

**MASSACHUSETTS WATER RESOURCES AUTHORITY**

Meeting of the Board of Directors

February 16, 2022

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A meeting of the Massachusetts Water Resources Authority (“MWRA”) Board of Directors was held on February 16, 2022. The meeting was conducted virtually, pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency. Chair Theoharides presided remotely. Also participating remotely from the Board were Messrs. Cook, Flanagan, Foti, Pappastergion, Peña, Vitale, J. Walsh, and Ms. Wolowicz. Messrs. Carroll and P. Walsh were absent.

MWRA staff in attendance virtually 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; Kathy Murtagh, Director, Tunnel Redundancy; Paula Weadick, Director, MIS; Stephen Estes-Smargiassi, Director, Planning and Sustainability; Valerie Moran, Director, Waterworks; Cori Barrett, Director, Construction; John Colbert, Chief Engineer; Patterson Riley, Special Assistant for Affirmative Action; Tomeka Cribb-Jones, Associate Special Assistant for Affirmative Action; Rebecca Weidman, Director, Environmental and Regulatory Affairs; Andrea Murphy, Director, Human Resources; Leo Norton, Assistant Manager, Rates, Revenue and Finance; Michael Cole, Director, Budget; Matthew Horan, Deputy Director of Finance/Treasurer; Douglas Rice, Director, Procurement; Stephen Cullen, Director, Wastewater; Brian Kubaska, Assistant Director, Engineering; and Assistant Secretaries Ria Convery and Kristin MacDougall. Vandana Rao, Executive Office of Environmental Affairs (EEA), and Joseph Favaloro, MWRA Advisory Board, were also in attendance virtually.

Chair Theoharides called the meeting to order at 1:03pm. MWRA General Counsel Francisco Murphy took roll call of Board Members in attendance. The Chair announced that except for Executive Session, the meeting was open to the public virtually, via a link posted on MWRA’s website ([www.mwra.com](http://www.mwra.com)). She added that the meeting would be recorded, and that the agenda and meeting materials were available on MWRA’s website. She also announced that the meeting would move into Executive Session after the Executive Director’s report, and that the Open Session would resume after the adjournment of Executive Session.

General Counsel Francisco Murphy explained that all motions would be individually presented and given an opportunity for discussion and deliberation; further, that after discussion and deliberation, any Board member could request an individual roll call vote on that motion, where Board Members could vote affirmatively or in the negative, or abstain from voting. She also said that if no request for an individual vote were made or concerns raised, the motion would advance for an omnibus roll call vote at the conclusion of all the presentations.

**APPROVAL OF JANUARY 19, 2022 MINUTES**

A motion was duly made and seconded to approve the minutes of the Board of Directors’ meeting of January 19, 2022. Chair Theoharides called for any questions, discussion, or objections. Hearing none, she referred the motion to an omnibus roll call vote. (ref. I)

### REPORT OF THE CHAIR

Chair Theoharides commended the MWRA Biobot Wastewater Covid-19 Tracking program. She then reported that American Recovery Act funds were starting to move into channels for funding projects across the Commonwealth. (ref. II)

### REPORT OF THE EXECUTIVE DIRECTOR

MWRA Executive Director Frederick Laskey announced that MWRA would hold a virtual public briefing on the findings of its Combined Sewer Overflow (CSO) Post-Construction Monitoring and Performance Assessment on Thursday, February 17, 2022. He noted that staff expected more public participation than usual at the hearing. He provided a brief update on the status of the MWRA CSO Control Plan and said that staff would report back to Board Members on any action items from the briefing. Mr. Laskey and General Counsel Francisco Murphy then reminded Board Members that they could, at their discretion, shorten long motions by moving to adopt recommendations in dated staff summaries as presented and filed with the records of the meeting. Finally, Mr. Laskey thanked Chair Theoharides for her ongoing support of the Biobot program. (ref. III)

### EXECUTIVE SESSION

Chair Theoharides requested that the Board move into Executive Session to discuss real estate and litigation, since open session could have a detrimental effect on the bargaining and litigation positions of the Authority. She announced that the planned topics of discussion in Executive Session were watershed land acquisition, Prison Point Contract 7462, the budgets and terms for outside counsel for DPU matters and Cross Harbor Cable litigation, and an annual litigation and claims summary. She announced that the Board would return to Open Session after the conclusion of Executive Session.

