

**MASSACHUSETTS WATER RESOURCES AUTHORITY**Meeting of the Board of DirectorsMarch 20, 2019

A meeting of the Board of Directors of the Massachusetts Water Resources Authority was held on Wednesday, March 20, 2019 at the Authority headquarters in Charlestown. Chair Beaton presided. Present from the Board were Ms. Wolowicz and Messrs. Carroll, Cotter, Foti, Pappastergion, Peña, Vitale and Walsh. Messrs. Cook and Flanagan were 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, Bethany Card, Director of Environmental and Regulatory Affairs, Stephen Cullen, Director, Wastewater and Assistant Secretaries Ria Convery and Kristin MacDougall. The meeting was called to order at 1:15 p.m.

APPROVAL OF FEBRUARY 20, 2019 MINUTES

Upon a motion duly made and seconded, it was

Voted: to approve the minutes of the Board of Directors' meeting of February 20, 2019 as presented and filed with the records of the meeting.

REPORT OF THE CHAIR

Chair Beaton presented a budgetary and legislative update and highlighted the Municipal Vulnerability Preparedness Program. He commended MWRA for its ongoing work on vulnerability analysis.

REPORT OF THE EXECUTIVE DIRECTOR

Mr. Laskey updated the Board on the Town of Burlington's application to join the MWRA water system and EPA's concurrence with MWRA's proposed TRAC regulation changes. Mr. Laskey also informed the Board of the date for the scheduled SJC oral argument in the DaPrato matter and of an upcoming agreement relating to battery storage at Brattle Court.

On behalf of BWSC and the City of Boston, Mr. Vitale thanked MWRA staff for their assistance during a large fire and a water main break that occurred in March 2019.

MWRA staff presented an overview of the federal court action against the City of Quincy relating to its small municipal separate storm sewer system and sanitary sewer overflow discharges. They also made a presentation on MWRA's Southern Sewer System. There were questions and answers.

## APPROVALS

### Memorandum of Agreement Between the Authority and the City of Newton: Rehabilitation of Sections 23, 24 and 47 Water Mains, Contract 6392

Upon a motion duly made and seconded, it was

Voted: to authorize the Executive Director, on behalf of the Authority, to execute a Memorandum of Agreement with the City of Newton, substantially in the form as presented and filed with the records of the meeting, related to reimbursement to the Authority for construction costs associated with the replacement of a City of Newton 20-inch diameter water main.

### PCR Amendments - March 2019

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.

### Appointment of Assistant Contracts Manager, Administration Division

Upon a motion duly made and seconded, it was

Voted: to approve the appointment of Ms. Rebecca Tearte to the position of Assistant Contracts Manager, Administration Division (Unit 6, Grade 12) at an annual salary of \$103,157.30 commencing on a date to be determined by the Executive Director.

### Appointment of Manager, Employment, Human Resources

Upon a motion duly made and seconded, it was

Voted: to approve the appointment of Ms. Susan Carter to the position of

Manager, Employment, (Non-Union, Grade 14) in the Administration Division, at the recommended annual salary of \$117,300, commencing on a date to be determined by the Executive Director.

Appointment of Senior Program Manager, Engineering and Construction

Upon a motion duly made and seconded, it was

Voted: to approve the appointment of Ms. Ester Lwebuga to the position of Senior Program Manager (Unit 9/Grade 30) in the Engineering & Construction Department, at an annual salary of \$130,406.15, commencing on a date to be determined by the Executive Director.

Appointment of Program Manager - Data Management, Environmental Quality

Upon a motion duly made and seconded, it was

Voted: to approve the appointment of Romesh Stanislaus, Ph.D., to the position of Program Manager, Data Management (Unit 9, Grade 29) in the Environmental Quality Department, at an annual salary of \$112,433.12 commencing on a date to be determined by the Executive Director.

Appointment of Program Manager, Meter Data and Engineering, Planning Department

Upon a motion duly made and seconded, it was

Voted: to approve the appointment of Mr. Michael M. Greeley to the position of Program Manager, Meter Data and Engineering (Unit 9, Grade 29), in the Planning Department, at an annual salary of \$112,433.12, commencing on a date to be determined by the Executive Director.

