizational chart(s) with the names, major assignments, and responsibility/reporting lines for all key project personnel. The CONTRACTOR shall provide the majority of necessary services in-house. The CONTRACTOR shall include any sub-contractors proposed for inclusion on the project team.

The proposal shall include a list of references for similar projects completed.

D. Bonding Requirements

Upon selection, the CONTRACTOR shall submit a payment and performance bond, each in the amount of 100% of the contract price.

E. Insurance

CONTRACTOR shall secure insurance as required by the OWNER naming the OWNER and their agents as additional insured. Refer to Attachment C for further details.

F. Warranty Period

The CONTRACTOR shall address all issues that arise for a period of one (1) year, beginning on the day of Substantial Completion. This includes furnishing all labor and materials to repair, replace, or otherwise correct all defective finished project

III. Contents of Proposal

Proposal shall include the following:

- Technical Proposal:
 - o Scope of Work
 - o Materials to be used
 - o Sequence of Work
 - o Schedule
- Cost Proposal. The cost proposal shall be a lump sum price for coating and the cost per Ft² for concrete repairs. Upon selection of a CONTRACTOR, the CONTRACTOR shall submit a schedule of values to the OWNER for review and approval.
- Detailed List of Exceptions or Modifications
- Qualifications/Project Staffing per II C.

1. Proposal Evaluation

Each qualified proposal will be evaluated based on the proposer's qualifications and experience, experience of project personal, the quality and thoroughness of the proposal, the ability to complete the

work within the desired project schedule, and cost. The OWNER reserves the right to reject any and all proposals that are not considered responsive to the RFP or not considered to be in the best interests of the City of Biddeford.

2. Proposal Submittal Instructions

Interested Contractors shall submit three copies of their proposal in a sealed envelope plainly marked "Request for Proposal (RFP) Aeration Tank concrete repair and coating" to:

Alex Buechner
Wastewater Superintendent
City of Biddeford
63 Water St
Biddeford Maine 04005

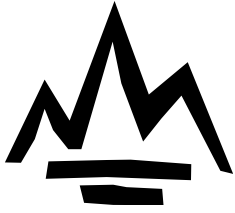
Proposal must be submitted before 1:00 PM on November 23, 2021. Proposals received after that date and time shall not be considered. Proposals should be marked "Request for Proposal (RFP) Aeration Tank concrete repair and coating".

For clarification regarding any aspect of this RFP, contact Mr. Buechner at the above address or by calling (207) 282-1350 or by emailing:

Alex.buechner@Biddefordmaine.org

A mandatory pre-bid meeting and site walk is scheduled for 11:00 AM on November 10, 2021 at the site. Please note, if not present at the pre-bid meeting the general contractor is ineligible to submit a proposal.





Apex Construction, Inc.

361 RT 108, Unit 1
Somersworth, NH 03878

(603)330-3600
fax: (603)330-3690

November 23, 2021

Mr. Alex Buechner
Wastewater Superintendent
City of Biddeford, ME
63 Water Street
Biddeford, ME 04005

Re: Request for Proposal (RFP) Aeration Tank concrete repair and coating

Dear Mr. Buechner,

Apex Construction is pleased to provide this proposal for the Aeration Tank concrete repair per RFP description. Apex has teamed with Marston Industrial for completion of this scope of work and will be represented on site accordingly.

Scope of work:

The work for this project includes:

1. Visual assessment of the concrete surfaces above and down to 1' below the tank operating water line
2. High pressure wash of concrete surfaces to remove debris and loose materials, perform spot grinding where needed to remove loosely adhered coating
3. Repair concrete crack and spall damage on a unit price basis
4. Apply (2) coats of Macropoxy 646 and (2) coats of SherCrete coatings with anti-slip aggregate on walkways. Total estimated area of coating = 4,500 SF.
5. Cleanup and demobilize

Materials to be used:

1. Sika 123 spall repair
2. Sika Hi Mod 35 crack injection and Sika 1A crack sealant
3. Macropoxy 646 coating
4. SherCrete nonskid walkway coating

Sequence of work:

Apex will hire Marston Industrial to pressure wash the tank surfaces slated for repairs and coatings, then perform visual inspection of the tank with City of Biddeford staff to identify any problem areas with the existing tank concrete or coating system. Concrete spall and crack repairs will be completed, followed by coatings as required. If additional repairs and coatings are found to be needed below limits identified in the RFP, this can be reviewed after pressure wash has

been completed. Apex and Marston understand that weather will be a factor in ability to isolate and drain tanks for construction. We will work with the City to maintain steady progress and interruptions will be accommodated as weather demands.

Schedule:

Work in the Aeration Tank will begin once weather permits in the spring/ early summer 2022. Since it is desirable to complete repairs and coatings soon after pressure washing, holding off on the washing and repair work until seasonal temperatures permit coatings to cure will be logical schedule for this project. Overall schedule will take 4-5 weeks, weather depending.

Cost

The lump sum cost proposed for the coatings described in the initial assessment is \$36,775.

