

MASSACHUSETTS WATER RESOURCES AUTHORITY

Meeting of the Board of Directors

March 13, 2024

A meeting of the Massachusetts Water Resources Authority (“MWRA”) Board of Directors was held on March 13, 2024 at MWRA’s Administration Facility in Chelsea, and via remote participation.

Chair Tepper presided from MWRA’s Chelsea Administration Facility. Board Members Foti, Pappastergion, Peña, Taverna, Jack Walsh, Patrick Walsh and White-Hammond also participated at the Chelsea Administration Facility. Board Members Vitale and Wolowicz participated remotely. Board Member Flanagan was absent.

MWRA Executive Director Frederick Laskey; General Counsel Carolyn Francisco Murphy; Chief Operating Officer David Coppes; Deputy Chief Operating Officer Rebecca Weidman; Director of Finance Thomas Durkin; Special Assistant for Affirmative Action Patterson Riley; MIS Director Paula Weadick; Tunnel Program Director Kathy Murtagh; Senior Program Manager, Planning Kristen Hall; MWRA Project Managers, Planning Israel Alvarez and David Granados; MWRA Director of Planning and Sustainability Stephen Estes-Smargiassi; Asset Management Analyst Michael Curtis; Chief of Staff Katie Ronan; Associate General Counsels Angela Atchue, Kimberley McMahon and Kristen Schuler Scammon; and, Assistant Secretary Kristin MacDougall participated at MWRA’s Chelsea Administration Facility.

Vandana Rao, Executive Office of Environmental Affairs (“EEA”), and Matt Romero, MWRA Advisory Board (“Advisory Board”), participated at MWRA’s Chelsea Administration Facility.

Chair Tepper called the meeting to order at 1:05pm.

ROLL CALL

MWRA General Counsel Francisco Murphy took roll call of Board Members in attendance and announced that Board Members Vitale and Wolowicz were participating remotely. The Chair announced that the meeting was being held at MWRA’s Administration Facility and virtually, via a link posted on MWRA’s website. 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 individual roll call votes would be conducted after each motion was made and given an opportunity for discussion.

(Rev. White-Hammond joined the meeting after Roll Call.)

APPROVAL OF FEBRUARY 21, 2024 MINUTES

A motion was duly made and seconded to approve the minutes of the Board of Directors’ meeting of February 21, 2024.

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
		P. Walsh
White-Hammond		
Wolowicz		

(ref. I)

REPORT OF THE CHAIR

Secretary Tepper announced the launch of a new EEA multimedia campaign, “Climate Action is for All of Us,” which raises awareness about climate change and promotes ways for individuals to take action. She explained that the campaign will be conducted through ad placement in a variety of channels such as YouTube, the MBTA, and a blanketing of South Station in April, 2024, and noted that the ads will direct the public to the campaign website. Finally, the Secretary encouraged Board Members and meeting participants to learn more about the campaign, and to put its helpful, concrete suggestions into practice. (ref. II)

REPORT OF THE EXECUTIVE DIRECTOR

MWRA Executive Director Fred Laskey reported that a Quabbin transfer is underway, and that the MWRA system is currently spilling more water than it is delivering. Mr. Laskey then announced that MWRA is being honored by the Massachusetts Chapter of the American Council of Engineering Companies (“ACEC”) for its Low Service Pressure Reducing Valve Improvements project, and thanked the project team for their work. Next, he discussed his March, 2024 presentation at the Utility Contractors’ Association of New England “UCANE” annual dinner meeting and trade show; he noted that his remarks on MWRA’s Diversity, Equity and Inclusion (“DEI”) initiatives were especially well-received. Finally, Mr. Laskey described recent and upcoming DEI events at MWRA, including a new Lunch and Learn Speaker Series, where staff present talks on varied topics of interest for their colleagues, and the ongoing Lunchtime Speaker Series, which features external guest presenters. (ref. III)

EXECUTIVE SESSION

Chair Tepper requested that the Board move into Executive Session to discuss Real Estate, Litigation and Collective Bargaining, since discussing such in Open Session could have a detrimental effect on the litigating and negotiating positions of the Authority. She announced the planned topics for Executive Session were the acceptance of a grant of a sewer easement in Hingham; a watershed land acquisition; an amendment to a prior Board vote with respect to a watershed land acquisition; discussion of strategy with respect to litigation; and, collective bargaining for all bargaining units. 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.

General Counsel Francisco Murphy reminded Board members that under the Open Meeting Law members who were participating remotely in Executive Session must state that no other person is present or able to hear the discussion at their remote location. 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 was present or able to hear the Executive 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>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Walsh		
White-Hammond		
Wolowicz		

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

*** EXECUTIVE SESSION ***

The meeting entered Executive Session at 1:08pm and adjourned at 1:59pm.

