

11/17/25

Good afternoon to All: Having just returned from traveling - and with OLS WPCA (November 18, 2025) & BOG (November 19, 2025) meetings both scheduled for this week - I wanted to offer an update of the "Sewer Project", from my perspective, as of this date...

1. Shared Sewer Project: There seems to be some uncertainty about the next projected steps/actions by at least two of the four participants:

Miami Beach Association met on November 15, 2025 and took a vote(s) about the project - there seems to be a lack of understanding or clarity about the vote(s) the Miami Beach Association relative to "moving forward"...further clarity is required

The Town's Board of Selectmen have previously indicated that the Town would take a vote to increase its previously approved Bond Resolution of \$9.5 million to \$17.1 million, dates for the vote have been proposed for December, 2025, January 2026

The state (DEEP) has reiterated its commitment to making the \$15 million "forgivable loan" available for this project - however, DEEP has also seemingly recently proposed that the \$15 million loan be directed to the "Shared" project - rather than to both the "Shared" & beaches/Town "internal projects)...the state is also now seemingly envisioning/proposing to move forward on the "Shared Sewer Project" of just the three (3) beaches - with the Town potentially joining the project at a later time...These proposed modifications & fiscal impact should be reviewed and assessed

The state seems to want to move forward to award the three bids which make up the "Shared Sewer Project" and were first opened in February, 2025. The bidding was conducted on behalf of the Town, Old Colony Beach Association and Miami Beach (you may recall that OLSBA had not yet voted on its Bond Resolution (which occurred on May 24, 2025)). What our association's role in this bid(s) award is unclear at this moment.... Of particular interest/concern is that the potential bidders to whom the bids would be awarded have indicated that they will seek "additional compensation" ("Change Orders") for the potential differences in prices between the time of the bid openings and post award. We also need to have a level of confidence; I believe that we have a sufficient "construction contingency" amount to protect us as the project construction is instituted....

Thanks principally to the involvement of Jerry Vande Werken (BOG member) it seems as great strides are being made via negotiations with all four parties to establish a new Cost Sharing Agreement (CSA) which is designed to address the "construction" & "post construction" periods of this project

We will again be in contact with our Bond Counsel to review the above events and how, if at all, our bond resolutions, are impacted.

2. Internal Sewer Project:

The bids were opened on October 8, 2025 with the apparent low bidder being Baltzar Contractors...there were four bidders.... Bids were received on Sewers, Paving Options and Stormwater construction. Our engineering firm is completing its "due diligence". The bid can potentially be soon awarded to the recommended bidder, subject to having clarity regarding the overall project's next steps, state funding and impact of potential market adjustments cited by the apparent low bidders for the "Shared Sewer Project.

Again, thank you for your interest in this important project for the Association....

My Best,

Jay