Unit Price Items

Concrete spall repair $\leq 2''$ deep = \$95.00/ SF

Concrete spall repair $> 2''$, $< 3''$ deep = \$139.00/ SF

Epoxy injection crack repair = \$92/ LF

Crack sealant (caulking) = \$23/ LF

Limitations

No structural work beyond crack injection and spall repair are included. No permit fees, engineering, licenses, or special insurances are included. No prevailing wage, certified payroll, sales tax, liquidated or special damages. No ARRA, AIS, or other USA Made conditions of any kind are included. Prices are valid for 30 days. No work not specifically identified in this proposal is included.

Please transmit written acceptance of this proposal and let me know if you have any questions or concerns. If you would like anything added to or removed from Apex's scope of work, please let me know and proposal can be modified accordingly.

Thank you for this opportunity to be of assistance on this important project.

Sincerely,



Heath J. Todd, P.E.

Apex Construction, Inc.

Qualifications/Project Staffing

Project Personnel	Title	Responsibility
Heath Todd	Project Manager	Client and vendor communications, project schedule
Alan Bouchey	Site Superintendent	Site activities, subcontractor oversight
Jim Marston	Coatings Subcontractor	Surface prep, concrete repair, apply coating to surfaces

Attachments:

Resumes

Schedule A: Current Experience

Schedule B: Projects Completed in Last 5 Years

Marston Industrial qualifications

HEATH J. TODD

KENNEBUNK, ME 04043

(603)591-4976

HEATH@APEX-CONSTRUCTIONINC.COM

Objective

To lead the project team and efficiently manage resources toward completion of specialized facility and system construction

Education

University of New Hampshire

Durham, NH

BS, Civil Engineering

1998-2002

College of Engineering & Physical Sciences

Cumulative GPA: 3.15

Computer Experience

Microsoft Word, Excel, Powerpoint, Project, and other Microsoft applications, AutoCAD, Land Development Desktop

Achievements

Licensed Professional Engineer, State of Maine

Serial No. 11177

President, Alpha Nu Chapter, Tau Kappa Epsilon Fraternity

2001-2002

Occupational Experience

Apex Construction, Inc.

Rochester, NH

Engineer/Project Manager

2005-Present

- Prepare construction estimates for competitive bid process
- Participate in corporate and project specific decision making processes
- Coordinate equipment purchase & delivery
- Work with Site Superintendent toward project completion
- Interact with Design Engineer regarding contract requirements
- Process permanent material submittals for Engineer approval
- Perform cost and product analysis for project equipment/material supply
- Maintain Apex Safety Policy to assure OSHA compliance and safe jobsites

Weston & Sampson Engineers, Inc.

Portsmouth, NH

Engineer

2001-2002 (co-op)

2002-2005 (full time)

- Responsible for design, permitting, bidding, and construction inspection of wastewater treatment, pumping, and collection systems
- Worked extensively with clients in tailoring system characteristics
- Performed design calculations for hydraulic scenarios and pumping systems
- Performed resident inspection of construction activities on site to assure compliance with contract drawings and specifications
- Administrated SRF payment/reimbursement process for project funding
- Performed feasibility and evaluations for project design alternatives
- Performed site survey and data transformation for site plan development
- Created contract drawings and specifications for bidding and record documents

Alan R. Bouchey
23 Angelwood Ext.
Standish ME 04084

Education

Bonny Eagle High School
Standish, ME

Experience

5/2000 to present Apex Construction Inc.
361 Route 108 Unit 1
Somersworth, NH 03878

1982 to 5/2000 Penta Corporation
PO Box 390
Moultonboro, NH 03254

Field Superintendent

Responsible for managing all field activities and coordination.
Projects include but are not limited to:

Water Pollution Control Facility Phase 1 Upgrade Bath ME	\$5,368,000
Mill Creek Pump Station Upgrade Falmouth ME	\$2,788,900
WWTF Upgrade Phase 1 and MLE Conversion Dover NH	\$8,694,442
Chlorination/Dechlorination Upgrade Durham NH	\$700,607
Aeration Upgrade Project North Conway NH	\$922,917
Upper Village Water System Pump Station New Gloucester ME	\$1,021,098
School Street Pumping Station Improvements Berwick ME	\$699,283
South Main Street Pumping Station Replacement Pittsfield NH	\$253,620
Booster Pumping Station Dover NH	\$689,024