A motion was duly made and seconded to enter Executive Session for these purposes, and to resume Open Session after Executive Session adjournment.

Ms. Francisco Murphy reminded Board members that under the Open Meeting Law members who were participating remotely in Executive Session must state that no person is present or able to hear the discussion at their remote location, and that a response of "yes" to the Roll Call to enter Executive Session when their name was called would also be deemed their statement that no other person is present or able to hear the session discussion.

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>
Theoharides		
Cook		
Flanagan		
Foti		
Pappastergion		

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Peña		
Vitale		
J. Walsh		
Wolowicz		

Voted: to enter Executive Session, and to resume Open Session after Executive Session adjournment.

The Board moved to Executive Session to discuss real estate and litigation, since discussing such in Open Session could have a detrimental effect upon the bargaining and litigation positions of the Authority.

\*\*\* EXECUTIVE SESSION \*\*\*

The meeting entered Executive Session at 1:11pm and adjourned at 1:29pm.

\*\*\* CONTINUATION OF OPEN SESSION \*\*\*

Open Session resumed at 1:30pm. Chair Theoharides presided.

#### WATER POLICY AND OVERSIGHT

##### Information

##### Report on 2021 Water Use Trends and Reservoir Status

MWRA Director of Planning and Sustainability Stephen Estes-Smargiassi gave a presentation on water use trends and reservoir status for 2021, including total consumption by MWRA communities; daily system demand; City of Boston water use; Boston's share of total demand; fully-supplied community demand; the annual base and outdoor use of fully-supplied communities; the five year running average of reservoir withdrawals; and Quabbin reservoir volumes.

There was discussion about the methodology for calculating safe yield, the hypothetical effects of climate change on safe yield, and the financial implications of Covid-related reduced water demand. (ref. V A.1)

Hearing no further discussion, Committee Chair Cook proceeded to the next agenda item.

##### Metropolitan Redundancy Interim Improvements Projects Update

MWRA Director of Waterworks Valerie Moran and MWRA Director of Construction Cori Barrett presented a status update on Metropolitan Redundancy Interim Improvement projects, including the Commonwealth Avenue Pumping Station; New Low Service Pumps 4 and 5; a new service line connection to Low Service WASM 1 and 2; improvements to Low Service pressure reducing

valves and PRV vaults; Top of Shafts 6, 8 and 9A interim improvements; WASM 3 pipeline rehabilitation; and Chestnut Hill Pump Station improvements.

Mr. Cook commended the project team.

Chair Theoharides asked if there was further discussion or any objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. V A.2)

#### Contract Awards

##### Northern Extra High Pressure Zone Improvements Section 63 (Lexington): Albanese D&S, Inc., Contract 6522

A motion was duly made and seconded to approve the award of Contract 6522, Northern Extra High Pressure Zone Improvements Section 63 (Lexington), to the lowest responsible and eligible bidder, Albanese D&S, Inc. and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the bid amount of \$11,737,000 for a contract term of 840 calendar days from the Notice to Proceed.

MWRA Chief Engineer John Colbert presented an overview of the proposed project to provide water system redundancy and a connection to Burlington, and the procurement process.

There was brief discussion about the location of a Town of Lexington pipeline.