Recommendations for Non-Union Pay Equity Adjustments

Upon a motion duly made and seconded, it was

Voted: to accept the recommendations of the pay equity consultant Hirsch Roberts Weinstein LLP and approve the salary adjustments summarized in Attachment B, "List of Recommended Salary Adjustments" commencing on a date determined by the Executive Director.

CONTRACT AWARDS

Centrifuge Services at the Deer Island Treatment Plant: Alfa Laval, Inc., Contract S580

Upon a motion duly made and seconded, it was

Voted: to approve the award of Contract S580, Centrifuge Services, Deer Island Treatment Plant, to the lowest responsive bidder, Alfa Laval, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the bid amount of \$649,750, for a contract term of 730 calendar days from the Notice to Proceed.

Combined Heat and Power Study, Deer Island Treatment Plant: Black & Veatch, Corporation, Contract 6963A

Upon a motion duly made and seconded, it was

Voted: to approve the recommendation of the Consultant Selection Committee to award Contract 6963A, Combined Heat and Power Study, Deer Island Treatment Plant, to Black & Veatch Corporation, and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the amount of \$1,149,500 for a contract term of 15 months from the Notice to Proceed.

Biosolids Processing Facility Capital Improvements: IPC Lydon, LLC, Contract 7153

Upon a motion duly made and seconded, it was

Voted: to approve the award of Contract 7153, Capital Improvements, Biosolids Processing Facility, to the lowest responsible and eligible bidder, IPC Lydon, LLC. and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the bid amount of \$8,681,776, with a contract term of 500 calendar days from the Notice to Proceed.

Program Support Services for the Metropolitan Tunnel Redundancy Program: JCK Underground, Inc., Contract 7655

Upon a motion duly made and seconded, it was

Voted: to approve the recommendation of the Consultant Selection Committee to award Contract 7655, Program Support Services for the Metropolitan Tunnel Redundancy Program to JCK Underground, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said

Contract in an amount not to exceed \$10,247,877 for a contract term of 60 months from the Notice to Proceed. In addition to the initial 60-month term, the Authority may elect to exercise options to renew the contract for two additional 24-month terms subject to further approval of the Board of Directors.

CONTRACT AMENDMENTS/CHANGE ORDERS

Southern Extra High Pipeline - Section 111 (Dedham North): P. Gioioso and Sons, Inc., Contract 7504, 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 Contract 7504, Southern Extra High Pipeline - Section 111 (Dedham North), with P. Gioioso and Sons, Inc., for an amount not to exceed \$90,000, increasing the contract amount from \$17,470,556.70 to \$17,560,556.70, with no increase in contract term.

Further, voted: to authorize the Executive Director to approve additional change orders as may be needed to Contract 7504 in an amount not to exceed the aggregate of \$250,000, in accordance with the Management Policies and Procedures of the Board of Directors.

Main Line Adjustment Project, Fore River Railroad: J.F. White Contracting Co., Contract FRR32, Change Order 2

Upon a motion duly made and seconded, it was

Voted: to authorize the Executive Director, on behalf of the Authority, to approve Change Order 2 to Contract FRR32, Fore River Railroad Main Line Adjustment Project, with J.F. White Contracting Co., for a lump sum credit amount of (\$277,515.06), decreasing the contract amount from \$2,671,056.64 to \$2,393,541.58, and increasing the contract term by 121 days from January 30, 2019 to May 17, 2019.

Further, voted: to authorize the Executive Director to approve additional change orders as may be needed to contract FRR32 in an amount not to exceed the aggregate of \$250,000, in accordance with the Management Policies and Procedures of the Board of Directors.

Lead Market Participant Services for the Deer Island Treatment Plant: Direct Energy Business Marketing, LLC, Amendment 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 Purchase Order 1145919, Demand Response Lead Market Participant Services, with Direct Energy Business Marketing, LLC, (Direct Energy) to increase the amount provided to Direct Energy from five percent of the revenue received from ISO New England to ten percent, and to extend the term by one year from June 1, 2019, to May 31, 2020.

EXECUTIVE SESSION

It was moved to enter executive session to discuss litigation 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>
Beaton		
Carroll		
Cotter		
Foti		
Pappastergion		
Peña		
Vitale		
Walsh		
Wolowicz		

Voted: to enter executive session for the purpose of discussing strategy with respect to litigation, 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 2:10 p.m.

Approved: April 17, 2019

Attest:

  
Andrew M. Pappastergion, Secretary