Water Treatment Improvements Project Anson and Madison ME	\$363,876
WWTF Chlorination/Dechlorination Upgrades Pittsfield NH	\$901,064
Southern Cape Elizabeth WWTF & Spurwink PS Phase 1 Upgrade Cape Elizabeth ME	\$1,977,180
WWTF Upgrades Secondary Disinfection System Modifications Augusta ME	\$936,654
Old Mill Pump Station Upgrade and Tank Mixing Systems Sanford ME	\$720,934
Straw Mill Brook Pump Station Waterboro ME	\$250,156
Rye Line WW Pump Station Improvements Portsmouth NH	\$935,670
Horrigan's Court In-Line Grinder Biddeford ME	\$129,499
Pease Development Authority Rye Harbor Marine Facility Commercial Fish Pier Replacement Rye NH	\$1,050,900
Wastewater Treatment Facility Upgrade Hampton NH	\$1,135,228
Water Storage Tank Fryeburg ME	\$337,940
University of New England Wastewater Treatment Process Upgrade Biddeford ME	\$1,193,000
Pump Station No. 10 Wells ME	\$391,153
West Cole Road Pump Station Biddeford ME	\$224,300
Kennebunk Wastewater Treatment Facility Upgrade Kennebunk ME	\$5,580,091
Kennebunkport Wastewater Treatment Facility Upgrade Kennebunkport ME	\$787,300
Berlin Wastewater Treatment Facility and Pump Station Upgrade	\$3,067,000

Berlin NH

Dechlorination & Aeration Basin Improvements Lewiston ME	\$779,732
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Bay Road Pump Station South Portland ME	\$99,400
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Barber Foods Wastewater Pretreatment Facility Portland ME	\$1,236,044
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Bath Residuals Facility Woolwich ME	\$215,000
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Robinson Manufacturing Dye House Oxford ME	\$216,455
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Wastewater Treatment Facility Blower Building Dover NH	\$468,393
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Wastewater Treatment Plant Upgrade Pittsfield NH	\$289,771
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Carroll County Resource Center Tamworth NH	\$135,600
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Brydon Farm Westbrook ME	\$156,830
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Bath Landfill Bath ME	\$189,615
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Pump Station Richmond ME	\$191,580
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Hyde Park Pump Station Bath ME	\$235,000
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Marston Industrial Services

109 Ridge Road
Fairfield Maine 04937
Phone 207 514 4816
Fax 207 872 0451

marston@gwi.net
.....

11/23/2021

Marston Industrial has been in business since 2006 we do industrial painting linings, sandblasting UHP water jetting Dry ice blasting Spongejet blasting etc. along with flooring and concrete repair

Ref for work

Penta Corp Moultonborough NH
Bill Ouellette 603 476 5525 Ext 6

Global Oil South Portland Maine
Bruce Yates 207 767 8259 Ext 1

ND Paper Rumford Maine
Don St Germain 207 369 2643

Apex Construction Rochester NH
Heath Todd 603 330 3600

Portland Pipeline So Portland Me
Jay McGee 207 767 0451

General Dynamics BIW
Bruce Tuttle 207 751 3394

Bancroft Contracting
James Irwin 207 890 8525

Cianbro Corp
Scott Clements 207944 6018



Marston Industrial Services
Attn. Jim Marston
109 Ridge Rd
Fairfield, ME04937

November 8, 2021

REF:Applicator

Dear Mr. Marston & Whom it May Concern,

Per our discussion, the touch up procedure of Targuard material in lower temperatures is Corothane I Coal Tar. This material can be applied down to 20 degrees. Proper prep of SSPC-SP1 solvent wipe and a SSPC-SP3 power tool clean would be suggested to make a mechanical bond to the painted substrate.

Also, Please accept this letter to confirm that Marston Industrial Services is a qualified applicator of Sherwin-Williams Protective Coatings line. He has the experience, equipment, and capability to apply these coatings per data page specifications.

Please feel free to contact me directly with any additional questions regarding this information.

Sincerely,

Michael Smith
The Sherwin-Williams Company
Protective and Marine Coatings Division
NACE CIP Level II Certified- #56396
207-653-9612
mike.e.smith@sherwin.com

