

MASSACHUSETTS WATER RESOURCES AUTHORITY

Meeting of the Board of Directors

May 8, 2017

A meeting of the Board of Directors of the Massachusetts Water Resources Authority was held on May 8, 2017 at the Authority headquarters in Charlestown. Vice-Chair Carroll presided at the outset; Chairman Beaton joined the meeting in progress. Present from the Board were Messrs. Blackmon, Cotter, Flanagan, Foti, Pappastergion, Peña, Vitale and Walsh. Ms. Wolowicz was absent. Among those present from the Authority staff were Frederick Laskey, Executive Director, Steven Remsberg, General Counsel, Michael Hornbrook, Chief Operating Officer, David Coppes, Director of Waterworks, and Bonnie Hale, Assistant Secretary. The meeting was called to order at 1:00 p.m.

APPROVAL OF MINUTES

Upon a motion duly made and seconded, it was

Voted to approve the minutes of the Board of Directors' meeting of April 12, 2017, as presented and filed with the records of the meeting.

REPORT OF THE EXECUTIVE DIRECTOR

Mr. Laskey recognized and praised Mr. Foti's many years of service on the MWRA Retirement Board's Board of Directors and presented him with a commemorative plaque. He also reported on various items, including: the favorable results of the prior week's bond deal; an agreement reached with Boston College regarding its field house; and a reminder of the two upcoming Board meetings in June – with budget hearings to be held in the morning on June 7 and approval of the FY19 budget and assessments on June 28.

APPROVALS

Bond Defeasance of Future Debt Service

Upon a motion duly made and seconded, it was

Voted to authorize the Executive Director or his designee, on behalf of the Authority, to enter into, execute and deliver all necessary agreements and other instruments and to take such other actions necessary to effectuate the redemption and defeasance of an aggregate principal amount of approximately \$36,250,000 of outstanding MWRA senior bonds including to cause the escrow of cash and/or securities in an amount necessary to fund such redemption and defeasance, in order to reduce the debt service requirement by approximately \$44.8 million in the FY18 through FY22 timeframe.

Financial Assistance Agreement with BWSC for Dorchester Interceptor Inflow Removal

Upon a motion duly made and seconded, it was

Voted to authorize the Executive Director, on behalf of the Authority, to execute the Financial Assistance Agreement between Massachusetts Water Resources Authority and Boston Water and Sewer Commission for Dorchester Interceptor Inflow Removal, by which BWSC agrees to remove additional stormwater inflow from its Dorchester Interceptor system following the completion of the South Dorchester Bay Sewer Separation project and closing of related CSO outfalls in MWRA's Long-Term CSO Control Plan, and MWRA agrees to provide funding for eligible inflow removal costs at a total amount not to exceed \$3,763,054 and a term of 48 months from July 1, 2017 through June 30, 2021, substantially in the form presented and filed with the records of the meeting.

Appointment of Associate General Counsel, Litigation, Law Division

Upon a motion duly made and seconded, it was

Voted to approve the Executive Director's recommendation to appoint Ms. Meghan L. McNamara to the position of Associate General Counsel, Litigation, Law Division (Non-union, Grade 5) at an annual salary of \$130,000 to be effective on the date designated by the Executive Director.

Appointment of Deputy Contracts Manager, Procurement Department, Administration Division

Upon a motion duly made and seconded, it was

Voted to approve the Executive Director's recommendation to appoint Mr. Tsuyoshi Fukuda to the position of Deputy Contracts Manager, Administration Division (Unit 6, Grade 13) at an annual salary of \$116,034.69 to be effective on the date designated by the Executive Director.

Appointment of Program Manager Engineering & Construction, Operations Division

Upon a motion duly made and seconded, it was

Voted to approve the Executive Director's recommendation to appoint Ms. Kathleen M. Cullen, P.E. to the position of Program Manager, Engineering & Construction Department (Unit 9/Grade 29), at an annual salary of \$108,599.56, to be effective on the date designated by the Executive Director.

CONTRACT AWARDS

Electrical Testing and Technical Services – Metropolitan Boston: Infra-Red Building and Power Service Co., Inc., Contract OP-345

Upon a motion duly made and seconded, it was

Voted to approve the award of Contract OP-345, Electrical Testing and Technical Services - Metropolitan Boston, to the lowest eligible and responsive bidder, Infra-Red Building and Power Service Co., Inc., and authorize the Executive Director,

on behalf of the Authority, to execute and deliver said contract in the bid amount of \$630,512, for a term of 1,095 calendar days from the Notice to Proceed.

