

MASSACHUSETTS WATER RESOURCES AUTHORITYMeeting of the Board of DirectorsFebruary 20, 2019

A meeting of the Board of Directors of the Massachusetts Water Resources Authority was held on Wednesday, February 20, 2019 at the Authority headquarters in Charlestown. Vice Chair Carroll presided. Present from the Board were Ms. Wolowicz and Messrs. Cook, Cotter, Flanagan, Foti, Pappastergion, Peña, Vitale and Walsh. Mr. Beaton was absent. Among those present from the Authority staff were Frederick Laskey, Executive Director, Carolyn Francisco Murphy, General Counsel, David Coppes, Chief Operating Officer, Carolyn Fiore, Deputy Chief Operating Officer, Thomas Durkin, Director of Finance, Michele Gillen, Director of Administration, Patterson Riley, Special Assistant for Affirmative Action, and Assistant Secretaries Ria Convery and Kristin MacDougall. The meeting was called to order at 1:02 p.m.

APPROVAL OF JANUARY 16, 2019 MINUTES

Upon a motion duly made and seconded, it was

Voted: to approve the minutes of the Board of Directors' meeting of January 16, 2019 as presented and filed with the records of the meeting.

REPORT OF THE CHAIR

Vice Chair Carroll welcomed Mr. Christopher Cook to the Board of Directors.

REPORT OF THE EXECUTIVE DIRECTOR

Mr. Laskey reported on the FEMA Public Assistance Program Funds that MWRA will be receiving for the March, 2018 nor'easter storm related costs. Mr. Laskey also applauded the generosity of MWRA staff, who held fundraisers to benefit two of their co-workers. Mr. Laskey presented Extraordinary Service Awards on behalf of a committee comprised of MWRA labor and management representatives. Award recipients for 2018 included Louis Collins, Steve Abner and David Finn, for their March 2018 flood response; Oscar Hernandez, for his humanitarian work; Brian Pyburn and Greg Motley, for their leak detection work; and, Kevin DiPerri, Lawrence Didio, Jeffrey Stanton and

Samuel Dowd, for their work on the Clinton Wastewater Treatment Plant redundancy systems.

APPROVALS

Transmittal of the FY2020 Proposed Current Expense Budget to the MWRA Advisory Board

Upon a motion duly made and seconded, it was

Voted: to approve transmittal of the FY20 Proposed Current Expense Budget to the MWRA Advisory Board for its 60 day review and comment period.

Approval of Eightieth Supplemental Bond Resolution

Upon a motion duly made and seconded, it was

Voted: to adopt the Eightieth Supplemental Resolution authorizing the issuance of up to \$166,000,000 of Massachusetts Water Resources Authority General Revenue Bonds and Massachusetts Water Resources Authority General Revenue Refunding Bonds and the supporting Issuance Resolution.

Delegation of Authority to Execute Contracts for the Purchase and Supply of Electric Power for the MWRA Interval Accounts

Upon a motion duly made and seconded, it was

Voted: to authorize the Executive Director, on behalf of the Authority, to execute contracts for the supply of electric power to the Interval Accounts, consisting of the Carroll Water Treatment Plant and the larger operations and facility management accounts, with the lowest responsive and responsible bidder, for the period and pricing structure selected, as determined by staff to be in MWRA's best interest, and for a contract supply term not to exceed 36 months. This delegation of authority is necessary because MWRA will be required to notify the selected bidders within a few hours of bid submittal to lock-in the bid prices in a constantly changing market.