SCHEDULE A CURRENT EXPERIENCE

Project Name	Owner's Contact Person	Design Engineer	Contract Date	Type of Work	Status	Contract Amount
Wastewater Treatment Facility Upgrade Somersworth NH	City of Somersworth/Robert Belmore, City Mgr. 1 Government Way Somersworth NH 03878 603-692-4262	Wright-Pierce/Jeff Mercer 75 Washington Ave Suite 202 Portland ME 04101 207-319-1508	April 23, 2020	WWTF Upgrades	In progress Anticipated completion 11/21	\$ 10,981,079
Wastewater Treatment Facility Improvements Kennebunk ME	Kennebunk Sewer District/Mike Bolduc PO Box 648 Kennebunk ME 04043 207-985-4741	Underwood Engineers/Valerie Giguere 25 Vaughan Mall Portsmouth NH 03801 603-436-6192	June 18, 2020	WWTF Improvements	In progress Anticipated completion 4/22	\$ 6,388,529
Solids Handling Upgrade Presque Isle ME	Presque Isle Utility District/Ross McQuade, Supt. PO Box 470 Presque Isle ME 04769 207-762-5061	Woodard & Curran/Krista Forti 33 Broad St. Floor 7 Providence RI 02903 781-613-0573	June 24, 2020	Solids handling system upgrade	Complete Date completed 9/21	\$ 2,270,500
Sewer Pump Station Improvements Brunswick ME	Midcoast Regional Redevelopment Authority 15 Terminal Rd Ste 200 Brunswick ME 04011 207-798-6512	Woodard & Curran/Max Kenney 41 Hutchins Drive Portland ME 04102 207-558-3716	April 24, 2020	Pump Station Improvements	Complete Date completed 9/21	\$ 1,266,000
Wastewater Collection & Treatment System Lincolnville ME	Lincolnville Sewer District/Paul Lippman PO Box 302 Lincolnville ME 04849 207-789-5464	Woodard & Curran/Brent Bridges 41 Hutchins Drive Portland ME 04102 207-558-3716	June 25, 2020	Collection system & WWTF construction	Sunstantially Completed Date completed 10/21	\$ 3,811,100
Water Treatment Plant Upgrades Contract 2-Ozone System Install Brewer ME	City of Brewer Water Department 223 Green Point Road Brewer ME 04412 207-989-4214	Woodard & Curran 80 Exchange Street Suite 400 Bangor ME 04401 207-945-5105	October 1, 2020	Ozone System installation	Sunstantially Completed Date completed 10/21	\$ 514,300.00
Garland Road Pump Station Upgrade Rye NH	Rye Water District/Thomas Clifford, Chair 60 Sagamore Road Rye NH 03870 603-436-2596	Wright-Pierce/Chris Berg 230 Commerce Way Suite 302 Portsmouth NH 03801 603-430-3728	January 6, 2021	Pump Station Upgrade	Contract awarded Anticipated completion 2/22	\$ 624,475.00
Wastewater Treatment Facility Improvements Camden ME	Town of Camden 29 Elm Street Camden ME 04843 207-236-3353	Wright-Pierce/Matthew Burns 75 Washington Ave Suite 202 Portland ME 04101 207-761-2991	February 23, 2021	WWTF Improvements	In progress Anticipated completion 1/23	\$ 9,542,750.00
Wastewater Treatment Facility Upgrades Presque Isle ME	Presque Isle Utility District/Ross McQuade, Supt. PO Box 470 Presque Isle ME 04769 207-762-5061	Woodard & Curran/Krista Forti 33 Broad St. Floor 7 Providence RI 02903 781-613-0573	March 12, 2021	WWTF Upgrades	In progress Anticipated completion 12/22	\$ 10,605,625.00
Pollution Control Facility Upgrade Rockland ME	City of Rockland/City Manager Tom Luttrell 270 Pleasant Street Rockland ME 04841 207-593-0636	Wright-Pierce/Brody Campbell 75 Washington Ave Suite 202 Portland ME 04101 207-761-2991	May 6, 2021	PCF Upgrades	In progress Anticipated completion 5/23	\$ 7,530,000.00
WWTF Process and Electrical Equipment Upgrades Gardiner, ME	City of Gardiner / Doug Clark, Wastewater Director 6 Church Street, Gardiner ME 04345 207-582-4200	Hoyle, Tanner & Associates / Rychel Gibson 106 Lafayette St Suite 2D Yarmouth ME 04096 207-844-8102	April 28, 2021	WWTF Upgrades	In progress Anticipated completion 4/22	\$ 3,021,888.00
Well 2R Control and Chemical Feed Building North Conway, NH	North Conway Water Precinct / Jason Gagnon, Superintendent 104 Sawmill Lane North Conway, NH 03860 603-356-5382	HEB Engineers, Inc / Josh McAllister 2605 White Mountain Highway North Conway, NH 03860 603 356-6936	June 8, 2021	WTF Construction	In progress Anticipated completion 3/22	\$1,083,000.00