Chair Theoharides asked if there was further discussion or any objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. V B.1)

#### Contract Amendments/Change Orders

##### John J. Carroll Water Treatment Plant Sodium Hypochlorite System Modifications: Harding & Smith, LLC, Contract 7085H, Change Order 5

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Change Order 5 to Contract 7085H, John J. Carroll Water Treatment Plant Sodium Hypochlorite System Modifications, with Harding & Smith, LLC for a not-to-exceed amount of \$140,000, increasing the contract amount from \$1,865,917.47 to \$2,005,917.47, and extending the contract term by 150 calendar days from February 7, 2022 to July 7, 2022. Further, it was moved and seconded to authorize the Executive Director to approve additional change orders as may be needed to Contract 7085H in an amount not to exceed the aggregate of \$250,000 and 180 days in accordance with the Management Policies and Procedures of the Board of Directors.

Ms. Barrett provided a brief summary of the project and explained that the proposed change order, which is to allow for three phase power, required for new chemical metering pumps.

There was discussion about the change order history for this project, and the reasons for prior change orders.

Chair Theoharides asked if there was further discussion or any objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. V C.1)

## PERSONNEL AND COMPENSATION

### Information

#### Diversity, Equity and Inclusion Workgroup Update

MWRA Special Assistant for Affirmative Action Patterson Riley updated Board Members on Diversity, Equity and Inclusion (DEI) Workgroup activities. He reported that the DEI Workgroup goals were part of the Authority's strategic business plan for Fiscal Years 2021 through 2025; that the Authority had developed and adopted a DEI mission statement; and that MWRA's internal website included a page to provide staff with information about DEI-related topics. Mr. Riley added that employee engagement and training were important components of DEI, and that MWRA had increased training opportunities for staff. Mr. Riley then noted that staff had initiated a co-op program for vocational and technical school students in the MWRA service area, and that a staff mentoring program was in development.

MWRA Director of Administration Michele Gillen thanked Board Members and Mr. Laskey for their support of MWRA's DEI initiatives.

Mr. Riley then reported that MWRA would undertake a disparity study to evaluate the Authority's minority and women owned business programs, and noted that DEI initiatives were tied to MWRA's Environmental Justice (EJ) efforts. He then introduced the leaders of MWRA's EJ efforts, Tomeka Cribb-Jones, Associate Special Assistant for Affirmative Action, and Rebecca Weidman, Director of Environmental and Regulatory Affairs.

Board Members commended MWRA's DEI initiatives and offered assistance in developing a mentoring program.

Chair Theoharides noted that DEI was a priority at the secretariat level of the Commonwealth and encouraged MWRA staff to continue work on DEI efforts.

Hearing no further discussion, Committee Chair Wolowicz proceeded to the next agenda item. (ref. VI A.1)

### Approvals

#### Approval of the 2022 Affirmative Action Plan

Mr. Riley described MWRA staffing challenges due to the ongoing Covid pandemic, and steps to improve employee recruitment and retention, including promotions. He reported that MWRA's workforce was approximately 47% minority and female despite staffing challenges. Finally, Mr. Riley noted that Affirmative Action Plan priorities included the recruitment and retention of skilled craft staff, and increased representation of women and minorities in management.

Board Member Vitale commended MWRA's DEI efforts and Affirmative Action Plan, noting that DEI was also priority for City of Boston. He thanked MWRA staff for their assistance with recent

water main breaks in Worcester and Boston. Mr. Vitale then expressed gratitude on behalf of Mayor Wu, and noted that MWRA's readiness to work as a team with the City of Boston and the Boston Water and Sewer Commission validated its strength as an organization.

A motion was duly made and seconded that the Board of Directors approve the Massachusetts Water Resources Authority's Affirmative Action Plan effective for a one-year period from January 1, 2022 through December 31, 2022.

Chair Theoharides asked if there was further discussion or any objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. VI B.1)

#### PCR Amendments – February 2022

A motion was duly made and seconded to approve the amendments to the Position Control Register (PCR) as presented and filed with the records of the meeting.

MWRA Director of Human Resources Andrea Murphy summarized the proposed PCR amendments, which included two title and grade changes for vacant positions and the addition of a non-union Business Relationship Manager position.