*** CONTINUATION OF OPEN SESSION ***

BOARD INFORMATION ITEMS

Metropolitan Water Supply Tunnel Program Overview

Kathy Murtagh, MWRA Tunnel Program Director, presented a brief overview of the Metropolitan Water Tunnel Program (“Tunnel Program”). The presentation included a review of the Program’s scope, status, benefits, goals, budget and cost controls, as well as an update on the Metropolitan Interim Improvements Program.

(Board Members Peña and Taverna joined the meeting, and Board Member Wolowicz left the meeting during the presentation.)

Hearing no discussion or questions from the Board, Chair Tepper moved to the next Information item. (ref. BI A)

Local Water System Assistance Program Annual Update (ref. W C.1)

Kristen Hall, MWRA Senior Program Manager, Planning, presented an annual update on the Local Water System Assistance Program (“LWSAP”) as detailed in the March 13, 2024 Staff Summary and filed with the records of this meeting.

She described the Program’s goals and funding phases, and presented examples of LWSAP-funded community projects. Ms. Hall also discussed the associated Lead Service Line Replacement Program (“LLP”). Finally, she noted that MWRA staff are working with the Advisory Board to develop revisions to the LLP in order to facilitate the acceleration of community lead service line replacements.

Hearing no discussion or questions from the Board, Chair Tepper moved to the next Information item. (ref. W C.1/ BI B)

Infiltration/Inflow Financial Assistance Program Annual Update (ref. WW A.1)

Ms. Hall introduced MWRA Project Managers Israel Alvarez and David Granados, who manage the Infiltration and Inflow (“I/I”) Financial Assistance Program and LLP, respectively, and presented an annual update on MWRA’s Infiltration/Inflow Financial Assistance Program (“I/I Program”), as detailed in the March 13, 2024 Staff Summary and filed with the records of this meeting.

The presentation included a summary of Program services provided, as well as the Program’s goals, achievements, and budget. Ms. Hall also presented examples of I/I sources, methods to identify I/I, and community projects funded through the Program. The presentation also included an overview of the I/I Program’s phases, and community grant allocations and loan terms to date.

There was discussion with questions about how I/I Program improvements are measured and

graphically presented. Board Member Peña asked if MWRA communities that receive MWRA I/I financial assistance are required to remove illicit connections to their sewer systems. Mr. Alvarez explained that the communities use MWRA I/I Program funds to remove these connections at their discretion. Ms. Hall added that the communities typically design projects to remove such connections at a later date, and briefly discussed a recent local manhole sealing project. There was also brief discussion about service area population growth.

Hearing no further discussion or questions from the Board, Chair Tepper moved to Board Actions. (ref. WW A.1/BI.C)

BOARD ACTIONS

Chair Tepper stated that all items for vote at this meeting were discussed at the March 13, 2024 Board Committee meetings, and that those agendas and meeting materials are available on MWRA's website.

Board Member Vitale shared positive feedback that he received about MWRA staff during a recent bond transaction, and thanked staff for their contributions to the transaction's success. He also complimented MWRA's administrative staff.

APPROVALS

Metropolitan Water Tunnel Program: Contract Structure for Final Design Engineering Services, Contract 7556 (ref. W B.1)

A motion was duly made and seconded to approve staff's recommended contract structure for Engineering Services During Construction under Contract 7556, Final Design Engineering Services for the Metropolitan Water Tunnel Program where the cost for Engineering Services During Construction during tunnel construction, if approved by the Board of Directors, will be authorized and added by amendment(s) to the Final Design Engineering Services Contract 7556, as further detailed in the March 13, 2024 Staff Summary and presented and filed with the records of this meeting.

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
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J. Walsh

P. Walsh

White-Hammond

(ref. W B.1/V A.1)

March 2024 PCR Amendments (ref. P&C A.1)

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

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
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Tepper

Foti

Pappastergion

Peña

Taverna

Vitale

J Walsh

P. Walsh

White-Hammond

(ref. P&C A.1/V A.2)

Appointment of Heather Sulejman, Manager, Training and Development (ref. P&C A.2)

A motion was duly made and seconded to approve the appointment of Heather Sulejman to the position of Manager, Training and Development (Non-Union, Grade 14) in the Administration Division at an annual salary of \$139,000, commencing on a date to be determined by the Executive Director.

Hearing no discussion or questions from the Board, Chair Tepper requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
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Tepper

Foti

Pappastergion

Peña

Taverna

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Vitale		
J. Walsh		
P. Walsh		
White-Hammond		

(ref. P&C A.2/V A.3)

CONTRACT AWARDS

Thermal Plant, Hydro Power and Wind Turbine Maintenance, Deer Island Treatment Plant: O'Connor Corporation, Contract OP-464 (ref. WW B.1)

A motion was duly made and seconded to approve the award of Contract OP-464, Thermal Plant, Hydro Power and Wind Turbine Maintenance, Deer Island Treatment Plant, to the lowest responsible and eligible bidder, O'Connor Corporation, and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the bid amount of \$13,590,197 for a contract term of 1095 calendar days from the Notice to Proceed.

