

MASSACHUSETTS WATER RESOURCES AUTHORITY

Meeting of the Board of Directors

April 14, 2021

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law the April 14, 2021 meeting of the Board of Directors of the Massachusetts Water Resources Authority was conducted by remote participation. Vice Chair Carroll presided. Present remotely from the Board, in addition to Mr. Carroll, were Ms. Wolowicz and Messrs. Cook, Flanagan, Foti, Pappastergion, Peña, Vitale, J. Walsh and P. Walsh. Secretary Theoharides was absent. MWRA staff participants included 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; Carl Leone, Senior Program Manager, Planning; John Gregoire, Program Manager, Reservoir Operations; Lisa Hamilton, Assistant Director, Engineering; John Colbert, Chief Engineer; Patrick Barrett, Program Manager, Engineering and Construction; Andrea Murphy, Director, Human Resources; Bethany Card, Director, Environmental and Regulatory Affairs; Katherine Ronan, Environmental Analyst; Matthew Horan, Deputy Director of Finance/Treasurer; Lisa Grollman, Real Property Project Manager; Richard Geisler, Environmental Manager; Paula Weadick, Director, MIS; Brian Kubaska, Assistant Director, Engineering; and, Assistant Secretaries Ria Convery and Kristin MacDougall. Vandana Rao, EOEEA, and Joseph Favaloro, MWRA Advisory Board, also participated. The meeting was called to order at 1:06 pm. All motions were individually made and presented for discussion and deliberation. After any discussion and deliberation, motions for which there were no objections were then consolidated for one omnibus roll call vote.

APPROVAL OF MARCH 17, 2021 MINUTES

A motion was duly made and seconded to approve the minutes of the Board of Directors' meeting of March 17, 2021.

Vice Chair Carroll called for any discussion or objections. Hearing none, the Chair referred the motion to an omnibus roll call vote. (ref. I)

REPORT OF THE CHAIR

On behalf of the Board of Directors, Vice Chair Carroll welcomed Mr. Patrick J. Walsh to the Board. (ref. II)

REPORT OF THE EXECUTIVE DIRECTOR

Mr. Laskey welcomed Mr. Patrick Walsh to the Board of Directors on behalf of MWRA staff. Next, Mr. Laskey and MWRA staff provided the Board with a COVID-19

Documents used for this meeting, referenced above, can be found here:

<https://www.mwra.com/monthly/bod/boardmaterials/2021/OS-2021-04-14%20Board%20Materials.pdf>

update. Mr. Laskey then reported that he or a designee will serve on the Commonwealth's PFAS Task Force. Finally, Mr. Laskey noted that the Annual Meeting of the Personnel and Compensation Committee Independent of Management is expected to be held in May or June, 2021. (ref. III)

WATER POLICY AND OVERSIGHT INFORMATION

Quarterly Update: Section 22 Rehabilitation Alternatives Analysis and Environmental Permitting, Black & Veatch Corporation, Contract 7155

Staff gave a presentation.

There were questions and answers.

Hearing no further questions or discussion, Committee Chair Peña proceeded to the next agenda item. (ref. IV A.1)

CONTRACT AWARDS

Diver Assisted Suction Harvesting of Invasive Plants at Wachusett Reservoir Lower Basin and Coves: AE Commercial Diving Services, Contract WRA-4942

A motion was duly made and seconded to approve the award of a purchase order contract for the control of invasive plants in the Wachusett Reservoir lower basins and main reservoir coves to the lowest responsive bidder under Bid WRA-4942, AE Commercial Diving Services, and to authorize the Executive Director, on behalf of the Authority, to execute said purchase order contract in the bid amount of \$448,000 for a term of six months from July 1, 2021 to December 31, 2021.

Staff gave a presentation.

Hearing no questions or objections, Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. IV B.1)

Community Leak Detection Survey Services: Arthur Pyburn & Sons, Inc. and Liston Utility Services

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to award Contracts W332 and W332A for Community Leak Detection Survey Task Order Services to Arthur Pyburn & Sons, Inc. and Liston Utility Services, respectively, and to authorize the Executive Director, on behalf of the Authority, to execute each contract in an amount not to exceed \$400,000 for a contract term of three years from the Notice to Proceed.