SCHEDULE B
APEX CONSTRUCTION INC. PROJECTS COMPLETED IN LAST 5 YEARS

Project	Contract Amount	Completion Date
<u>Wastewater Treatment Facility Upgrade</u> Exeter NH Owner: Town of Exeter 10 Front Street Exeter NH 03833 Engineer: Wright-Pierce Portland ME	\$36,865,322	August 2020
<u>Wastewater Treatment Facility Grit System Upgrade</u> Durham NH Owner: Town of Durham Public Works 100 Stone Quarry Drive Durham NH 03824 Engineer: Wright-Pierce Portland ME	\$817,245	August 2020
<u>Pump Station Upgrades</u> Madawaska ME Owner: Town of Madawaska 328 St. Thomas St. Suite 101 Madawaska ME 04756 Engineer: Woodard & Curran Portland ME	\$800,000	June 2020
<u>Water Pollution Control Facility Phase 1 Upgrade</u> Bath ME Owner: City of Bath 55 Front Street Bath ME Engineer: Wright-Pierce Topsham ME	\$5,368,032	December 2019
<u>Wastewater Treatment Plant Upgrade</u> Winter Harbor ME Owner: Winter Harbor Utilities District PO Box 141 Winter Harbor ME 04693 Engineer: Woodard & Curran Portland ME	\$4,395,729	October 2019
<u>Dewatering System Upgrade</u> Yarmouth ME Owner: Town of Yarmouth 200 Main Street Yarmouth ME 04096 Engineer: Wright-Pierce Portland ME	\$1,163,544	September 2019
<u>Route 202 Booster Station Capacity Increase</u> Hampden ME Owner: Hampden Water District PO Box 218 Hampden ME 04444-0218 Engineer: Woodard & Curran Bangor ME	\$520,467	December 2018
<u>Kings Highway & Main Street Pump Stations Upgrades</u> Eliot ME Owner: Town of Eliot 1333 State Road Eliot ME 03903 Engineer: Underwood Engineers Concord NH	\$1,403,505	September 2018
<u>Wards Hill Pump Station Upgrade</u> Gorham ME Owner: Portland Water District 225 Douglass Street PO Box 3553 Portland ME 04104-3553 Engineer: Wright-Pierce Portland ME	\$1,549,923	August 2018
<u>Junction Road Water Pump Station & Water Treatment Plant Upgrade</u> South Berwick ME Owner: South Berwick Water District 80 Berwick Road South Berwick ME 03908 Engineer: Wright-Pierce Topsham ME	\$406,318	July 2018
<u>Trunkline Pump Station No. 3 Upgrade</u> Winthrop ME Owner: Greater Augusta Utility District 12 Williams Street Augusta ME 04330 Engineer: Wright-Pierce Topsham ME	\$1,205,700	June 2018
<u>Blackwater Road Pumping Station Improvements</u> Somersworth NH Owner: City of Somersworth 1 Government Way Somersworth NH 03878 Engineer: Underwood Engineers Portsmouth NH	\$508,360	May 2018

SCHEDULE B
APEX CONSTRUCTION INC. PROJECTS COMPLETED IN LAST 5 YEARS

Project	Contract Amount	Completion Date
<u>Wastewater Treatment Facility Optimization Improvements</u>	\$330,613	March 2018
Berwick ME Owner: Berwick Sewer District PO Box 15 Berwick ME 03901-0015 Engineer: Underwood Engineers Portsmouth NH		
<u>Wastewater Treatment & Pumping stations Upgrade Project</u>	\$1,073,514	February 2018
Brownville ME Owner: Town of Brownville 586 Main Road Brownville ME 04414 Engineer: Dirigo Engineering Fairfield, ME		
<u>Wastewater Treatment Facility Upgrade</u>	\$11,422,690	November 2017
Newmarket NH Owner: Town of Newmarket 186 Main Street Newmarket NH 03857 Engineer: Wright-Pierce Portsmouth NH		
<u>Wastewater Treatment Process Upgrade</u>	\$11,980,300	November 2017
Bucksport ME Owner: Town of Bucksport PO Box X Bucksport ME 04416 Engineer: Olver Associates Winterport ME		
<u>Wastewater Treatment Facility Disinfection System Upgrade</u>	\$677,130	November 2017
York ME Owner: York Sewer District PO Box 1039 York Beach ME 03910 Engineer: Brown & Caldwell Andover MA		
<u>Mill Creek Pump Station</u>	\$2,797,446	October 2017
Falmouth ME Owner: Town of Falmouth 271 Falmouth Road Falmouth ME 04105-2005 Engineer: Wright-Pierce Topsham ME		
<u>Pollution Control Facility/Treatment System Upgrade</u>	\$333,901	September 2017
North Haven ME Owner: Town of North Haven PO Drawer 400 North Haven ME 04853 Engineer: Olver Associates Winterport ME		
<u>Pump Station No. 1 Upgrade</u>	\$779,714	November 2016
Ogunquit ME Owner: Ogunquit Sewer District PO Box 934 Ogunquit ME 03907-0934 Engineer: Wright-Pierce Portland ME		
<u>Water Treatment Plant Upgrade-Phase 3</u>	\$959,100	November 2016
Limestone ME Owner: Loring Development Authority 154 Development Drive, Suite F Limestone ME 04750 Engineer: Woodard & Curran Bangor ME		
<u>Water Filtration Plant Upgrades</u>	\$1,927,374	September 2016
Rochester NH Owner: City of Rochester 31 Wakefield Street Rochester NH 03867 Engineer: Wright-Pierce Portsmouth NH		
<u>Aeration Upgrade Project</u>	\$1,497,662	June 2016
North Conway NH Owner: North Conway Water Precinct PO Box 630 North Conway NH 03860 Engineer: CDM Smith Manchester NH		
<u>Water Treatment Plant Corrosion Control Improvements</u>	\$447,788	June 2016
Ashland ME Owner: Ashland Water & Sewer District PO Box 340 Ashland ME 04732-0340 Engineer: James W. Sewall Company Caribou ME		