Board Member Jack Walsh asked for more information about the job duties for the proposed Business Relationship Manager position, noting that the job description was not included with the associated Staff Summary. Ms. Murphy described the position's job duties. MWRA Special Assistant to the Executive Director Ria Convery advised Mr. Walsh that staff would forward him a copy of the job description.

(Ms. Wolowicz briefly left the meeting during discussion.)

Chair Theoharides asked if there was further discussion or any objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. VI B.2)

#### ADMINISTRATION, FINANCE AND AUDIT

##### Information

##### FY2022 Second Quarter Orange Notebook

MWRA Chief Operating Officer David Coppes presented highlights of MWRA key performance indicators for the first and second quarters of Fiscal Year 2022, including staffing levels; the impacts of reduced staffing on routine activities such as blow off valve replacements; and the impacts of record rainfall on energy use, associated costs, and Clinton Wastewater Treatment Plant flows. He added that heavy rainfall had also effected water quality, which prompted treatment adjustments and outreach to customer communities about flushing and other best practices. Finally, Mr. Coppes noted that the water quality issues had since been resolved.

(Ms. Wolowicz returned to the meeting during the presentation.)

There was brief discussion about staff recruitment and retention challenges statewide.

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

#### Delegated Authority Report – December 2021

Mr. Foti invited questions or comments from Board Members.

Hearing no questions or discussion, Mr. Foti proceeded to the next agenda item. (ref. VII A.2)

#### Fiscal Year 2022 Mid-Year Capital Improvement Program Spending Report

MWRA Director of Finance Thomas Durkin explained that the purpose of Mid-Year Capital Improvement Program (CIP) Spending Report was to provide Board Members a detailed record of spending highlights, as well as explanations for spending variances and schedule changes versus the budget. He also described how the report was organized and used for analysis.

There was general discussion about state and federal funding for water and wastewater infrastructure projects.

Hearing no further questions or discussion, Mr. Foti proceeded to the next agenda item. (ref. VII A.3)

#### FY22 Financial Update and Summary through January 2022

Mr. Durkin summarized financial results for FY22 through January 2022. He reported that total expenses were 3.1% under budget. He noted that indirect expenses were less than 1% under budget, and explained that the Harbor Electric Energy Company (HEEC) cable and watershed protection reimbursements had offset insurance premium overspending. He added that direct expenses were 9.2% under budget, mostly attributable to reduced personnel costs due to staffing challenges. Mr. Durkin then reported that total revenues were 0.3% over budget, resulting in a total budget variance of \$14.9 million. He also noted that capital finance expenses were right on budget after a transfer of \$7.7 million to the defeasance account, and that MWRA staff projected a \$32.3 million end-of-year total budget surplus. Finally, Mr. Durkin noted that staff would continue to refine projections, and that total capital expenditures were 24.9% under budget.

There was general discussion about the hypothetical impact of projected federal interest rate increases on MWRA budgets, wages and salaries, and the potential budgetary impacts of rising fuel and utilities costs. (ref. VII A.4)

#### Preliminary FY2023 Water and Sewer Assessments

Mr. Durkin summarized the proposed preliminary MWRA community assessments for Fiscal Year 2023. He explained that staff proposed a 3.4% increase on a combined water and sewer basis, which represented a slightly lower rate than projected. He then noted that staff would engage with the MWRA Advisory Board to review the figures. Finally, Mr. Durkin urged MWRA communities to consider proposed rate increases at the utility level: 3.9% for water and 3.1% for sewer, and noted the variability of community shares in the system.

Mr. Walsh noted that a page was missing from his Staff Summary. Mr. Durkin advised that staff would forward him the missing page.

There was general discussion about the estimated the cost of 1 million gallons per day (MGD) of combined water and sewer services, and the challenges of setting retail rates.