Staff provided a summary.

Hearing no questions or objections, Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. IV B.2)

Shaft 5 Building Improvements Design and Engineering Services During Construction: Kleinfelder Northeast, Inc., Contract 7599

A motion was duly made and seconded to approve the recommendation of the Consultant Selection Committee to award Contract 7599, Shaft 5 Building Improvements Design and Engineering Services During Construction, to Kleinfelder Northeast, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the amount of \$1,158,678 for a contract term of 60 months from the Notice to Proceed.

Staff gave a presentation. There were questions and answers.

Hearing no further questions or objections, Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. IV B.3)

Section 89 Replacement Project, Resident Engineering Services: Stantec Consulting Services Inc., Contract 7633

A motion was duly made and seconded to approve the recommendation of the Consultant Selection Committee to award Contract 7633, Section 89 Replacement Project, Resident Engineering Services, to Stantec Consulting Services Inc. and to authorize the Executive Director, on behalf of the Authority, to execute said contract in an amount not to exceed \$1,697,990, for a contract term of forty-eight months from the Notice to Proceed.

Staff gave a presentation. (Ms. Wolowicz joined the meeting during the presentation.) There was brief discussion and questions and answers.

Hearing no further questions or objections, Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. IV B.4)

CONTRACT AMENDMENTS/CHANGE ORDERS

Section 89 Replacement Project Design and Engineering Services During Construction: Stantec Consulting Services Inc., Contract 7116, Amendment 1

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Amendment 1 to Contract 7116, Section 89 Replacement Project Design and Engineering Services During Construction, with Stantec Consulting Services Inc., increasing the contract amount by \$443,100, from \$3,948,625, to \$4,391,725, and extending the contract term time by 41 months, from January 2, 2023 to June 2, 2026.

Staff provided a summary. There was brief discussion and questions and answers.

Hearing no further questions or objections, Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. IV C.1)

PERSONNEL AND COMPENSATION

APPROVALS

Appointment of Deputy Director, Waterworks

A motion was duly made and seconded to approve the appointment of Ms. Lisa Bina to the position of Deputy Director, Waterworks (Non-Union, Grade 15) in the

Operations Division, at the recommended annual salary of \$149,968 commencing on a date to be determined by the Executive Director.

Staff provided a verbal summary.

Hearing no questions or objections, Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. V A.1)

CONTRACT AWARDS

Employee Medical Services: AllOne Health, Contract A628

A motion was duly made and seconded to approve the recommendation of the Selection Committee to award Contract A628 for Occupational and Medical Services to AllOne Health Resources, Inc., and to authorize the Executive Director on behalf of the Authority to execute said contract in an amount not to exceed \$132,625.50 for a three year period, commencing June 1, 2021.

Staff provided a verbal summary.

Hearing no questions or objections, Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. V B.1)

ADMINISTRATION, FINANCE AND AUDIT INFORMATION

2020 Annual Update on New Connections to MWRA System

Staff gave a presentation. There were questions and answers.

Hearing no further questions or objections, Committee Chair Vitale proceeded to the next agenda item. (ref. VI A.1)

Delegated Authority Report – March 2021

There was brief discussion.

Hearing no further questions or objections, Committee Chair Vitale proceeded to the next agenda item. (ref. VI A.2)

FY21 Financial Update and Summary as of March 2021

Staff gave a verbal summary. There were questions and answers.

Hearing no further questions or objections, Committee Chair Vitale proceeded to the next agenda item. (ref. VI A.3)

APPROVALS

Assignment and Assumption of Contract 7347, Quinapoxet Dam Removal Design, Permitting and Engineering Services During Construction, from Milone & MacBroom, Inc. to SLR International Corporation

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve the assignment and assumption of Contract 7347, Quinapoxet Dam Removal Design, Permitting and Engineering Services During

Construction, from Milone & MacBroom, Inc. to SLR International Corporation, and to further authorize the Executive Director, on behalf of the Authority, to execute a separate Assignment and Assumption Agreement to effectuate that assignment with no increase in price or contract term.