SCHEDULE B
APEX CONSTRUCTION INC. PROJECTS COMPLETED IN LAST 5 YEARS

Project	Contract Amount	Completion Date
<u>WWTF Upgrade Phase 1 and MLE Conversion</u>	\$8,694,442	May 2016
Dover NH Owner: City of Dover 288 Central Ave Dover NH 03820 Engineer: Wright-Pierce Portsmouth NH		
<u>WWTF Aeration, Electrical and Instrumentation Improvements</u>	\$220,654	May 2016
Damariscotta ME Owner: Great Salt Bay Sanitary District PO Box 23 Damariscotta ME 04543 Engineer: Tata & Howard Portland ME		
<u>Granite Ridge Development District Water Improvements Project</u>		
<u>Booster Pump Station</u>	\$420,449	April 2016
Sub to: Severino Trucking Co. Inc. PO Box 202 Candia NH 03034		
<u>Pump Stations Upgrades Project</u>	\$406,640	April 2016
Wiscasset ME Owner: Town of Wiscasset 51 Bath Road Wiscasset ME 04578 Engineer: Dirigo Engineering Fairfield, ME		
<u>Bernier Road Wells Pump Station Contract No. 2</u>	\$1,199,033	March 2016
Sanford ME Owner: Sanford Water District PO Box 650 Sanford ME 04073 Engineer: Wright-Pierce Topsham ME		
<u>Lary Lane Groundwater Treatment Plant</u>	\$4,370,945	March 2016
Exeter NH Owner: Town of Exeter 10 Front Street Exeter NH 03833 Engineer: Weston & Sampson Portsmouth NH		
<u>Chlorination/Dechlorination Upgrade</u>	\$700,607	December 2015
Durham NH Owner: Town of Durham 8 Newmarket Road Durham NH 03824 Engineer: Underwood Engineers Concord NH		
<u>Sea St. & Mt. Battie Pump Station Upgrades</u>	\$548,699	December 2015
Camden ME Owner: Town of Camden PO Box 1207 Camden ME 04843 Engineer: Wright-Pierce Topsham ME		
<u>Clearwater Pump Station and Force Main Improvements</u>	\$357,541	December 2015
Laconia NH Owner: City of Laconia 45 Beacon Street East Laconia NH 03246 Engineer: Fluet Engineering Associates Laconia NH		
<u>Wastewater System Improvements Phase 1 Pump Stations Upgrade</u>	\$475,064	November 2015
Kingfield ME Owner: Town of Kingfield 38 School Street Kingfield ME 04947 Engineer: Main-Land Development Consultants Inc. Livermore Falls ME		
<u>State Street Pump Station Upgrade</u>	\$99,720	November 2015
Presque Isle ME Owner: Presque Isle Utilities District PO Drawer 470 Presque Isle ME 04769 Engineer: Woodard & Curran Bangor ME		



November 22, 2021

Quote 21296

Alex Buechner
City of Biddeford
Biddeford, ME 04005

Copia Specialty Contractors, Inc. is pleased to provide quote for concrete repairs and epoxy coating of two aeration tanks and walkways at the City's Wastewater Treatment Facility located at 63 Water St. in Biddeford Maine. This proposal is based on the information provided during a site visit and includes only the items required by the RFP. We have anticipated the installation of this work to be done in **1 mobilization**. We will provide all the equipment, materials, supplies and labor necessary to perform the preparations and application of the materials as required by the specification & the manufacturer.

At a minimum we will provide the following scope of work

- Surface preparation to the concrete surface area to include:
 - Pressure wash all surfaces to remove built up sludge/dirt and any loose concrete with 5,000 psi water jetting.
 - Provide spot grinding of concrete where needed to remove loosely adhered coating.
 - Provide all surface preparation per SSPC SP 13.
 - Concrete repairs based on 1SF at 1/2 inch deep
 - Repair voids, cracked areas and divots utilizing proper application techniques.
- Surface paint application to include the following.
 - Apply (2) coat Macro poxy 646 to vertical concrete surface to at least 1 ft. below the water line.
 - Apply (2) coat of Sher Crete to horizontal surfaces.
 - Apply Anti-slip coating to walkways.
- Clean up all material and equipment used to complete the job.

Schedule: To be determined prior to our arrival (10 days tank).

Personnel for work includes (see org chart):

Coop Gerow, Project Manager
Jamie Williamson, Superintendent
Lee Stanley, QCS - NACE 3 coating inspector as needed.

Clarifications/Installation Requirements

- Project work area to be free of all other trades, personnel, traffic and moveable equipment prior to Copia's arrival and for a period of 12 hours after Copia's departure.
- Copia excludes any night/weekend work, heat required for cure, and power required for prep/paint.
- Others to provide sanitary facilities, waste disposal, electrical service and parking for vehicles/trailer.
- All items and equipment will be removed from the areas prior to Copia's mobilization to the site.
- The acceptance of the proposal is conditional to agreement with Copia for reasonable terms and conditions. Note the attached General Terms and Conditions.