Appointment of Proxy for Fore River Railroad Corporation

Upon a motion duly made and seconded, it was

Voted: that the MWRA Board of Directors, as holder of all voting rights of

all the issued and outstanding shares of stock of the Fore River Railroad Corporation, vote to appoint Bethany A. Card, with the power of substitution, to vote as proxy at the next annual meeting and any special meeting of the stockholders for the Fore River Railroad Corporation in accordance with the form of proxy attached hereto and filed with the records of this meeting. In addition, the MWRA Board of Directors directs the proxy to elect the following board members:

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|-----------------------------|--------------------|
| David W. Coppes | Carolyn M. Fiore |
| Frederick A. Laskey | John J. Walsh |
| Thomas J. Durkin | Michele S. Gillen |
| Carolyn M. Francisco Murphy | Godfrey O. Ezeigwe |
| Lisa R. Grollman | Brian Peña |

Amendments to the MWRA Regulations for Adjudicatory Proceedings, Enforcement and Administrative Penalties, and Sewer Use

Upon a motion duly made and seconded, it was

Voted: to authorize staff to publish notice of proposed amendments to MWRA's Regulations for Adjudicatory Proceedings (360 CMR 1.00), Enforcement and Administrative Penalties (360 CMR 2.00), and Sewer Use (360 CMR 10.000), as presented and filed with the records of the meeting, in the Massachusetts Register and newspapers for public comment.

Assignment and Assumption of Bid WRA-4115 and Issuance of a New Purchase Order Contract for the Supply and Delivery of Polymer to the Deer Island Treatment Plant, Solenis, LLC

Upon a motion duly made and seconded, it was

Voted: to approve the assignment and assumption of the contract for supply and delivery of polymer to the Deer Island Treatment Plant, from BASF Corporation to Solenis, LLC, and further to authorize the Executive Director, on behalf of the Authority, to execute a new purchase order in an amount not to exceed \$344,509.79 to Solenis, LLC, with no increase in price or contract term.

Upon a motion duly made and seconded, it was

Voted: to approve an amendment to the Position Control Register (PCR) as presented and filed with the records of the meeting.

MWRA Staff Appointments

Upon a motion duly made and seconded, it was

Voted: to approve the following staff appointments:

Warehouse Manager: The appointment of Mr. John Harrington to the position of Warehouse Manager, Southborough (Unit 6, Grade 12) at the recommended salary of \$93,910.14 commencing on a date to be determined by the Executive Director;

Program Manager, Water Quality: The appointment of Mr. Joshua Das to the position of Program Manager, Water Quality (Unit 9, Grade 29), in the Environmental Quality Department, at an annual salary of \$112,432.84, commencing on a date to be determined by the Executive Director;

Associate Special Assistant for Affirmative Action: The appointment of Ms. Tomeka Cribb-Jones to the position of Associate Special Assistant in the Affirmative Action and Compliance Unit (Non-Union, Grade 14) at an annual salary of \$117,300 commencing on a date to be determined by the Executive Director;

Director, Wastewater Operations and Maintenance: The appointment of Mr. Charles Ryan to the position of Director, Wastewater Operations and Maintenance (Non-Union, Grade 15), in the Operations Division, at the annual salary of \$145,600, commencing on a date to be determined by the Executive Director;

Director, Metropolitan Operations: The appointment of Mr. Bradley J. Palmer to the position of Director, Metropolitan Operations (Non-Union, Grade 15), in the Operations Division, at the annual salary of \$145,600, commencing on a date to be determined by the Executive Director; and

Deputy Director of Waterworks: The appointment of Ms. Valerie Moran to the position of Deputy Director of Waterworks (Non-Union,

Grade 15), in the Operations Division, at the annual salary of \$145,600, commencing on a date to be determined by the Executive Director.

Approval of the 2019 Affirmative Action Plan

Upon a motion duly made and seconded, it was

Voted: to approve the Massachusetts Water Resources Authority's Affirmative Action Plan effective for a one-year period-from January 1, 2019 through December 31, 2019.

CONTRACT AWARDS

Dam Safety Compliance and Consulting Services - Repairs, Design and Engineering Services During Construction: GZA Environmental, Inc., Contract 7614

Upon a motion duly made and seconded, it was

Voted: to approve the recommendation of the Consultant Selection Committee to award Contract 7614 to GZA GeoEnvironmental, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in an amount not to exceed \$432,028.54, for a contract term of 52 months from the Notice to Proceed.