Staff gave a presentation. There were questions and answers.

Hearing no further questions or objections, Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. VI B.1)

CONTRACT AWARDS

Task Order Appraisal Services: Foster Appraisal and Consulting, Contract 607TA

A motion was duly made and seconded to approve the recommendation of the Consultant Selection Committee to award Contract 607TA to Foster Appraisal & Consulting Co., Inc. to provide appraisal services and to authorize the Executive Director, on behalf of the Authority, to execute a contract in an amount not to exceed \$100,000 for a term of three years from the Notice to Proceed.

Staff provided a verbal summary. There were questions and answers.

Hearing no further questions or objections, Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. VI C.1)

Technical Assistant Consultant Services, Hazardous Materials: Hydro-Environmental Technologies, Inc., Contract 609TA; and Green Seal Environmental, Inc., Contract 610TA

A motion was duly made and seconded to approve the recommendation of the Consultant Selection Committee to award Contract 609TA to Hydro-Environmental Technologies, Inc. and Contract 610TA to Green Seal Environmental, Inc. to provide Technical Assistance Consulting Services for Hazardous Materials and to authorize the Executive Director, on behalf of the Authority, to execute said contracts, each for an amount not to exceed \$550,000, and each with a contract term of three years from the Notice to Proceed..

Staff provided a verbal summary.

Hearing no questions or objections, Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. VI C.2)

Maintenance and Support of the Integrated Financial, Procurement and Human Resources/Payroll Management System, Infor Inc.

A motion was duly made and seconded to approve the award of a sole source purchase order contract for the annual maintenance and support of the integrated financial, procurement and human resources/payroll management system to Infor Inc. and to authorize the Executive Director, on behalf of the Authority, to execute said purchase order contract in an amount not to exceed \$508,757.77 for a period of one year, from June 1, 2021 through May 31, 2022.

Staff provided a verbal summary. There was discussion and questions and answers.

Hearing no further questions or objections, Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. VI C.3)

Telephone System Replacement: ePlus Technology, Inc., Contract WRA-4957Q, State Contract ITT50

A motion was duly made and seconded to approve the award of a purchase order contract for telephone system hardware, software, five years maintenance support, three years managed services, and installation services to the lowest responsive bidder under Bid WRA-4957Q, ePlus Technology, Inc., and authorize the Executive Director, on behalf of the Authority, to execute said purchase order in the bid amount of \$1,094,551.80.

Staff gave a presentation. There were questions and answers.

Hearing no further questions or objections, Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. VI C.4)

WASTEWATER POLICY AND OVERSIGHT

APPROVALS

Financial Assistance Agreement with Boston Water and Sewer Commission for East Boston Sewer Separation and Other CSO Improvements

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to execute the *Financial Assistance Agreement by and between Massachusetts Water Resources Authority and Boston Water and Sewer Commission for East Boston Sewer Separation and Other CSO Improvements*, substantially in the form attached to the staff summary presented to the Board and filed with the records of the meeting, by which BWSC agrees to perform sewer separation and other CSO system improvements in East Boston to further reduce CSO activations and volumes and assist MWRA in meeting its Long Term CSO Control Plan goals and MWRA agrees to provide funding for eligible sewer separation and CSO system improvement costs at a total amount not to exceed \$2,181,667 and a term of 24 months, from July 1, 2021 through June 30, 2023.

Staff gave a presentation. There were questions and answers.

Hearing no further questions or objections, Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. VII A.1)

CONTRACT AWARDS

Deer Island South System Pump Station Improvements Preliminary Design, Final Design, Bidding, ESDC and RE/RI: Hazen and Sawyer, Contract 7126

A motion was duly made and seconded to approve the recommendation of the Consultant Selection Committee to award of Contract 7126, Deer Island Treatment Plant South System Pump Station Improvements – Preliminary Design, Final Design, Bidding, Engineering Services During Construction, and Resident Engineering/Inspection

Services, to Hazen and Sawyer, P.C., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in an amount not to exceed \$7,535,701.14, for a contract term of 80 months from the Notice to Proceed.