Base bid lump sum price: \$75,000.00 (seventy-five thousand dollars and no cents)

Concrete repair unit price: \$45.00 per SF

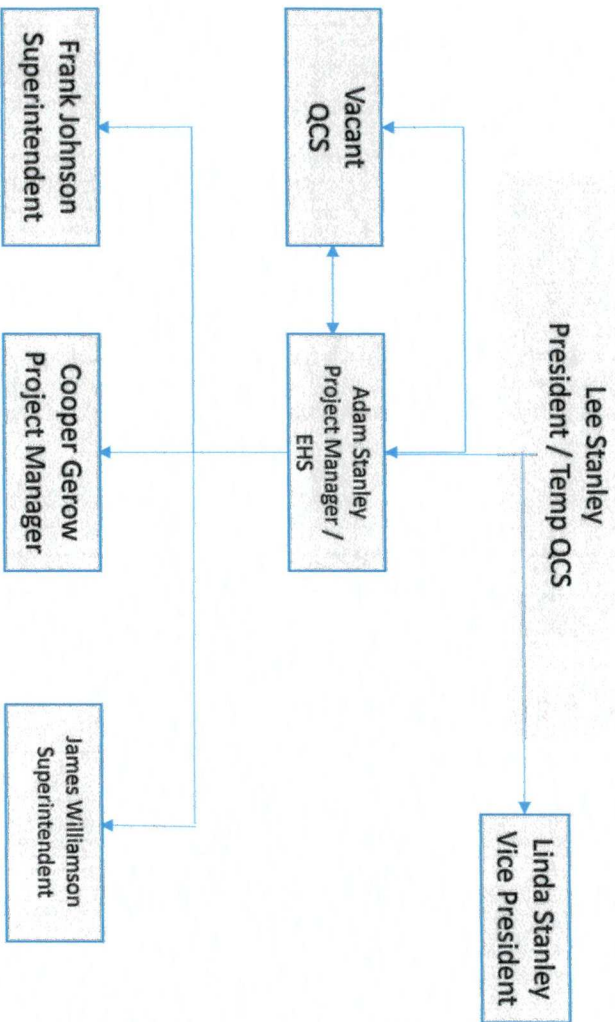
Thank you for the opportunity to provide you with this proposal and we look forward to working with your firm on any upcoming projects requiring professional coating services. If there are items which are ambiguous or some which you feel were absent please call us and we will make the necessary changes.

Best regards,
Cooper Gerow
Project Manager
Copia Specialty Contractors Inc.

STANDARD TERMS & CONDITIONS

Copia Specialty Contractors Inc. provides the following cost considerations, terms and conditions as part of every coatings project we enter into an agreement to perform. Significant time and effort goes into the estimation of the bid on every project resulting in a limited time to prepare the proposal and review "Industry Standard" scope, conditions and expectations. It is our goal to provide professional, cost efficient coating services to our clients with as little impact to project schedule as possible. By utilizing the following standard considerations for mutual acknowledgement and acceptance, we feel everyone involved in the project will benefit with informed and practical terms.

- Execution of this quotation constitutes Copia Specialty Contractors, Inc. a notice to proceed.
- All change orders are to be signed in advance before any extra work is to commence. The parties agree that no oral modification of this agreement shall have any force or effect.
- A 48-hour notice is required for backcharge items. Any item that is corrected without this 48-hour written notice to Copia Specialty Contractors, Inc will not be eligible for backcharge and will be the Buyer's responsibility.
- Copia Specialty Contractors, Inc. will not accept any backcharge that is greater than the replacement value of the rework item. In addition, under no circumstance will we accept any backcharge that is valued more than the original quoted price.
- All pricing is based on information received prior to the proposal date. Any alteration or deviation from information received prior to proposal date involving extra costs will be executed only upon written orders and will be extra.
- Any controversy or claim arising out of or relating to the contract, or breach thereof, shall be settled by mediation/arbitration in accordance with the Construction Industry Arbitration rules of the American Arbitration Association.
- This contract shall be interpreted in all respects under the laws of the State of Maine.
- Payment terms:
 - Progress billing billed monthly net 20 days with 0% retainage
 - Interest will accrue at 1.5% per month on accounts over 30 days. Collection costs and reasonable attorney fees will be added to the account.
- This agreement is contingent upon strikes, accidents, or delays beyond our control such as but not limited to war, fire, unusual weather conditions, delays in approval of scope of work or changes to scope, etc.
- Prices exclude the following: all taxes, bid bonds, performance bonds, permits and allowance associated with penalties or liquidated damages.
- This proposal may be withdrawn or modified by us if not accepted within 30 days and the total liability of Copia Specialty Contractors, Inc. to the buyer or owner under this contract is limited to the total contract price.
- If any changes or additions are required in the scope or work due to changes in laws, rules, regulations, and orders made subsequent to the date Copia Specialty Contractors, Inc. submits its quotation amount, the Buyer shall pay Copia Specialty Contractors, Inc. standard billing rates to comply with such changes.