Hearing no further questions or discussion, Mr. Foti proceeded to the next agenda item. (ref. VII A.5)

### Approvals

#### Transmittal of the FY2023 Proposed Current Expense Budget

A motion was duly made and seconded to approve the transmittal of the FY23 Proposed Current Expense Budget to the Advisory Board for its 60-day review and comment period.

MWRA staff presented an overview of the FY23 Proposed Current Expense Budget (CEB) for transmittal to the MWRA Advisory Board for review. Mr. Durkin explained that community assessments were expected to support the proposed budget. MWRA Budget Director Michael Cole reported that the proposed CEB represented a 3.4% year over year increase overall. He noted that the proposed budget included a 3% increase for direct expenses such as personnel costs, energy and utilities, maintenance, chemicals, training and meetings, professional services, other materials and other services; and, a 3.5% increase for indirect expenses such as watershed reimbursement/payments in lieu of taxes, pensions, other post-employment benefits, HEEC, insurance, mitigation and reserves. Finally, MWRA Deputy Director of Finance/Treasurer Matthew Horan explained that the proposed CEB included a \$17.4 million capital finance increase, mostly for principal and interest on outstanding debt and projected issuances, and also for expenses such the capital lease of the MWRA Chelsea facility, the Local Water Pipeline Assistance Program, and current revenue for capital.

There was brief discussion about the hypothetical impacts of inflation on personnel costs, and potential state and federal subsidies.

Chair Theoharides asked if there was further discussion or any objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. VII B.1)

#### Proposed Amendments to the Management Policies of the Board of Directors

A motion was duly made and seconded to adopt the proposed amendments to the Management Policies of the Board of Directors as set forth in the February 16, 2022 Staff Summary, each substantially in the form presented and filed with the records of the meeting.

Ms. Gillen presented an overview of proposed changes to the Management Policies of the MWRA Board of Directors, which had been updated since last discussed at the January 19, 2022 Board meeting. She explained that MWRA staff's recommendations were intended to improve operational efficiency, especially around hiring, and to allow Board Members to focus more on substantive policy matters. She noted that the updated proposed amendments included the



authorization of the Executive Director to approve all appointments, with the exception of non-union manager positions which would continue to be approved by the Board; authorization of the Executive Director to approve Position Control Register changes to job titles and cost centers; and an increase to \$300,000 in the Executive Director's delegated authority to file lawsuits and settled claims. Finally, Ms. Gillen noted that staff would continue to adhere to a robust internal approval process, and report delegated authority actions to the Board.

Board Member Pappastergion requested a copy of the presentation slide for this agenda item, noting that it was a helpful encapsulation of the proposed amendments.

There was general discussion about the typical cost of chemicals, sole source bids; the procurement approval process; the MWRA delegated authority process; and, delegated authority practices at other state agencies.

Chair Theoharides expressed support for the proposed amendments and confidence in MWRA staff's abilities to make purchasing decisions. She added that the proposed amendments were in the best interest of ratepayers and would allow Board Members to focus on major decisions and bigger picture matters. Board members echoed the Chair's remarks.

There was general discussion about the function of Board Committees, MWRA purchasing policies and procedures, competitive bidding, and the process of reporting to the Board.

Chair Theoharides asked if there was further discussion or any objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. VII B.2)

#### Contract Awards

##### Groundskeeping Services – Metropolitan Boston: C&W Facility Services, Inc. d/b/a C&W Services, Contract OP-439

A motion was duly made and seconded to approve the award of Contract OP-439, Groundskeeping Services – Metropolitan Boston, to the lowest responsible and eligible bidder, C&W Facility Services, Inc. d/b/a C&W Services and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the bid amount of \$534,316.75 for a contract term of 1,095 calendar days from the Notice to Proceed.

MWRA Director of Wastewater Stephen Cullen summarized the purpose of the recurring groundskeeping contract, and the procurement process.