Staff gave a presentation.

Hearing no questions or objections, Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. VII B.1)

Repair of Three Deer Island Treatment Plant Digester Mixer Assemblies: Aqua Solutions, Inc.

A motion was duly made and seconded to approve the award of a sole source contract for the repair of three Deer Island Treatment Plant digester mixer assemblies to Aqua Solutions, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the amount of \$302,820 for a contract term of three years, from April 14, 2021 through April 13, 2024.

Staff gave a presentation.

Hearing no questions or objections, Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. VII B.2)

OMNIBUS ROLL CALL VOTE

Vice Chair Carroll called for an omnibus roll call vote on the motions made and seconded.

An omnibus roll call vote was taken in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Present</u>
Carroll			
Cook			
Flanagan			
Foti Pappastergion			
Peña			
Vitale			
J. Walsh			P. Walsh
Wolowicz			

Voted: to approve the minutes of the Board of Directors' March 17, 2021 meeting as presented and filed with the records of the meeting; (ref. I)

Further, voted: to approve the award of a purchase order contract for the control of invasive plants in the Wachusett Reservoir lower basins and main reservoir coves to the lowest responsive bidder under Bid WRA-4942, AE Commercial Diving Services, and to authorize the Executive Director, on behalf of the Authority, to execute said purchase

order contract in the bid amount of \$448,000 for a term of six months from July 1, 2021 to December 31, 2021; (ref. IV B.1)

Further, voted: to authorize the Executive Director, on behalf of the Authority, to award Contracts W332 and W332A for Community Leak Detection Survey Task Order Services to Arthur Pyburn & Sons, Inc. and Liston Utility Services, respectively, and to authorize the Executive Director, on behalf of the Authority, to execute each contract in an amount not to exceed \$400,000 for a contract term of three years from the Notice to Proceed; (ref. IV B.2)

Further, voted: to approve the recommendation of the Consultant Selection Committee to award Contract 7599, Shaft 5 Building Improvements Design and Engineering Services During Construction, to Kleinfelder Northeast, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the amount of \$1,158,678 for a contract term of 60 months from the Notice to Proceed; (ref. IV B.3)

Further, voted: to approve the recommendation of the Consultant Selection Committee to award Contract 7633, Section 89 Replacement Project, Resident Engineering Services, to Stantec Consulting Services Inc. and to authorize the Executive Director, on behalf of the Authority, to execute said contract in an amount not to exceed \$1,697,990, for a contract term of forty-eight months from the Notice to Proceed; (ref. IV B.4)

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 1 to Contract 7116, Section 89 Replacement Project Design and Engineering Services During Construction, with Stantec Consulting Services Inc., increasing the contract amount by \$443,100, from \$3,948,625, to \$4,391,725, and extending the contract term time by 41 months, from January 2, 2023 to June 2, 2026; (ref. IV C.1)

Further, voted: to approve the appointment of Ms. Lisa Bina to the position of Deputy Director, Waterworks (Non-Union, Grade 15) in the Operations Division, at the recommended annual salary of \$149,968 commencing on a date to be determined by the Executive Director; (ref. V A.1)

Further, voted: to approve the recommendation of the Selection Committee to award Contract A628 for Occupational and Medical Services to AllOne Health Resources, Inc., and to authorize the Executive Director on behalf of the Authority to execute said contract in an amount not to exceed \$132,625.50 for a three year period, commencing June 1, 2021; (ref. V B.1)

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve the assignment and assumption of Contract 7347, Quinapoxet Dam Removal Design, Permitting and Engineering Services During Construction, from Milone & MacBroom, Inc. to SLR International Corporation, and to further authorize the Executive Director, on behalf of the Authority, to execute a separate Assignment and Assumption Agreement to effectuate that assignment with no increase in price or contract term; (ref. VI B.1)

Further, voted: to approve the recommendation of the Consultant Selection Committee to award Contract 607TA to Foster Appraisal & Consulting Co., Inc. to provide appraisal services and to authorize the Executive Director, on behalf of the Authority, to execute a contract in an amount not to exceed \$100,000 for a term of three years from the Notice to Proceed; (ref. VI C.1)