Peabody Water Pipeline Project, Section 109 Extension: CDM Smith Inc., Contract 6895

Upon a motion duly made and seconded, it was

Voted to approve the recommendation of the Consultant Selection Committee to select CDM Smith Inc. to provide Design, Engineering Services During Construction, and Resident Engineering/Inspection Services for the Peabody Water Pipeline Project, Section 109 Extension and to authorize the Executive Director, on behalf of the Authority, to execute and deliver Contract 6895 with CDM Smith Inc. in an amount not to exceed \$3,498,857 for a term of fifty-one months from the Notice to Proceed.

CONTRACT AMENDMENTS/CHANGE ORDERS

Valve and Piping Replacements, Various Facilities – Deer Island Treatment Plant: Carlin Contracting Co., Inc., Contract 7275, Change Order 6

Upon a motion duly made and seconded, it was

Voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order 6 to increase the amount of Contract 7275 with Carlin Contracting Co., Inc., Valve and Piping Replacements Various Facilities, Deer Island Treatment Plant, for a lump sum amount of \$108,855.21, and to extend the term by 90 calendar days to September 20, 2017; further, to authorize the Executive Director to approve additional change orders as may be needed to Contract 7275 in amounts not to exceed the aggregate of \$250,000 and 180 days in accordance with the Management Policies and Procedures of the Board of Directors.

(Chairman Beaton joined the meeting.)

Caruso Pump Station Improvement: Waterline Industries Corp., Contract 7362, Change Order 6

Upon a motion duly made and seconded, it was

Voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order 6 to decrease the amount of Contract 7362 with Waterline Industries Corp., Inc., Caruso Pump Station Improvements, for a lump sum credit amount of (\$64,650), with no increase in contract term; further, to authorize the Executive Director to approve additional change orders as may be needed to Contract 7362 in amounts not to exceed the aggregate of \$250,000, in accordance with the Management Policies and Procedures of the Board of Directors.

EXECUTIVE SESSION

It was moved to enter executive session to discuss litigation, real estate and collective bargaining.

Upon a motion duly made and seconded, it was, upon a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Blackmon		
Carroll		
Cotter		
Flanagan		
Foti		
Pappastergion		
Peña		
Vitale		
Walsh		
Beaton		

Voted to enter executive session for the purpose of discussing strategy with respect to litigation and collective bargaining, and to consider the purchase, exchange, lease or value of real property, in that such discussion may have a detrimental effect on the litigating, bargaining and negotiating positions of the Authority.

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EXECUTIVE SESSION

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OTHER BUSINESS

The following vote was unanimously approved in Executive Session and authorized for release by inclusion with the records of the open session meeting:

Approval to File a Stipulation and Order in Federal Court and Approval of Agreement with NStar and HEEC Regarding Replacement of the Existing Deer Island Cross Harbor Cable

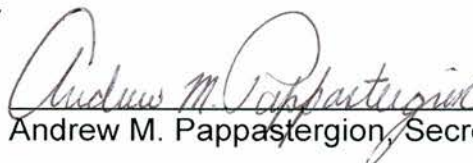
Upon a motion duly made and seconded, it was,

Voted to authorize the Executive Director, on behalf of the Authority, to enter into, through execution by its counsel of record, Foley Hoag LLP, a Stipulation and Order to be filed in the federal court cable matter pending before Judge Stearns, substantially in the form presented and filed with the records of the meeting, which filing will result in a general stay of those court proceedings until a new cross harbor cable has been installed by NStar and/or HEEC for MWRA's use by December 31, 2019; and that the Board approve the principal business terms of a negotiated agreement among NStar, HEEC and MWRA for the purchase and placement of that new 115 kV power cable by NStar and/or HEEC, and to authorize the Executive Director, on behalf of the Authority, to indicate the Authority's assent in writing to those terms in a form to be mutually agreed upon by MWRA, NStar and HEEC, substantially in the form presented and filed with the records of the meeting; and, further to authorize the release of this vote by inclusion in the open session minutes of the Board of Directors' meeting of May 8, 2017.

The meeting returned to open session at 1:55 p.m. and adjourned.

Approved: June 7, 2017

Attest:



Andrew M. Pappastergion, Secretary