Chair Theoharides encouraged staff to consider the environmental practices of future groundskeeping contractors, such as the use of electric-powered rather than gas-powered equipment.

There was discussion about the benefits of electric-powered landscaping equipment, the prior groundskeeping contract's cost, MBE/WBE participation requirements, and the MBE/WBE evaluation and confirmation process.

Chair Theoharides asked if there was further discussion or any objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. VII C.1)

Purchase Order Contract for New Next Generation Firewall System Hardware, Software, Five Years Maintenance/Support and Installation Services: ePlus Technology, Inc., WRA-5073Q, State Contract ITS74

A motion was duly made and seconded to approve the award of a purchase order contract for new Next Generation Firewall system hardware, software, five years maintenance/support, and installation services to the lowest responsive bidder under Bid WRA-5073Q, ePlus Technology, Inc., and authorize the Executive Director to execute said purchase order in the bid amount of \$431,839.00.

MWRA MIS Director Paula Weadick summarized the proposed purchase order contract for hardware, software, maintenance, support and installation services, and described the procurement process.

There was discussion about the prior contractor, and the bidders' respective hardware costs.

(Mr. Pappastergion left the meeting during discussion.)

Chair Theoharides asked if there was further discussion or any objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. VII C.2)

WASTEWATER POLICY AND OVERSIGHT

Contract Amendments/Change Orders

CSO Post-Construction Monitoring and Performance Assessment: AECOM Technical Services, Inc., Contract 7572, Amendment 3

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Amendment 3 to Contract 7572, CSO Post-Construction Monitoring and Performance Assessment, with AECOM Technical Services, Inc., to increase the contract amount by \$1,559,000, from \$5,284,405 to \$6,843,405 and to extend the contract term by three years (1,097 calendar days), from April 7, 2022 to April 7, 2025.

MWRA staff presented an overview of the Long-Term CSO Control Program and the reasons for the proposed contract amendment. Mr. Coppes discussed the three-year extension requested of the court to focus on the 16 outfalls that did not meet the Long-Term CSO Control Plan goals, and future long-term control plan requirements for the variance waters - the Alewife Brook, Upper Mystic River and Charles River Lower Basin. Mr. Coppes explained that the proposed amendment would support the requested three-year time extension. MWRA Assistant Director of Engineering Brian Kubaska then described the consultant's qualifications and experience, and the scope of the proposed amendment.

Chair Theoharides asked if there was discussion or any objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. VIII A.1)

Nut Island Headworks Odor Control and HVAC Improvements: Walsh Construction Company II, LLC, Contract 7548, Change Order 9

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Change Order 9 to Contract 7548, Nut Island Headworks Odor Control and HVAC Improvements, with Walsh Construction Company II, LLC, for a lump sum amount of \$187,410.85, increasing the contract amount from \$58,726,514.84 to \$58,913,925.69, with no increase in contract term. Further, it was moved and seconded to authorize the Executive Director to approve additional change orders as may be needed to Contract 7548 in an amount not to exceed the aggregate of \$250,000, in accordance with the Management Policies and Procedures of the Board of Directors.

Ms. Barrett explained that the purpose of the proposed change order was to install sewerage injector piping and modify fire sprinklers at the Nut Island Headworks.

There was brief discussion about the reasons for the proposed change order, and MWRA's cost recovery process.

Chair Theoharides asked if there was discussion or any objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. VIII A.2)

OMNIBUS ROLL CALL VOTE

Chair Theoharides 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>
Theoharides		
Cook		
Flanagan		
Foti		
Peña		
Vitale		
J. Walsh		
Wolowicz		

Voted: to approve the minutes of the Board of Directors' January 19, 2022 meeting as presented and filed with the records of the meeting; (ref. I)

Further, voted: to approve the award of Contract 6522, Northern Extra High Pressure Zone Improvements Section 63 (Lexington), to the lowest responsible and eligible bidder, Albanese D&S, Inc. and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the bid amount of \$11,737,000 for a contract term of 840 calendar days from the Notice to Proceed; (ref. V B.1)