Further, voted: to approve the recommendation of the Consultant Selection Committee to award Contract 609TA to Hydro-Environmental Technologies, Inc. and Contract 610TA to Green Seal Environmental, Inc. to provide Technical Assistance Consulting Services for Hazardous Materials and to authorize the Executive Director, on behalf of the Authority, to execute said contracts, each for an amount not to exceed \$550,000, and each with a contract term of three years from the Notice to Proceed; (ref. VI C.2)

Further, voted: to approve the award of a sole source purchase order contract for the annual maintenance and support of the integrated financial, procurement and human resources/payroll management system to Infor Inc. and to authorize the Executive Director, on behalf of the Authority, to execute said purchase order contract in an amount not to exceed \$508,757.77 for a period of one year, from June 1, 2021 through May 31, 2022; (ref. VI C.3)

Further, voted: to approve the award of a purchase order contract for telephone system hardware, software, five years maintenance support, three years managed services, and installation services to the lowest responsive bidder under Bid WRA-4957Q, ePlus Technology, Inc., and authorize the Executive Director, on behalf of the Authority, to execute said purchase order in the bid amount of \$1,094,551.80; (ref. VI C.4)

Further, voted: to authorize the Executive Director, on behalf of the Authority, to execute the *Financial Assistance Agreement by and between Massachusetts Water Resources Authority and Boston Water and Sewer Commission for East Boston Sewer Separation and Other CSO Improvements*, substantially in the form attached to the staff summary presented to the Board and filed with the records of the meeting, by which BWSC agrees to perform sewer separation and other CSO system improvements in East Boston to further reduce CSO activations and volumes and assist MWRA in meeting its Long Term CSO Control Plan goals and MWRA agrees to provide funding for eligible sewer separation and CSO system improvement costs at a total amount not to exceed \$2,181,667 and a term of 24 months, from July 1, 2021 through June 30, 2023; (ref. VII A.1)

Further, voted: to approve the recommendation of the Consultant Selection Committee to award of Contract 7126, Deer Island Treatment Plant South System Pump Station Improvements – Preliminary Design, Final Design, Bidding, Engineering Services During Construction, and Resident Engineering/Inspection Services, to Hazen and Sawyer, P.C., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in an amount not to exceed \$7,535,701.14, for a contract term of 80 months from the Notice to Proceed; (ref. VII B.1) and,

Further, voted: to approve the award of a sole source contract for the repair of three Deer Island Treatment Plant digester mixer assemblies to Aqua Solutions, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the amount of \$302,820 for a contract term of three years, from April 14, 2021 through April 13, 2024. (ref. VII B.2)

CORRESPONDENCE TO THE BOARD

Mr. Laskey noted that correspondence from the Water Supply Citizens Advisory Committee had been forwarded to Board Members.

EXECUTIVE SESSION

Vice Chair Carroll moved that the Board enter Executive Session to discuss litigation, real estate and security since discussion in Open Session may have a detrimental effect upon the negotiating position of the Authority; further, to not return to Open Session and to adjourn the meeting from Executive Session.

MWRA General Counsel Francisco Murphy announced that under the Open Meeting Law, at the start of an Executive Session, members who are participating remotely must state that no other person is present or able to hear the discussion at their remote locations, and that a response of "yes" to the Roll Call to enter Executive Session when their names are called would be deemed their statements that no other person is present or able to hear the Executive Session discussion at their remote locations.

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>	<u>Present</u>
Carroll			
Cook			
Flanagan			
Foti			
Pappastergion			
Peña			
Vitale			
J. Walsh			
P. Walsh			
Wolowicz			

Voted: to enter Executive Session to discuss litigation, real estate and security; further, voted: to not return to Open Session, and to adjourn the meeting from Executive Session.

*** EXECUTIVE SESSION ***

The meeting entered Executive Session at 2:46pm and adjourned at 3:27pm.

Approved: May 26, 2021

Attest:

Andrew M. Pappastergion, Secretary