Chestnut Hill Emergency Pumping Station Improvements Design and Engineering Services During Construction, Hazen and Sawyer, Contract 7574

Upon a motion duly made and seconded, it was

Voted: to approve the recommendation of the Consultant Selection Committee to award Contract 7574, Chestnut Hill Emergency Pumping Station Improvements Design and Engineering Services During Construction, to Hazen and Sawyer, P.C., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the amount of \$2,074,166.81, for a contract term of 66 months from the Notice to Proceed.

Workers' Compensation Third Party Administrator Services: PMA Management Corp. of New England, Contract A618

Upon a motion duly made and seconded, it was

Voted: to approve the recommendation of the Consultant Selection Committee to select PMA Management Corp. of New England to provide

workers' compensation third party administrator services, and authorize the Executive Director, on behalf of the Authority, to execute Contract A618 with PMA Management Corp. of New England in a not-to-exceed amount of \$149,025 and a contract term from April 1, 2019 through March 31, 2022.

CONTRACT AMENDMENTS/CHANGE ORDERS

Actuarial Services: The Segal Company, Inc., Contract F248, Amendment No.1

Upon a motion duly made and seconded, it was

Voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 1 to Contract F248, Actuarial Services, with The Segal Company, Inc., to increase the contract term by nine months from December 31, 2018 through September 30, 2019, with no increase in cost.

Chelsea Creek Headworks Upgrade, BHD/BEC JV 2015, A Joint Venture, Contract 7161, Change Order 26

Upon a motion duly made and seconded, it was

Voted: to authorize the Executive Director, on behalf of the Authority, to approve Change Order 26 to Contract 7161, Chelsea Creek Headworks Upgrade, with BHD/BEC 2015, A Joint Venture, for an amount not to exceed \$375,000.00, increasing the contract amount from \$80,372,972.46 to \$80,747,972.46, with no increase in contract term.

Further, to authorize the Executive Director to approve additional change orders as may be needed to Contract 7161 in an amount not to exceed the aggregate of \$250,000, in accordance with the Management Policies and Procedures of the Board of Directors.

Alewife Brook Pump Station: Stantec Consulting Services, Inc., Contract 7034, Amendment 6

Upon a motion duly made and seconded, it was

Voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 6 to Contract 7034, Alewife Brook Pump Station Rehabilitation, with Stantec Consulting Services, Inc., to increase the contract amount by \$94,195.74 from \$2,169,652.22 to \$2,263,847.96 and increase the

contract term by 93 days from November 27, 2019 to February 28, 2020.

Wachusett Aqueduct Pumping Station, BHD/BEC JV 2015, A Joint Venture, Contract 7157, Change Order 55

Upon a motion duly made and seconded, it was

Voted: to authorize the Executive Director, on behalf of the Authority, to approve Change Order 55 to Contract 7157, Wachusett Aqueduct Pumping Station, with BHD/BEC JV 2015, A Joint Venture, for an amount not to exceed \$116,949, increasing the contract amount from \$50,655,413.03 to \$50,772,362.03, with no increase in contract term.

Further, to authorize the Executive Director to approve additional change orders as may be needed to Contract 7157 in an amount 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 and security and thereafter to return to open session solely for the purpose of adjournment. Upon a motion duly made and seconded, a roll call vote was taken in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Carroll		
Cook		
Cotter		
Flanagan		
Foti		
Pappastergion		
Peña		
Vitale		
Walsh		
Wolowicz		

Voted: to enter executive session for the purpose of discussing strategy

with respect to litigation and real estate, in that such discussions may have a detrimental effect upon the negotiating positions of the Authority.

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EXECUTIVE SESSION

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The meeting returned to open session and adjourned at 1:58 p.m.

Approved: March 20, 2019

Attest:



Andrew M. Pappastergion, Secretary