08/01/2021



295 NEW PORTLAND ROAD
GORHAM, MAINE 04038
(207) 854-1900
(207) 854-4996 FAX
www.knowlesindustrial.com

November 12, 2021

Alex Buechner
Superintendent
Biddeford Waste Water Department
63 Water Street
Biddeford, ME 04005

RE: RFP - Painting Aeration Tanks

Mr. Buechner,

Thank you for giving us the opportunity to provide you with a proposal for the concrete pressure washing and painting of the aeration basins at the Biddeford Waste Water Treatment Plant. This quote is for surface preparation and 2 coat epoxy application on the perimeter concrete surfaces of both aeration basins. The area includes the top 3.5' feet of surface around the inside of the tank, the tops of the walls and the approximately 12"-18" down the back side to meet with the ground surface. Also included in the Scope of Work are the tops and side of the walkways above the tanks and the perimeter walkways. The total concrete surfaces to be pressure washed and coated is approximately 4,500 SF.

The inside perimeter tank work will need to be accessed from inside the tank with a combination of painters ladders and minor scaffolding. Pricing assumes that paint materials will be placed beneath the typical water line. We will snap a chalk line to approximate a straight line, however, we have not carried the cost of masking/taping a perfect line through the tank perimeter as it will be under water and the labor time and cost to do the taping is a high cost for a straight line. Please let me know if this is not in line with what you were expecting. It will not be noticeable except when the tank is emptied for maintenance.

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Project Costs:

Aeration Basins (Surface Preparation & Coatings)

\$64,460.00

Unit Costs:

Concrete Surface repairs:

\$85.00/SF

Crack sealant work:

\$15.00/LF

Scope of Work

- Mobilize crew, equipment, and materials to Biddeford WWTP
- Provide hard-frame scaffolding and ladders within work area
- Pressure wash concrete surfaces w/ 5,000 psi water jetting to remove sludge build-up (initial basin cleaning and pumping to be performed by others)
- Provide spot grinding of concrete in various areas to remove loosely adhered coatings
- Apply (2) coat application of Macropoxy 646 on vertical concrete surfaces
- Apply (2) coat application of Shercrete Waterproofer on horizontal surfaces
- Clean up & Demobilize

Provided by Others

- Daily uninterrupted access to work area (no provisions made for shutdown time)
- All Lock-Out Tag-Out Coordination and paperwork
- All initial tank wash down and pumping of larger solids/grit.
- Power source (110V outlets) and access to circuit breaker panel
- Potable water source (power washing, cleaning tools, etc.)
- Sanitary facilities
- Lay down area for 1 rack truck and 1 crew van, misc. small gas operated equipment
- Indoor lay down area for paint/coating materials
- Tolerance of high noise level work (pressure washing, grinding, etc.)

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Staffing & Scheduling

We anticipate a 3 man painting crew for approximately 2 – 2.5 work weeks to complete each tank. Typical work weeks are 10 hrs/day Monday-Thursday 6:30 AM – 5:00 PM. Summer of 2022.

The costs above include all labor, materials, and equipment necessary to perform the work as outlined. Should you have any questions or need any additional information, please do not hesitate to contact me.

Respectfully,

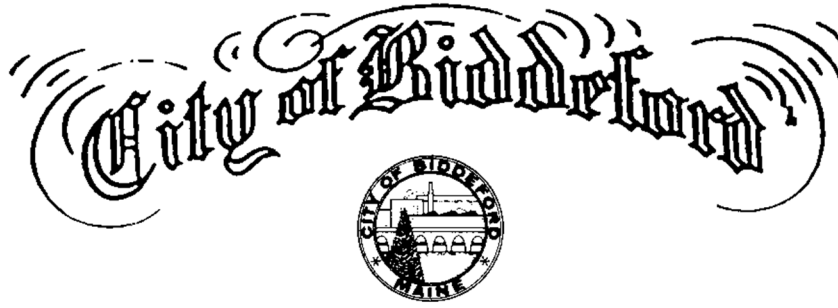


Tim Rich, PE
President Bus. Dev.

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IN BOARD OF CITY COUNCIL...FEBRUARY 15, 2022
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
appoint:

Kaily George
46 Sullivan Street, Apt. 201
Ward 2

to the *Citizen Advisory Committee*, for a term to expire in December 2022.

Morris, Carmen

From: noreply@civicplus.com
Sent: Sunday, January 30, 2022 12:44 AM
To: Morris, Carmen
Subject: Online Form Submission #11957 for Committee, Board, and Commission Application Form

Committee, Board, and Commission Application Form

Name	Kaily George
Street Address	46 Sullivan St
Mailing Address (If Different)	Apt 201
Phone Number(s)	2072291190
Email Address	Kaily.george@gmail.com

(Section Break)

Which City Committee, Board or Commission do you request to be appointed to?	Biddeford Citizens Advisory Committee
If other, please list below.	<i>Field not completed.</i>
Why are you interested in serving the City of Biddeford?	To help the community grow.
Please list any experience that may be pertinent to the Board or Committee in which you are requesting to serve.	I live in the neighborhoods and am able to offer helpful information about what people speak about or what's going on.
Please list any prior experience serving on any public Boards, Commissions or Committees (and approximate dates).	N/A

Email not displaying correctly? [View it in your browser.](#)