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Change Order 5 to Contract 7085H, John J. Carroll Water Treatment Plant Sodium Hypochlorite System Modifications, with Harding & Smith, LLC for a not-to-exceed amount of \$140,000,

increasing the contract amount from \$1,865,917.47 to \$2,005,917.47, and extending the contract term by 150 calendar days from February 7, 2022 to July 7, 2022; further, voted: to authorize the Executive Director to approve additional change orders as may be needed to Contract 7085H in an amount not to exceed the aggregate of \$250,000 and 180 days in accordance with the Management Policies and Procedures of the Board of Directors; (ref. V C.1)

Further, voted: that the Board of Directors approve the Massachusetts Water Resources Authority's Affirmative Action Plan effective for a one-year period from January 1, 2022 through December 31, 2022; (ref. VI B.1)

Further, voted: to approve amendments to the Position Control Register (PCR) as presented and filed with the records of the meeting; (ref VI B.2)

Further, voted: to approve transmittal of the FY23 Proposed Current Expense Budget to the MWRA Advisory Board for its 60 day review and comment period; (ref. VII B.1)

Further, voted: to adopt the proposed amendments to the Management Policies of the Board of Directors as set forth in the February 16, 2022 Staff Summary, each substantially in the form presented and filed with the records of the meeting; (ref. VII B.2)

Further, voted: to approve the award of Contract OP-439, Groundskeeping Services—Metropolitan Boston, to the lowest responsible and eligible bidder, C&W Facility Services, Inc. d/b/a C&W Services and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the bid amount of \$534,316.75 for a contract term of 1,095 calendar days from the Notice to Proceed; (ref. VII C.1)

Further, voted: to approve the award of a purchase order contract for new Next Generation Firewall system hardware, software, five years maintenance/support, and installation services to the lowest responsive bidder under Bid WRA-5073Q, ePlus Technology, Inc., and authorize the Executive Director to execute said purchase order in the bid amount of \$431,839.00; (ref. VII C.2)

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 3 to Contract 7572, CSO Post-Construction Monitoring and Performance Assessment, with AECOM Technical Services, Inc., to increase the contract amount by \$1,559,000, from \$5,284,405 to \$6,843,405 and to extend the contract term by three years (1,097 calendar days), from April 7, 2022 to April 7, 2025; (ref. VIII A.1) and,

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Change Order 9 to Contract 7548, Nut Island Headworks Odor Control and HVAC Improvements, with Walsh Construction Company II, LLC, for a lump sum amount of \$187,410.85, increasing the contract amount from \$58,726,514.84 to \$58,913,925.69, with no increase in contract term; further, voted: to authorize the Executive Director to approve additional change orders as may be needed to Contract 7548 in an amount not to exceed the aggregate of \$250,000, in accordance with the Management Policies and Procedures of the Board of Directors. (ref. VIII A.2)

## CORRESPONDENCE TO THE BOARD

### Water Supply Citizens Advisory Committee Letter Regarding CSXT Settlement Agreement

Chair Theoharides announced that the Board had received a letter of congratulations from the Water Supply Citizens Advisory Committee (WSCAC) to the MWRA regarding the Wachusett Railroad (CSXT) settlement agreement. She invited Mr. Laskey to offer remarks. Mr. Laskey acknowledged the interest and participation of WSCAC's staff and membership, and thanked them for their help and advocacy. (ref. IX)

OTHER BUSINESS

There was no other business.

ADJOURNMENT

A motion was duly made and seconded to adjourn the meeting.

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

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Theoharides		
Cook		
Foti		
Flanagan		
Peña		
Vitale		
J. Walsh		
Wolowicz		

The meeting adjourned at 3:17 pm.

Approved: March 16, 2022

Attest:

 for  
\_\_\_\_\_  
Andrew M. Pappastergion, Secretary