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Walsh		
White-Hammond		

(ref. WW B.1/V B.1)

CONTRACT AMENDMENTS/CHANGE ORDERS

Section 101 Pipeline Extension (Waltham): Baltazar Contractors, Inc., Contract 7457, Change Order 4 (ref. W D.1)

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Change Order 4 to Contract 7457, Section 101 Pipeline Extension, with Baltazar Contractors, Inc., for a not-to-exceed amount of \$500,000, increasing the contract amount from \$32,735,976.89 to \$33,235,976.89, and extending the contract term by 540 calendar days from April 7, 2024 to September 29, 2025.

Further, a motion was duly made and seconded to authorize the Executive Director to approve additional change orders as may be needed to Contract 7457 in an amount not to exceed the aggregate of \$1,000,000 and extend the contract term by 180 days in accordance with the Management Policies and Procedures of the Board of Directors.

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Walsh		
White-Hammond		

(ref. W D.1/V C.1)

Rehabilitation of WASM 3 Sections W11/W12/W16/51 (Medford, Somerville and Arlington): Albanese D&S, Inc., Contract 6544, Change Order 9 (ref. W D.2)

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Change Order 9 to Contract 6544, Rehabilitation of WASM 3 Sections W11/W12/W16/51 (Medford, Somerville and Arlington), with Albanese D&S, Inc. for a lump sum amount of \$374,297.01, increasing the contract amount from \$20,175,619.60 to \$20,549,916.61, with no increase in contract term.

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Walsh		

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
White-Hammond		
(ref. W D.2/V C.2)		

Enterprise Content Management System Purchase and Implementation: Cadence Solutions Inc., Contract 7438, Amendment 2 (ref. A&F B.1)

A motion was duly made and seconded that the Board of Directors, on behalf of the Authority, approve Amendment 2 to Contract 7438, Enterprise Content Management System purchase and implementation, with Cadence Solutions Inc., to extend the contract term by 12 months, from March 24, 2024 to March 24, 2025, with the additional cost of \$86,700 to be included under a separate delegated authority amendment as set forth in the March 13, 2024 Staff Summary presented and filed with the records of this meeting.

Chair Tepper asked if there was any discussion or questions from the Board. Hearing none, she requested a roll call vote in which the members were recorded as follows:

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Tepper		
Foti		
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Walsh		
White-Hammond		
(ref. A&F B.1/V C.3)		

CORRESPONDENCE TO THE BOARD

There was no correspondence to the Board (ref. VI)

OTHER BUSINESS

There was no Other Business. (ref. VII)

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>
Tepper		
Foti		

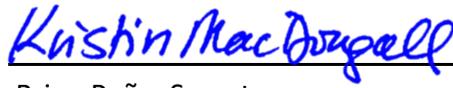
<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Pappastergion		
Peña		
Taverna		
Vitale		
J. Walsh		
P. Wash		
White-Hammond		

(ref. VIII)

The meeting adjourned at 2:32pm.

Approved: April 17, 2024

Attest:

 for
 Brian Peña, Secretary

LIST OF DOCUMENTS AND EXHIBITS USED

- Draft Minutes of the February 21, 2024 MWRA Board of Directors' Meeting (ref. I)
- March 13, 2024 Presentation – Quabbin Overflow Photograph (ref. III)
- March 13, 2024 Staff Summary and Presentation – Metropolitan Water Supply Tunnel Program Overview (ref. BI A)
- March 13, 2024 Staff Summary and Presentation – Local Water System Assistance Program Annual Update (ref. W C.1/BI B)
- March 13, 2024 Staff Summary and Presentation – Infiltration/Inflow Local Financial Assistance Program Annual Update (ref. WW A.2/BI 3)
- March 13, 2024 Staff Summary and Presentation – Metropolitan Water Tunnel Program: Contract Structure for Final Design Engineering Services Contract 7556 (ref. W B.1/V A.1)
- March 13, 2024 Staff Summary – March 2024 PCR Amendments (ref. P&C A.1/V A.2)
- March 13, 2024 Staff Summary – Appointment of Heather Sulejman, Manager, Training and Development (ref. P&C A.2/V A.3)
- March 13, 2024 Staff Summary and Presentation – Thermal Plant, Hydro Power and Wind Turbine Maintenance, Deer Island Treatment Plant: O'Connor Corporation, Contract OP-464 (ref. WW B.1/V B.1)
- March 13, 2024 Staff Summary and Presentation – Section 101 Pipeline Extension (Waltham): Baltazar Contractors, Inc., Contract 7457, Change Order 4 (ref. W D.1/V C.1)

- March 13, 2024 Staff Summary– Rehabilitation of WASM 3 Sections W11/W12/W16/51 (Medford, Somerville and Arlington): Albanese D&S, Inc., Contract 6544, Change Order 9 (ref. W D.2/V C.2)
- March 13, 2024 Staff Summary– Enterprise Content Management System Purchase and Implementation: Cadence Solutions Inc., Contract 7438, Amendment 2 (ref. A&F B.1/V C.3)